SUMMARY: This notice announces the initiation of the rulemaking process and requests information relevant to amending the National Indian Gaming Commission's (NIGC) definition regulations located at 25 CFR 502.7 and 502.8. These regulations define key terms in the Indian Gaming Regulatory Act of 1988. The regulations are intended to provide guidance to tribes, their attorneys, enforcement personnel and others interested in Indian gaming. The Commission is inviting the public to comment and assist the NIGC in determining the need, if any, for additional rules governing this area.

DATES: Comments in response to this advance notice must be submitted by November 3, 1997.

ADDRESSES: Commenters may submit their comments by mail, facsimile, or delivery to: Definition Rule Comments, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005. Fax number: 202–632–7066 (not a toll-free number). Public comments may be delivered or inspected from 9 a.m. until noon and from 2 p.m. to 5 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Darla M. Silva at 202–632–7003, or by facsimile at 202–632–7066 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

1. Introduction

The Indian Gaming Regulatory Act (IGRA, or the Act), 25 U.S.C. § 2701 et seq., was signed into law on October 17, 1988. The Act established the National Indian Gaming Commission (the Commission). IGRA was enacted to establish a comprehensive system for regulating gambling activities on Indian lands. IGRA divides gaming into three categories or classes. Class I gaming consists of social gaming for minimal prizes and traditional gaming and is regulated exclusively by the tribes. 25 U.S.C. 2703(6), 2710(a)(1). Class II gaming consists of bingo, pull-tabs, bingo-like games, and non-banking card games. 25 U.S.C. 2703(7)(A). A tribe may conduct, license, and regulate class II gaming if: (1) The state in which the tribe is located permits such gaming for any purpose by any person, organization, or entity; and (2) the governing body of the tribe adopts a gaming ordinance which is approved by the Chairman of the National Indian Gaming Commission. 25 U.S.C. 2710 (a)(2) and (b).

All forms of gaming not included in either class I or class II, such as banking card games (e.g., blackjack), casino games, slot machines, and electronic facsimiles of any game of chance are designated as class III gaming under the IGRA. 25 U.S.C. 2703(8). Class III gaming may lawfully be conducted by an Indian tribe if: (1) The state in which the tribe is located permits such gaming for any purpose by any person, organization, or entity; (2) the tribe and the state have negotiated a tribal-state compact which has been approved by the Secretary of the Interior; and (3) the tribe has adopted a gaming ordinance which has been approved by the Chairman of the Commission. 25 U.S.C. 2710(d)(1).

The IGRA expressly authorizes the Commission to ''promulgate such regulations and guidelines as it deems appropriate to implement the provisions of this [Act].'' 25 U.S.C. 2706(b)(10). On April 9, 1992, the Commission published final rules (57 FR 12392) defining key statutory terms, including ''electronic, computer or other technologic aid'' and ''electronic or electromechanical facsimile''. The current definitions are as follows:

Electronic, computer or other technologic aid means a device such as a computer, telephone, cable, television, satellite or bingo blower and that when used—

(a) Is not a game of chance but merely assist a player or the playing of a game;

(b) Is readily distinguishable from the playing of a game of chance on an electronic or electromechanical facsimile; and

(c) Is operated according to applicable Federal communications law. 25 CFR 502.7.

Electronic or Electromechanical facsimile means any gambling device as defined in 15 U.S.C. § 1171(a) (2) or (3). 25 CFR 502.8.

Since the adoption of these regulations, there has been controversy regarding what constitutes an ''aid'' and a ''facsimile'' and the difference between them. The Commission is requesting public comments to assist in its evaluation of whether amendment of its current regulations is necessary.

2. Advance Notice of Proposed Rulemaking

After consideration of this issue, the NIGC has determined that the appropriate course of action is to publish an Advance Notice of Proposed Rulemaking to collect further information. Concurrently with the collection of this information, the Agency will enforce existing regulations.

The issue of how best to amend the current regulations, if at all, is a question with implications for tribal governments, state governments and other Federal officials. Before the Commission proceeds in this area, it intends to have the benefit of a full airing of the issues through the public comment process.

3. Request for Comments

Public comment is requested to assist the NIGC in its evaluation of the decision to amend its current definition regulations. Comment is requested on the following issues:

(1) The effectiveness of the current regulations is distinguishing between a class II aid and a class III facsimile;

(2) Any suggestions for alternative definitions and/or interpretations.

4. Public Participation

Interested parties are invited to submit comments on any or all of these and other pertinent issues related to amending the current definition regulations by November 3, 1997, in quadruplicate to the Definition Rule Comments, National Indian Gaming Commission, Suite 9100, 1441 L Street NW., Washington, DC 20005. Fax number: 202–632–7066 (not a toll-free number). All written comments submitted in response to this notice will be available for inspection and copying in the NIGC office from 9 a.m. until noon and from 2 p.m. to 5 p.m. Monday through Friday. All timely written submissions will be considered in determining the nature of any proposal.

Authority and Signature

This advance notice of proposed rulemaking was prepared under the direction of Tom Foley, Vice Chairman, National Indian Gaming Commission, 1441 L St., NW., Suite 9100, Washington, DC 20005.

Signed at Washington, DC this 21st day of August, 1997.

Tom Foley,

Vice Chairman, National Indian Gaming Commission.

[FR Doc. 97–22725 Filed 8–29–97; 8:45 am]

BILLING CODE 7565–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD040–3018b; FRL–5881–7]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions From Sheet-Fed and Web Lithographic Printing and Paper Coatings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of

Maryland for the purpose of establishing volatile organic compound (VOC) emission control requirements for sheet-fed and web lithographic printing and amending control requirements for paper, fabric, vinyl and plastic parts coating. In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by October 2, 1997.

ADDRESSES: Written comments on this action should be addressed to David L. Arnold, Chief, Ozone/CO and Mobile Sources Section, Mailcode 3AT21, 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 and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224.

FOR FURTHER INFORMATION CONTACT: Carolyn M. Donahue, (215) 566–2095, at the EPA Region III office address listed above, or via e-mail at donahue.carolyn@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title, pertaining to Maryland's sheet-fed and web lithographic printing regulations, which is located in the Rules and Regulations Section of this **Federal Register**.

Authority: 42 U.S.C. 7401–7671q.

Dated: August 15, 1997.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 97–23029 Filed 8–29–97; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL–5883–5]

Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Reasonably Available Control Technology for Nitrogen Oxides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Rhode Island. This revision establishes and requires Reasonably Available Control Technology (RACT) at stationary sources of nitrogen oxides (NO_X). In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this proposal. Any parties interested in commenting on this proposal should do so at this time.

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

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA, and Division of Air and Hazardous Materials, Rhode Island Department of Environmental Management, 291 Promenade Street, Providence, RI 02908–5767.

FOR FURTHER INFORMATION CONTACT: Steven A. Rapp, Environmental Engineer, Air Quality Planning Unit (CAQ), U.S. EPA, Region I, JFK Federal Building, Boston, MA 02203–2211; (617) 565–2773; Rapp.Steve@EPAMAIL.EPA.GOV.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Authority: 42 U.S.C. 7401—7671q.

Dated: August 19, 1997.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 97–23229 Filed 8–29–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[AZ–001–BU; FRL–5886–7]

Clean Air Act Reclassification; Arizona—Phoenix Nonattainment Area; Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to determine that the Phoenix, Arizona moderate ozone nonattainment area has not attained the 1-hour ozone national ambient air quality standard (NAAQS) by the Clean Air Act (CAA) mandated attainment date for moderate nonattainment areas, November 15, 1996. EPA also proposes to deny the State of Arizona's application for a one-year extension of the November 15, 1996 attainment date for the Phoenix area. The proposed determination and denial are based in whole or in part on EPA's review of monitored air quality data from 1994 through 1996 for compliance with the 1-hour ozone NAAQS. If EPA takes final action on the determination and denial as proposed, the Phoenix ozone nonattainment area will be reclassified by operation of law as a serious nonattainment area. The effect of such a reclassification would be to continue progress toward attainment of the 1-hour ozone NAAQS through the development of a new State implementation plan (SIP) addressing attainment of that standard by November 15, 1999.

DATES: Comments on this proposal must be received in writing by October 2, 1997. Comments should be addressed to the contact listed below.

ADDRESSES: Copies of the State extension request, EPA's draft technical support document for this rulemaking, and EPA's policies governing attainment findings and extension requests are contained in the docket for this rulemaking. A copy of this notice is also