The collections of information in this proposed regulation are in 27 CFR §§ 24.278 and 24.279 (OMB control numbers 1512–0540 and 1512–0492, respectively). This information is required to advise the transferee of any available credit, and to support entries on tax returns and claims. This information will be used by the transferee and the small producer to compute taxes or claims and may also be reviewed by ATF during an audit to confirm that wine tax credits were properly taken. The collections of information are required to obtain a benefit (reduced rate of tax). The likely recordkeepers are businesses and small businesses.

Since this collection of information involves a disclosure (consisting of shipping instructions from the producer-owner of the wine to the transferee) and recordkeeping which must take place for commercial reasons unrelated to the regulatory requirement, ATF estimates a burden of 1 hour for OMB control number 1512–0540 (information collected in support of small producer's wine tax credit). The estimated total annual recordkeeping burden associated OMB control number 1512–0492 (usual and customary records kept in support of tax returns and claims) will not increase.

Estimated number or respondents and/or recordkeepers: 30 transferees in bond and 250 small producers.

No reports are required as part of these regulations.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by the Office of Management and Budget.

Public Participation

ATF requests comments on the temporary regulations from all interested persons. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practicable to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

Comments may be submitted by facsimile transmission (FAX) to (202) 927–8602, provided the comments: (1) Are legible, (2) are 8½″ x 11″ in size, (3) contain a written signature, and (4) are three pages or less in length. This limitation is necessary to assure reasonable access to the equipment. Comments sent by FAX in excess of three pages will not be accepted. Receipt of FAX transmittals will not be acknowledged. Facsimile transmitted comments will be treated as originals.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting the comment is not exempt from disclosure. During the comment period, any person may request an opportunity to present oral testimony at a public hearing. However, the Director reserves the right, in light of all circumstances, to determine if a public hearing is necessary.

The temporary regulations in this issue of the **Federal Register** amend the regulations in 27 CFR Part 24. For the text of the temporary regulations see T.D. ATF–390 published in the Rules and Regulations section of this issue of the **Federal Register**.

Drafting Information: The principal author of this document is Marjorie D. Ruhf, Wine, Beer & Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

John W. Magaw,

Director.

Approved: January 3, 1997.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 97–14307 Filed 5–30–97; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 243

RIN 1010–AC08

Policy for Release of Third-Party Proprietary Information for the Administrative Appeals Process and for Alternative Dispute Resolution

AGENCY: Minerals Management Service, Interior.

ACTION: Proposed rule; notice of extension of public comment period.

SUMMARY: The Minerals Management Service (MMS) hereby gives notice that it is extending the public comment period on a notice of proposed rule, which was published in the **Federal Register** on April 4, 1997, (62 FR 16116). The proposed rule would amend the regulations to authorize RMP by law to provide third-party proprietary information to appellants and entities involved in administrative appeals and other Alternative Dispute Resolution (ADR) when that information is the basis for an RMP assessment. In response to requests for additional time, MMS will extend the comment period from June 3, 1997, to July 3, 1997.

DATES: Comments must be submitted on or before July 3, 1997.

ADDRESSES: Written comments, suggestions, or objections regarding this proposed amendment should be sent to the following addresses.

For comments sent via the U.S. Postal Service use: Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS 3021, Denver, Colorado 80225–0165.

For comments via courier or overnight delivery service use: Minerals Management Service, Royalty Management Program, Rules and Publications Staff, MS 3021, Building 85, Denver Federal Center, Room A–613, Denver, Colorado 80225–0165.

FOR FURTHER INFORMATION CONTACT: David S. Guzy, Chief, Rules and Publications Staff, phone (303) 231–3432, FAX (303) 231–3385 or (303) 231–3194, e-Mail David__Guzy@ mms.gov.

SUPPLEMENTARY INFORMATION: MMS received requests from representatives of the oil and gas industry to extend the comment period of this proposed rule. This time extension is in response to these requests in order to provide commentors with adequate time to provide detailed comments that MMS can use to proceed in the rulemaking.

Dated: May 27, 1997.

R. Dale Fazio,

Acting Associate Director for Royalty Management.

[FR Doc. 97–14240 Filed 5–30–97; 8:45 am]

BILLING CODE 4310–MR–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIPTRAX NO. DC032–2005; FRL–5833–1]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; New Source Review Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the District of Columbia. This revision establishes and requires the major new source review (NSR) permit program. The intended

effect of this action is to propose approval of the NSR program which requires permitting for the construction of major new or major modified sources pursuant to the requirements of the Clean Air Act (CAA). This action is being taken under section 110 of the Clean Air Act.

DATES: Comments must be received on or before July 2, 1997.

ADDRESSES: Comments may be mailed to Kathleen Henry, Chief, Permits Program Section, Mailcode 3AT23, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; District of Columbia Department of Consumer and Regulatory Affairs, 2100 Martin Luther King Ave, S.E., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Linda Miller, (215) 566–2068, or by e-mail at miller.linda@epamail.epa.gov. (Although additional information may be requested via e-mail, comments must be submitted in writing to the above EPA address.)

SUPPLEMENTARY INFORMATION: On May 2, 1997, the District of Columbia, Department of Consumer and Regulatory Affairs, submitted a revision to its State Implementation Plan (SIP) for major new source review (NSR). This revision requires major new and modified sources of volatile organic compounds (VOCs) and nitrogen oxides (NO_X) to meet certain new source requirements if they are being located in a designated nonattainment area, if they are expected to emit these pollutants in quantities that would significantly impact a nonattainment area, or if they are being located an the ozone transport region. These requirements include installing Lowest Achievable Emission Rate (LAER) technology and obtaining emission offsets.

Background

The SIP revision consists of regulations applicable to new source permitting in District of Columbia Municipal Regulations (DCMR) Title 20, sections 199, 200, 201, 202, 204, 206.1 (pertaining to public notice), and 299 (reference to applicability of definitions in section 199).

The District of Columbia (the District) is part of the Washington, DC ozone nonattainment area, which includes portions of Maryland and Virginia. Washington, DC is a nonattainment area classified as serious for ozone, and as such, is required under the Clean Air Act to implement certain requirements including those pertaining to the permitting of major new and major modified sources. Title I, Part D of the Clean Air Act (including sections 171, 172, 173, 182, 187, and 189) requires that States incorporate into the applicable SIP an acceptable permitting program for the preconstruction review of new or modified major stationary sources in nonattainment areas. In addition, the 1990 Amendments create certain new requirements for States. The amended Act required that areas such as the District submit adopted regulations applying to the permitting of those major sources no later than November 15, 1992. In addition, section 184 of the amended Act requires that areas located in the ozone transport region (OTR), of which the District is a part, submit a NSR program applicable to major new and major modified sources. The Act defines major sources in serious ozone nonattainment areas as those with the potential to emit greater than or equal to 50 tons per year (TPY) of VOC or NO_X emissions. Therefore, although section 184 requires that areas in the OTR define major sources as those with the potential to emit greater than or equal to 50 TPY VOC or 100 TPY NO_X emissions, the more stringent major source threshold of 50 TPY for serious ozone nonattainment areas supersedes the OTR requirement.

On July 6, 1993, EPA made a finding that the District had failed to submit the required NSR regulations, which started the 18 month sanctions clock under section 179 of the Act. On October 22, 1993, the District submitted the required regulations, which were subsequently determined by EPA to be complete and the sanctions clock for failure to submit were stopped. Due to multiple deficiencies in the submitted regulations, EPA disapproved the SIP submittal in a direct final rulemaking on March 24, 1995 (Volume 60 FR 15483). This action once again started a sanctions clock. On November 23, 1996, the 2:1 emission offset sanction, which is the first of two mandatory sanctions, was imposed pursuant to Section 179 of the Act. The second mandatory sanction clock, the withholding of federal funds for new highway projects, will expire on May 24, 1997. An interim rulemaking to stay both phases of sanctions, 2:1 emission offsets and restriction of highway funds, is being published in the final rules section of this **Federal Register** concurrently with this proposed rule.

Summary of SIP Revision

The District of Columbia submittal includes regulations for the construction permitting program for major new and major modified sources required under section 182 of the Act. Although sections 200, 201, 202, and 204 of the District of Columbia Municipal Regulations (DCMR) apply to both major and minor sources and to sources wishing to obtain construction or operating permits, it is the intent of this SIP submittal to meet only the requirement to submit a major new source permitting program under section 182 of the CAA. Therefore, only those requirements in sections 200, 201, 202, and 204 applicable to major new or major modified construction permitting are being approved into the SIP at this time by this rulemaking action. The District of Columbia's current SIP regulation for minor sources remain in effect. Section 206.1 contains public notice and opportunity requirements for NSR permitting. Section 299 is an administrative section stating that the definitions in section 199 apply to Chapter 2. Section 199 contains the definitions applicable to all of the District's regulations. Those definitions contained in section 199 that apply to the permitting programs and which are the subject of this rulemaking action, are: ''actual emissions,'' ''allowable emissions,'' ''begin actual construction,'' ''commence,'' ''complete,'' ''emissions unit,'' ''federally enforceable,'' ''major modification,'' ''major stationary source,'' ''modification,'' ''necessary preconstruction approvals or permits,'' ''net emissions increase,'' ''new source,'' ''potential to emit,'' ''shutdown,'' ''significant,'' and ''stationary source.''

EPA Analysis

Section 182 of the Act requires all States to submit regulations at least as stringent as the nonattainment NSR provisions found in sections 172 and 173 of the Act and the implementing regulations found in 40 CFR part 51. EPA's review of this material indicates that the revision corrects the deficiencies discussed in the EPA disapproval, (60 FR 15483, March 24, 1995), and meets the criteria for a NSR program.

The two most significant deficiencies cited in the disapproval were lack of public comment requirements and the existence of a temporary permit provision which might circumvent NSR permitting. The regulations were

amended to correct these deficiencies (District Register, May 9, 1997). Public review and comment procedures were added to the DCMR (Title 20, section 206.1 and 206.2). The temporary operating permit provision (DCMR, Title 20, 200.3) was modified to require that operation of the source is in accordance with the requirements of the Chapter; this meets the requirements of the Act.

The 1995 disapproval also cites the requirement to update all state regulations to reflect changes in the Clean Air Act by the 1990 amendments in sections 172 and 173 and other relevant sections. Amendments to the DCMR section 204 required for the 1990 amendments provisions have been included in this SIP revision. Section 204 of the DCMR has also been amended to correct the remaining issues mentioned in EPA's March 25, 1995 disapproval. Details of the provisions and corrections are found in the Technical Support Document (TSD) for this rulemaking. The TSD is available from the EPA Regional Office listed in the **ADDRESSES** section of this notice.

EPA is proposing to approve the District SIP revision for NSR, which was submitted on May 2, 1997. EPA is soliciting public comments on the issues discussed in this document or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the **ADDRESSES** section of this notice.

Proposed Action

EPA is proposing to approve the NSR program for new major sources and major modifications in the District of Columbia. Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Administrative Requirements

A. Executive Order 12866

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

The Administrator's decision to approve or disapprove the District's NSR SIP revision will be based on whether it meets the requirements of section 110(a)(2)(A)–(K) and part D of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q.

Dated: May 21, 1997.

William T. Wisniewski,

Acting Regional Administrator, Region III.

[FR Doc. 97–14303 Filed 5–30–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[OPPTS–50626, etc.; FRL–5597–1]

Proposed Modification of Significant New Use Rules For Certain Substances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to modify significant new use rules (SNURs) for six substances promulgated under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for certain chemical substances based on new data. Based on the data the Agency determined that the SNURs should be modified.

DATES: Written comments must be received by July 2, 1997.

ADDRESSES: Each comment must bear the appropriate docket control number OPPTS–50626, etc. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M Street, SW., Room G–099, East Tower, Washington, DC 20460.

Comments and data may also be submitted electronically by following the instructions under Unit III of this preamble. No confidential business information (CBI) should be submitted through e-mail.

All comments which are claimed confidential must be clearly marked as such. Three additional sanitized copies