

# Proposed Rules

Federal Register

Vol. 61, No. 54

Tuesday, March 19, 1996

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## NATIONAL LABOR RELATIONS BOARD

### 29 CFR Part 102

#### Rules and Procedures for the Implementation of Communications Workers v. Beck, 487 U.S. 735 (1988)

**AGENCY:** National Labor Relations Board.

**ACTION:** Withdrawal of proposed rulemaking.

**SUMMARY:** The NLRB is withdrawing the Notice of Proposed Rulemaking which was published in the Federal Register on September 22, 1992 (57 FR 43635). The notice proposed certain rules and procedures for the implementation of the U.S. Supreme Court's decision in *Communications Workers v. Beck*, 487 U.S. 735 (1988), and invited public comment on the proposals. The Board, however, has since addressed many of the issues addressed in the notice of proposed rulemaking in its recent decision in *California Saw and Knife Works*, 320 NLRB No. 11 (December 20, 1995), and in *United Paperworkers (Weyerhaeuser Paper Co.)*, 320 NLRB No. 12 (December 20, 1995), and there are several additional cases currently pending before the Board which will afford the Board the opportunity to address many, if not all, of the remaining issues that are addressed in the notice of proposed rulemaking. It is the Board's belief that those issues may now be more expeditiously resolved in those cases than in the rulemaking proceeding. Accordingly, the Board has decided to withdraw the proposed rulemaking from active consideration and to address, on a case-by-case basis through its adjudicatory procedures, the issues raised following the Supreme Court's *Beck* decision.

**DATES:** The withdrawal of proposed rulemaking is effective March 19, 1996.

**FOR FURTHER INFORMATION CONTACT:** John J. Toner, Executive Secretary, Office of the Executive Secretary, National Labor Relations Board, 1099 14th Street NW.,

Room 11600, Washington, D.C. 20570. Telephone: (202) 273-1940.

Dated: Washington, D.C., March 12, 1996.

By direction of the Board.

John J. Toner,

Executive Secretary.

[FR Doc. 96-6487 Filed 3-18-96; 8:45 am]

BILLING CODE 7545-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[TN 130-1-9601b; TN 116-1-9602b; TN 114-1-9603b; FRL-5346-1]

#### Approval and Promulgation of Implementation Plans Tennessee: Approval of Revisions to the Tennessee State Implementation Plan

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Tennessee State Implementation Plan (SIP) submitted on June 21, 1993, and June 22, 1993, by the State of Tennessee, through the Tennessee Department of Environment and Conservation (DEC), submitted revisions to the Tennessee State Implementation Plan (SIP). The submittal of June 21, 1993 revises Chapter 1200-3-14 Control of Sulfur Dioxide Emissions and the submittal of June 22, 1993 revises Chapter 1200-3-10 Required Sampling, Recording and Reporting. On December 17, 1993, the Memphis Shelby County Health Department, through the Tennessee DEC, submitted revisions to Section 16-85 of the Memphis Shelby County Portion of the Tennessee SIP which adopt by reference revisions to Chapter 1200-3-10 of the Tennessee SIP. The intended effect of this revision is to clarify certain provisions and ensure consistency with the Clean Air Act.

In the final rules section of this Federal Register, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the EPA 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 this proposed 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. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by April 18, 1996.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Scott M. Martin at the EPA Regional Office listed below.

Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 443, 401 M Street SW., Washington DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE., Atlanta, Georgia 30365.

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, 9th Floor L & C Annex, 401 Church Street, Nashville, Tennessee 37243-1531.

Memphis and Shelby County Health Department, 814 Jefferson Avenue, Memphis, Tennessee 38105.

**FOR FURTHER INFORMATION CONTACT:** Mr. Scott M. Martin, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides, and Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, Atlanta, Georgia 30365. The telephone number is 404/347-3555, extension 4216.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: December 4, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 96-6001 Filed 3-18-96; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 52**

[AL-042-1-9614b, AL-043-1-9613b; FRL-5427-1]

**Approval and Promulgation of Implementation Plans Alabama: Revision to the Alabama Department of Environmental Management Administrative Code for the Air Pollution Control Program**

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State implementation plan (SIP) revision submitted by the State of Alabama through the Department of Environmental Management on December 14, 1995, the State of Alabama through the Department of Environmental Management (ADEM) submitted a revision to the SIP submittal to amend the ADEM Administrative Code for the Air Pollution Control Program. The purpose of this submittal is to revise the definition of Volatile Organic Compound (VOC) in Chapter 335-3-1—General Provisions—Section 335-3-1-.02 (gggg), to ensure that the state regulation is consistent with the federal rule. In the final rules section of this Federal Register, the EPA is approving the State of Alabama'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. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by April 18, 1996.

**ADDRESSES:** Written comments on this action should be addressed to Kimberly Bingham, at the EPA Regional Office listed below. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460

Environmental Protection Agency, Region IV, Air Programs Branch, 345 Courtland Street NE., Atlanta, GA 30365

Alabama Department of Environmental Management, 1751 Congressman W.L. Dickinson Drive, Montgomery, Alabama 36109.

**FOR FURTHER INFORMATION CONTACT:**

Kimberly Bingham or Scott Martin of the EPA Region IV Air Programs Branch at (404) 347-3555 extension 4195 and at the above address.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: February 6, 1996.

Phyllis P. Harris,

*Acting Regional Administrator.*

[FR Doc. 96-6010 Filed 3-18-96; 8:45 am]

**BILLING CODE** 6560-50-P

**40 CFR Part 52**

[IL124-1-6977b; FRL-5435-7]

**Approval and Promulgation of State Implementation Plan; Illinois; Clean Fuel Fleet Program**

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

**ACTION:** Proposed rule.

**SUMMARY:** USEPA is proposing to approve a revision to the Illinois State Implementation Plan (SIP) for the purpose of establishing a Clean-Fuel Fleet Program. Illinois submitted the SIP revision request on September 29, 1995, to satisfy a federal mandate, found in the Clean Air Act, requiring certain states to establish Clean-Fuel Fleet Programs. This revision establishes and requires the implementation of a Clean-Fuel Fleet Program in the Chicago ozone nonattainment area. In the final rules section of this Federal Register, the USEPA is approving this action as a direct final rule without prior proposal because USEPA views this as a noncontroversial action 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 USEPA 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 the proposed rule. USEPA will not institute a second comment period on this action. Any parties interested in commenting on this notice should do so at this time.

**DATES:** Comments on this proposed rule must be received on or before April 18, 1996.

**ADDRESSES:** Written comments should be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal and USEPA's analysis of it are available for inspection at: Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:**

Francisco Acevedo, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6061.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the rules section of this Federal Register.

Dated: February 15, 1996.

David A. Ullrich,

*Acting Regional Administrator.*

[FR Doc. 96-6008 Filed 3-18-96; 8:45 am]

**BILLING CODE** 6560-50-P

**40 CFR Part 52**

[IN56-1-7077b; FRL-5426-5]

**Approval and Promulgation of Air Quality Implementation Plans; Indiana; Vehicle Inspection and Maintenance**

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

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Environmental Protection Agency (USEPA) is proposing to approve a state implementation plan (SIP) revision submitted on June 6, 1995 and September 28, 1995, by the Indiana Department of Environmental Management (IDEM). This revision provides for the adoption and implementation of an enhanced motor vehicle emission inspection and maintenance (I/M) program in the areas of Lake, Porter, Clark, and Floyd Counties. The Lake and Porter County area is designated severe nonattainment for ozone and is required to implement