

Toxics, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-1105; fax: (202) 260-8168; e-mail: timmm.gary@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The HAPs rule proposed testing, under section 4(a) of the Toxic Substances Control Act (TSCA), of: 1,1'-biphenyl, carbonyl sulfide, chlorine, chlorobenzene, chloroprene, cresols [3 isomers], diethanolamine, ethylbenzene, ethylene dichloride, ethylene glycol, hydrochloric acid, hydrogen fluoride, maleic anhydride, methyl isobutyl ketone, methyl methacrylate, naphthalene, phenol, phthalic anhydride, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, and vinylidene chloride. EPA would use the data generated under the rule to implement several provisions of section 112 of the Clean Air Act and to meet other EPA data needs and those of other Federal agencies. In the HAPs proposal, EPA solicited proposals for enforceable consent agreements (ECAs) regarding the performance of pharmacokinetics studies which would permit extrapolation from data developed from oral exposure studies to predict effects from inhalation exposure.

On October 18, 1996, EPA extended the public comment period on the proposed rule from December 23, 1996 to January 31, 1997 (61 FR 54383) (FRL-5571-3). This extension was to allow more time for the submission of proposals for ECAs and adequate time for comments on the proposed rule to be submitted after the Agency has considered the ECA proposals. EPA has received several proposals for ECAs. Due to the complexity of the issues raised by these proposals, it will take the Agency more time than anticipated to consider the ECAs and respond to the submitters.

In the HAPs proposed rule, published on June 26, 1996 (61 FR 33178) (FRL-4869-1), testing would be conducted using the OPPTS harmonized guidelines that were proposed on June 20, 1996 (61 FR 31522) (FRL-5367-7). The process of developing these guidelines is proceeding at the same time as the development of the HAPs test rule. As stated in the original proposal, the OPPTS harmonization process may result in the finalization of the guidelines prior to the end of the comment period for the proposed rule. If so, EPA will announce the availability of any of the 11 guidelines used in the HAPs rule that have been finalized in order to allow for public comment on the applicability of the finalized guidelines to the HAPs rule.

There has been a delay in finalizing the guidelines. The Agency has decided to extend the comment period on the HAPs test rule to allow some or all of the 11 guidelines to be finalized.

Accordingly, for both of the reasons discussed above, EPA is extending the comment period on the proposed rule to March 31, 1997. If the guideline harmonization process is further delayed, EPA may, at a future time, extend the comment period on the guidelines as they apply to the HAPs chemicals, or may decide to issue the corresponding HAPs-specific guidelines independent of the OPPTS harmonization process, using appropriate notice-and-comment procedures.

List of Subjects in 40 CFR Part 799

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: December 16, 1996.

Charles M. Auer,
Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 1810

[WO-420-1050-00-24-1A]

RIN 1004-AC 81

Public Land Records

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Land Management (BLM) proposes to remove in its entirety Subpart 1813 of Title 43 of the Code of Federal Regulations. This subpart contains only general information about public land records and BLM practices. BLM will provide the public with this information through informational brochures and its manual system.

DATES: Submit comments by February 21, 1997. BLM may, but need not, consider comments received or postmarked after this date in preparing the final rule.

ADDRESSES: If you wish to comment, you may:

(a) Hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L St., NW, Washington, DC;

(b) Mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, DC 20240; or

(c) Transmit comments electronically via the Internet to: WOComment@wo.blm.gov. Please include "Attn: AC 81" in your message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (202) 452-5030.

You will be able to review comments at the L Street address during regular business hours from 7:45 a.m. to 4:15 p.m., Monday through Friday, except Holidays.

FOR FURTHER INFORMATION CONTACT: Frank Bruno, (202) 452-0352 or Wendy Spencer, (303) 236-6642.

SUPPLEMENTARY INFORMATION:

- I. Public Comment Procedures
- II. Discussion of Proposed Rule
- III. Procedural Matters

I. Public Comment Procedures

Written comments on the proposed rule should be specific, focus on issues pertinent to the proposed rule, and explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal being addressed. BLM will not necessarily consider or include in the Administrative Record for the final rule comments received or postmarked after the close of the comment period (see **DATES**) or delivered to an address other than the one listed above (see **ADDRESSES**).

II. Discussion of Proposed Rule

In an effort to reduce unnecessary volume in its regulations, the BLM is removing from the CFR material that provides general information about public land records or that explains BLM practices. Removing this material will not deprive the public of any notice, right, administrative process or information required by law. Material of this sort is more properly addressed in public information releases and the BLM Manual, both of which are available to the public, are more detailed, and can be more easily updated.

The regulations in the current 43 CFR Subpart 1813 do not implement, interpret or prescribe law or policy, or any procedure or practice of the BLM required by law, or that is of such material importance to the public as to require its publication in the Federal Register and codification in the Code of Federal Regulations.

III. Procedural Matters

National Environmental Policy Act of 1969

The BLM has prepared a draft environmental assessment (EA), and has made a tentative finding that the final rule would not constitute a major Federal action significantly affecting the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). The BLM anticipates making a Finding of No Significant Impact (FONSI) for the final rule in accordance with the BLM's procedures under NEPA. The BLM has placed the EA on file in the BLM Administrative Record at the address specified previously. The BLM will complete an EA on the final rule and make a finding on the significance of any resulting impacts before promulgating the final rule.

Paperwork Reduction Act

The proposed rule does not contain information collection requirements that the Office of Management and Budget must approve under 44 U.S.C. 3501 *et seq.*

Regulatory Flexibility Act

BLM has determined that the proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Unfunded Mandates Reform Act of 1995

This proposed rule does not include any Federal mandate that may result in expenditures of \$100 million in any one year by State, local, and tribal governments in the aggregate, or by the private sector. Therefore, a Section 202 statement under the Unfunded Mandates Reform Act is not required.

Executive Order 12612

BLM has analyzed this rule under the principles and criteria in Executive Order 12612 and has determined that the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12630

BLM certifies that the rule does not represent a governmental action capable of interference with constitutionally protected property rights. Thus, a Takings Implication Assessment need not be prepared under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Executive Order 12866

The proposed rule does not meet the criteria for significant regulatory action requiring review by the Office of Management and Budget under Executive Order 12866, Regulatory Planning and Review.

Executive Order 12988

The Department has determined that this rule meets the applicable standards in Sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform.

Author

The principal authors of this rule are Frank Bruno, Regulatory Management Group, (202) 452-0352, and Wendy Spencer, Bureau Records Administrator, (303) 236-6642, assisted by Frances Watson, Regulatory Management Group, (202) 452-5006.

List of Subjects in 43 CFR Part 1810

Administrative practice and procedure, Archives and records.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, Part 1810 of Title 43 of the Code of Federal Regulations is proposed to be amended as set forth below:

PART 1810—INTRODUCTION AND GENERAL GUIDANCE

1. The authority for part 1810 continues to read as follows:

Authority: R.S. 2478; 43 U.S.C. 1201, unless otherwise noted.

Subpart 1813—[Removed]

2. Subpart 1813 is removed in its entirety.

Dated: December 17, 1996.

Bob Armstrong,

Assistant Secretary, Land and Minerals Management.

[FR Doc. 96-32410 Filed 12-20-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 531

[Docket No. 96-115; Notice 1]

Passenger Automobile Average Fuel Economy Standards; Proposed Decision To Grant Exemption

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Proposed decision.

SUMMARY: This proposed decision responds to a petition filed by Lotus Cars Ltd. (Lotus) requesting that it be exempted from the generally applicable average fuel economy standard of 27.5 miles per gallon (mpg) for model years 1994, 1995, 1997, and 1998, and that, for Lotus, lower alternative standards be established. In this document, NHTSA proposes that the requested exemption be granted to Lotus and that alternative standards of 24.2 mpg be established for MY 1994, 23.3 mpg for MY 1995, and 21.2 mpg for MYs 1997 and 1998.

DATES: Comments on this proposed decision must be received on or before February 21, 1997.

ADDRESSES: Comments on this proposal must refer to the docket number and notice number in the heading of this document and be submitted, preferably in ten copies, to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Ms. Henrietta Spinner, Office Planning and Consumer Programs, NHTSA, 400 Seventh Street, S.W., Washington, DC 20590. Ms. Spinner's telephone number is: (202) 366-4802.

SUPPLEMENTARY INFORMATION:

Statutory Background

Pursuant to 49 U.S.C. 32902(d), NHTSA may exempt a low volume manufacturer of passenger automobiles from the generally applicable average fuel economy standards if NHTSA concludes that those standards are more stringent than the maximum feasible average fuel economy for that manufacturer and if NHTSA establishes an alternative standard for that manufacturer at its maximum feasible level. Under the statute, a low volume manufacturer is one that manufactured (worldwide) fewer than 10,000 passenger automobiles in the second model year before the model year for which the exemption is sought (the affected model year) and that will manufacture fewer than 10,000 passenger automobiles in the affected model year. In determining the maximum feasible average fuel economy, the agency is required under 49 U.S.C. 32902(f) to consider:

- (1) Technological feasibility
- (2) Economic practicability
- (3) The effect of other Federal motor vehicle standards on fuel economy, and
- (4) The need of the United States to conserve energy.

The statute permits NHTSA to establish alternative average fuel