

only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9H, Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ANM MT E5 Lewistown, MT [Revised]

Lewistown Municipal Airport, MT  
(Lat. 47°02'57"N., long. 109°28'00"W.)  
Lewistown VORTAC  
(Lat. 47°03'11"N., long. 109°36'22"W.)

That airspace extending upward from 700 feet above the surface within the 6.1-mile radius of the Lewistown Municipal Airport, and within 4.5 miles each side of the Lewistown VORTAC 289° radial extending from the 6.1-mile radius to 9.2 miles west of the VORTAC, and within 3.5 miles each side of the Lewistown VORTAC 089° radial from the 6.1-mile radius to 15.1 miles east of the VORTAC, and within 3.5 miles each side of the Lewistown VORTAC 255° radial extending from the 6.1-mile radius to 15.3 miles west of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 47°11'33"N, long. 100°06'30"W.; to lat. 47°11'33"N, long. 108°48'22"W.; to lat. 46°43'40"N., long. 108°48'22"W.; to lat. 46°43'40"N, long. 109°32'14"W.; to lat. 46°32'19"N, long. 109°32'14"W.; to lat. 46°32'19"N., long. 110°06'30"W., to the point of origin; excluding that airspace within Federal Airways.

\* \* \* \* \*

Issued in Seattle, Washington, on April 4, 2001.

**Dan A. Boyle,**

*Assistant Manager, Air Traffic Division,  
Northwest Mountain Region.*

[FR Doc. 01–8826 Filed 4–9–01; 8:45 am]

BILLING CODE 4910–13–M

#### DEPARTMENT OF THE TREASURY

#### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 9

[Notice No. 914 Re: Notice Nos. 903 and 909]

#### Availability of Comments; Proposed California Coast American Viticultural Area (AVA)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Proposed rule; availability of comments.

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is issuing this document to announce that copies of the comments generated by California Coast viticultural area Notice of Proposed Rulemaking (NPRM) will be available for public viewing in San Francisco, CA. The California Coast NPRM comments will be available in San Francisco, CA, until this rulemaking process is complete. Copies of these same comments will also be available in Washington, DC. See the **ADDRESSES** section for specific locations.

**ADDRESSES:** Copies of the petition, the proposed regulations, the appropriate maps, and any written, e-mail or fax comments received will be available for public inspection, by appointment, at 221 Main Street, 11th Floor, San Francisco, CA 94105. For further information, or to make an appointment, call Specialist Nancy Sutton at (415) 744–9420. The comments are also available during normal business hours at the ATF Reading Room, Office of Public Affairs and Disclosure, Room 6480, 650 Massachusetts Avenue, NW., Washington, DC 20226.

**FOR FURTHER INFORMATION CONTACT:** Specialist Nancy Sutton, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 221 Main Street, 11th Floor, San Francisco, CA 94105, (415) 744–9420.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Bureau of Alcohol, Tobacco and Firearms (ATF) is making available

copies of comments on the California Coast viticultural area petition for public viewing in San Francisco, CA. ATF is providing these copies to accommodate the high level of interest in California generated by the Notice of Proposed Rulemaking for the California Coast AVA. The San Francisco ATF office does not have comments related to any other ATF notices, and will close this public reading file at the completion of the California Coast AVA rulemaking process. Written comments to this Notice and all other notices are available for review in Washington, D.C.

Approved: April 2, 2001.

**Bradley A. Buckles,**

*Director.*

[FR Doc. 01–8797 Filed 4–9–01; 8:45 am]

BILLING CODE 4810–31–P

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 60

[FRL–6965–3]

RIN 2060–AE56

#### Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; amendments.

**SUMMARY:** This action proposes amendments to the emissions monitoring and compliance provisions contained in Subpart Da—Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978, and Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units. This action proposes monitoring exemptions and alternative compliance requirements for duct burners used in combined cycle systems. The proposed amendments ensure that all owners or operators of duct burners have appropriate compliance requirements and similar exemptions for their monitoring requirements.

In the Rules and Regulations section of this **Federal Register**, we are making these amendments in a direct final rule, without prior proposal, because we view these revisions as noncontroversial, and we anticipate no

significant adverse comments. We have explained our reasons for these amendments in the preamble to the direct final rule.

If we receive no significant adverse comments, we will take no further action on this proposed rule. If an adverse comment applies to an amendment, paragraph, or section of this proposed rule, and that provision may be addressed separately from the remainder of the proposed rule, we will withdraw only those provisions on which we received adverse comments. We will publish a timely withdrawal in the **Federal Register** indicating which provisions will become effective and which provisions are being withdrawn.

**DATES:** Written comments on these proposed amendments must be received by May 10, 2001. Anyone requesting a public hearing must contact EPA no later than April 20, 2001. If a hearing is held, it will take place on April 24, 2001 beginning at 10 a.m. Persons interested in attending the hearing, should call Ms. Libby Bradley at (919) 541-5578 to verify that a hearing will be held.

**ADDRESSES:** By U.S. Postal Service, send comments (in duplicate if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-92-71, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, SW, Washington, DC 20460. In person or by courier, deliver comments (in duplicate if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-92-71, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. The EPA requests that a separate copy of each public comment be sent to the contact person listed below.

**FOR FURTHER INFORMATION CONTACT:** Mr. James Eddinger, Combustion Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number: (919) 541-5426, facsimile: (919) 541-5450, electronic mail address: eddinger.jim@epa.gov. For information regarding the applicability of this action to a particular entity, contact the appropriate EPA Regional Office representative.

#### **SUPPLEMENTARY INFORMATION:**

**Comments.** Comments and data may be submitted by electronic mail (e-mail) to: a-and-r-docket@epa.gov. Electronic comments must be submitted as an ASCII file to avoid the use of special characters and encryption problems and will also be accepted on disks in WordPerfect® version 5.1, 6.1 or Corel 8 file format. All comments and data

submitted in electronic form must note the docket number A-92-71. No confidential business information (CBI) should be submitted by e-mail. Electronic comments may be filed online at many Federal Depository Libraries.

Commenters wishing to submit propriety information for consideration must clearly distinguish such information from other comments and clearly label it as CBI. Send submissions containing such propriety information directly to the following address, and not to the public docket, to ensure that propriety information is not inadvertently placed in the docket: Attention: Mr. Roberto Morales, U.S. EPA, OAQPS Document Control Officer, 411 W. Chapel Hill Street, Room 740, Durham NC 27701. The EPA will disclose information identified as CBI only to the extent allowed by the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies a submission when it is received by the EPA, the information may be made available to the public without further notice to the commenter.

**Docket.** The docket is an organized and complete file of information compiled by EPA in development of this rulemaking. The docket is a dynamic file because material is added throughout the rulemaking process. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can effectively participate in the rulemaking process. Along with the proposed and promulgated standards and their preambles, the docket contains the record in the case of judicial review. The docket number for this rulemaking is A-92-71, which supported the proposal and promulgation of the revised NO<sub>x</sub> NSPS for boilers. An index for each docket, as well as individual items contained within the dockets, may be obtained by calling (202) 260-7548 or (202) 260-7549. A reasonable fee may be charged for copying docket materials. Docket indexes are also available by facsimile, as described on the Office of Air and Radiation, Docket and Information Center Website at <http://www.epa.gov/airprog/oar/docket/faxlist.html>.

**World Wide Web.** In addition to being available in the docket, an electronic copy of today's action will be posted on the Technology Transfer Network's (TTN) policy and guidance information page <http://www.epa.gov/ttn/caaa>. The TTN provides information and technology exchange in various areas of air pollution control. If more

information regarding the TTN is needed, call the TTN HELP line at (919) 541-5384.

**Regulated Entities.** Entities that potentially will be affected by these amendments are combined cycle systems employing duct burners. The regulated categories and entities include the following:

Category	Regulated entities
Industry .....	Electric utility steam generating units, industrial steam generating units, commercial steam generating units, and institutional steam generating units.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that we are now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility, company, business, organization, etc., is regulated by this action, you should carefully examine the applicability criteria in §§ 60.40a and 60.40b of the rules. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

#### **What Are the Administrative Requirements for This Action?**

*Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et seq.*

Today's proposed rule is not subject to the RFA, which generally requires an agency to prepare a regulatory flexibility analysis for any rule that will have a significant economic impact on a substantial number of small entities. The RFA applies only to rules subject to notice-and-comment rulemaking requirements under the Administrative Procedure Act (APA) or any other statute. This proposed rule is not subject to notice and comment requirements under the APA or any other statute.

Today's proposed rule will have no significant impact on a substantial number of small entities because they clarify and make corrections to the promulgated 40 CFR part 60, subparts Da and Db, and do not impose any additional regulatory requirements on owners or operators of affected sources regulated by standards promulgated on September 16, 1998 (634 FR 49442).

For additional information, see the direct final rule published in the Rules

and Regulations section of this **Federal Register** publication.

#### List of Subjects in 40 CFR Part 60

Environmental protection, Air pollution control, Electric utility steam generating units, Industrial-commercial-institutional steam generating units, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: April 3, 2001.

**Christine Todd Whitman,**  
Administrator.

[FR Doc. 01-8799 Filed 4-9-01; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket NHTSA-99-5119, Notice 1]

RIN 2127-AH57

#### Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards Hydraulic and Electric Brake Systems, Air Brake Systems

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

**ACTION:** Denial of petition for rulemaking.

**SUMMARY:** Schmitt and Sons School Buses (Schmitt) submitted a petition for rulemaking requesting the agency amend the Federal Motor Vehicle Safety Standards on brake systems to require that school buses with automatic transmissions that do not have a "park" position be equipped with a parking brake warning system that activates when the school bus engine is turned off, the transmission is in neutral, and the parking brake has not been applied. Based on its concern that these school buses could begin to roll while unattended if the parking brake were not engaged, the petitioner argued that such a warning system could reduce or eliminate this hazard.

We are denying the petition. Information available to the agency indicates that unattended school bus rollaways are very rare. Further, the agency believes that a warning would not likely be effective and that any risks of such incidents can best be reduced or controlled through driver training.

**FOR FURTHER INFORMATION CONTACT:** The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC, 20590:

*For non-legal issues:* For non-legal issues: Mr. Jeff Woods, Office of Safety Performance Standards (NPS-22), NHTSA, 400 Seventh St., SW, Washington, DC, 20590. Mr. Woods' telephone number is (202) 366-6206; facsimile (202) 366-4329, e-mail: jwoods@nhtsa.dot.gov.

*For legal issues:* Mr. Otto G. Matheke, III, Office of the Chief Counsel (NCC-20), NHTSA, 400 Seventh St., SW, Washington, DC, 20590. Mr. Matheke's phone number is (202-366-5263), e-mail: omatheke@nhtsa.dot.gov

#### SUPPLEMENTARY INFORMATION:

##### I. Background of Petition

On June 23, 1998, Schmitt and Sons School Buses, a company that operates school buses, submitted a petition requesting that NHTSA initiate rulemaking to require that automatic transmission-equipped school buses whose transmissions do not have a park position be equipped with a warning device to alert the driver when the parking brake is not activated, the bus is stopped with its engine off, and the transmission is in neutral. Citing several crashes in Minnesota involving school buses, two of which occurred in that company's fleet, and one of which occurred in another bus company's fleet, Schmitt contended that the risk of unintended rollaways in buses without a park position warranted the mandatory installation of warning devices to alert an operator when the parking brake is not engaged.

Prior to filing its petition, the petitioner contacted Blue Bird Body Company, a school bus manufacturer, to determine if such a system could be made available. A copy of a response from Blue Bird was enclosed with the petition. Blue Bird indicated that the warning system concept appeared to have merit.

However, that manufacturer cited several concerns with the concept. Its primary concern was that incorporation of the warning system on (new) vehicles would result in inconsistencies in the fleet; i.e., newer vehicles would prompt the driver to apply the parking brake, while older ones would not. Blue Bird suggested that if a driver became accustomed to being prompted to apply the parking brake in a vehicle equipped with the warning system, the driver might forget to apply the parking brake when operating a vehicle not equipped with the warning system. Blue Bird's reply also mentioned other potential problems, including the increasing proliferation of warning devices, which could result in driver dependence and/or confusion; difficulties with integrating the proposed system with

other warning devices; and the need to deactivate the system after some preset time to prevent battery drain. In addition, Blue Bird indicated that implementation of the warning system would also need to be accompanied by an extensive publicity and driver training program to familiarize drivers with the new system.

Blue Bird stated that, because of these concerns, it would not make such a warning system available as standard equipment or as optional equipment. Blue Bird suggested that the school bus operator petition NHTSA to require such a system on all medium and heavy vehicles, so that appropriate research and study could be conducted, and public comment could be obtained prior to such a system's being introduced.

##### II. Existing Federal Brake Requirements

A number of Federal motor vehicle safety standards establish requirements for brakes, parking brakes, and brake controls and warning systems. Standard No. 105, Hydraulic and Electric Brake Systems, requires each vehicle with a gross vehicle weight rating (GVWR) of 10,000 lbs. (4536 kg) or less, and each school bus with a GVWR greater than 10,000 lbs., to be equipped with a friction-type parking brake system, with a solely mechanical means to retain engagement (S5.2). The standard requires the parking brake for a passenger car or a school bus with a GVWR of 10,000 lbs. or less to hold the vehicle on a 30 percent grade (up to the limit of traction on the braked wheels). As an option, the standard permits a passenger car or school bus with a GVWR of 10,000 lbs. or less, equipped with a transmission that includes a parking mechanism, to rely on the parking mechanism in meeting the 30 percent grade holding requirement for the vehicle, if the parking mechanism must be engaged to enable the ignition key to be removed (S5.2.2.1). If this option is used, there is a separate requirement for such vehicles to meet a 20 percent grade holding requirement with the parking brakes engaged and the parking mechanism disengaged (S5.2.2.2). The transmission parking mechanism is then subjected to a 2½-mph barrier impact test on level ground, which requires that the parking mechanism not become disengaged or fractured. In the context of these tests and requirements, the parking mechanism is a supplemental parking aid and is not the primary source of grade holding ability.

The parking brake system on a school bus with a GVWR greater than 10,000 lbs. must be capable of holding the vehicle stationary for five minutes on a