

1970 (29 U.S.C. 667) are required to enforce standards which are at least as effective as those promulgated and enforced by Federal OSHA. In addition, any standards which are applicable to products which are distributed or used in interstate commerce must be required by compelling local conditions and must not unduly burden interstate commerce. States may enforce their standards under authority of State law while they are under review by Federal OSHA.

OSHA is reviewing the California hazard communication standard, which incorporates the Safe Drinking Water and Toxic Enforcement Act. Public comment is being sought by OSHA on the following issues.

1. Whether the California standard and its enforcement are "at least as effective" as the corresponding Federal standard and enforcement.
2. Whether the California standard:
  - (a) Is applicable to products which are distributed or used in interstate commerce;
  - (b) If so, whether it is required by compelling local conditions; and
  - (c) Unduly burdens interstate commerce.

OSHA has received a number of requests for a 30 or 60 day extension of the original 60-day comment period. The Statement of Managers' in the 1997 Omnibus Spending Bill and Immigration Agreement directed OSHA " \* \* \* to expedite its review and approval or rejection of California's hazard communication/proposition 65 standard, and to provide a report to the Appropriations Committees on this matter, by no later than January 1, 1997." In light of this Congressional direction, OSHA is granting the request for an extension, but for a more limited period of two additional weeks, until November 26, 1996.

Authority: Sec. 18, 84 Stat. 1608 (29 U.S.C. 667); 29 CFR part 1902, Secretary of Labor's Order No. 1-90 (55 FR 9033).

Signed this 8th day of November, 1996 in Washington, D.C.  
Joseph A. Dear,  
Assistant Secretary.

[FR Doc. 96-29288 Filed 11-13-96; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 187

#### 46 CFR Part 67

[CGD 96-060]

#### **Vessel Documentation: Combined Builder's Certification and Manufacturer's Certificate of Origin, Submission of Hull Identification Number (HIN) for Documentation of Recreational Vessels, and Issuance of Temporary Certificates of Documentation**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of request for comments.

**SUMMARY:** The Coast Guard seeks information that may be useful in determining the benefits for the following: Combining the Builder's Certification and Manufacturer's Certificate of Origin; proposing to require submission of the Hull Identification Number for documentation of recreational vessels; and issuing temporary Certificates of Documentation. This information will be useful in evaluating alternative approaches, especially where these proposals will assist in law enforcement, preventing fraud, and increasing customer satisfaction.

**DATES:** Comments must be received on or before January 13, 1997.

**ADDRESSES:** Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 96-060), U.S. Coast Guard Headquarters, 2100 Second Street SW, Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

The Executive Secretary maintains the public docket for this notice of request for comments. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** LTJG Michael Antonellis, National Maritime Center, U.S. Coast Guard, 4200 Wilson Blvd., Suite 510, Arlington, VA 22203-1804, telephone (703) 235-8447.

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

The Coast Guard encourages interested persons to participate in this request by submitting written data, views, or arguments. Persons submitting comments should include their names

and addresses, identify this inquiry (CGC 96-060) and the specific section of this document to which each comment or question applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period.

##### **Background and Purpose**

In recent years, the Coast Guard has received numerous inquiries from its customers concerning various alternatives to help reduce the opportunity for fraud, to facilitate the documentation process and to allow vessel owners to operate while waiting for issuance of the permanent Certificate of Documentation (COD). The Coast Guard is considering the following three ideas to address some of the concerns: (1) Combining the Builder's Certification and the Manufacturer's Certificate of Origin; (2) publishing a notice of proposed rulemaking to require submission of the Hull Identification Number (HIN) for Documentation of Recreational Vessels; and (3) issuing temporary CODs.

##### **Discussion**

The Coast Guard seeks information that may be useful when it considers how to revise and/or implement procedures pertaining to the documentation of vessels. This information will be useful in evaluating alternative approaches to help deter fraud, increase the ability to track vessels for enforcement purposes, and improve customer satisfaction by allowing vessel owners to operate while waiting for issuance of the permanent COD. Any rulemaking that results from this notice would be considered part of the Coast Guard's ongoing review of its existing regulations under Section 610 of the Regulatory Flexibility Act of 1980 (5 U.S.C. 610).

The first idea for public comment is, combining the Builder's Certification (Form CG-1261) and the Manufacturer's Certificate of Origin (MCO) will reduce the opportunity for fraud. Form CG-1261 is required to provide build and title evidence for documentation. The MCO is required to title a vessel in a State. Each form collects slightly different information. Currently, most manufacturers will issue both forms for each vessel built, thus giving the purchaser the opportunity to either

obtain documentation or obtain a State title for the vessel.

Certain vessel owners have used the MCO to obtain a State title and Form CG-1261 to obtain a permanent COD. These vessel owners have then recorded one vessel loan as a lien against the State title, and obtained a second loan which is recorded at the National Vessel Documentation Center (NVDC). The financial institutions making the loans are unaware of the dual registration. In other cases, unscrupulous owners sell the vessel to different people, using the State title for one transfer and the permanent COD for the other.

Because the States collect more information than the Coast Guard needs there could be a slight increase in the Coast Guard's information collection budget. The benefits of combining the forms may be found to outweigh this factor, and by helping to prevent fraud, there may be a greater willingness for banks to make vessel loans.

In the past, the Coast Guard has been reluctant to combine the two forms. However, a combined form could be made a requirement for an approved State titling system which would allow creation of preferred mortgages on State titled vessels.

The second idea, requiring submission of the HIN for documentation of recreational vessels, could facilitate the tracking of vessels for law enforcement purposes. The HINs are required for recreational vessels under the provisions of 33 CFR part 181. The original purpose of the HIN was to provide a mechanism for vessel recall if a safety defect was discovered. In recent years, the use of the HIN has been expanded so that it now is a primary means of tracking vessels for law enforcement purposes.

Even though every vessel manufactured for recreational purposes after a certain date is required to have a HIN, vessel documentation customers have never been required to provide the HIN to the Coast Guard as a part of the documentation process. Requiring submission of the HIN, under the authority of 46 U.S.C. 12103(d), could help to deter fraud and prevent vessels from being documented more than once.

The third idea is for the Coast Guard to issue temporary CODs. In recent years, our customers have required that the Coast Guard issue temporary CODs so that owners of pleasure boats could use them while waiting for issuance of the permanent CODs. The Coast Guard has refused citing the absence of direct statutory authority to issue temporary CODs. In the past, proponents for temporary CODs cited 46 U.S.C. 12102(b) as authority for temporary

documents. The Coast Guard is prepared to reconsider its statutory authority if there is sufficient interest and a practical solution to the issue.

For example, a temporary COD could be a form filled out by the applicant and mailed with the rest of the paperwork. That form could be validated by a seal or other means and mailed back immediately. In the long-term, the Coast Guard might seek to have qualified persons issue the temporary CODs in a manner similar to the way in which car dealers act for the State in issuing temporary license plates. The temporary CODs could be valid for 60 or 90 days, or until revoked by the Coast Guard. The United States is one of the very few nations which does not issue any kind of temporary CODs. The minimal costs associated with this service might be recovered through user fees.

Dated: November 6, 1996.

J.C. Card,

*Rear Admiral, U.S. Coast Guard Chief, Marine Safety and Environmental Protection.*

[FR Doc. 96-29196 Filed 11-13-96; 8:45 am]

BILLING CODE 4910-14-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 96-141; RM-8835]

#### Radio Broadcasting Services; Lupton, Michigan

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; denial.

**SUMMARY:** Action in this document denies a proposal filed by Bible Baptist Church requesting the allotment of Channel 272A at Lupton, Michigan, and reservation of the Channel for noncommercial educational use. See 61 FR 42229, August 14, 1996. Bible Baptist Church failed to provide sufficient information to establish that Lupton, Michigan, qualifies as a community for allotment purposes. With this action, this proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 96-141, adopted October 25, 1996, and released November 1, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's

Reference Center (Room 239), 1919 M Street, NW, Washington, D.C.

The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96-29082 Filed 11-13-96; 8:45 am]

BILLING CODE 6712-01-P

### 47 CFR Part 73

[MM Docket No. 96-220; RM-8893]

#### Radio Broadcasting Services; Sturgis, KY

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by JoeMyers Productions, Inc., proposing the allotment of Channel 289A at Sturgis, Kentucky, as the community's first local aural transmission service. Channel 289A can be allotted to Sturgis in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.4 kilometers (0.8 miles) southwest to avoid a short-spacing to the licensed site of Station WYNG-FM, Channel 287B, Evansville, Indiana. The coordinates for Channel 289A at Sturgis are North Latitude 37-32-16 and West Longitude 87-59-35.

**DATES:** Comments must be filed on or before December 23, 1996, and reply comments on or before January 7, 1997.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John F. Garziglia, Esq., Pepper & Corazzini, L.L.P., 1776 K Street, N.W., Suite 200, Washington, D.C. 20006 (Counsel for Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-220, adopted October 25, 1996, and released November 1, 1996. The full text of this Commission decision is available