

in the Richmond ozone nonattainment area would assist maintenance of the ozone NAAQS in the Richmond area by compensating for future growth in point, area and mobile source NO_x emissions. Consequently, the Commonwealth of Virginia may choose, at any time, to implement such NO_x controls by adoption and implementation of their NO_x RACT regulation for the Richmond area. Nothing in this notice or approval of the December 18, 1995 exemption petition will preclude the Commonwealth of Virginia from adopting a NO_x RACT regulation for the Richmond area and withdrawing the exemption petition.

Detailed descriptions of the petition addressed in this document, and EPA's evaluation of this petition, are contained in the TSD prepared for this action. Copies of the TSD are available from the EPA Regional office listed in the **ADDRESSES** section of this document.

EPA's review of this material indicates that the Virginia petition meets applicable requirements of the Act and EPA policy. EPA is proposing to approve the exemption from the NO_x requirements discussed herein. EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the **ADDRESSES** section of this document.

Proposed Action

EPA is proposing approval of Virginia's request to exempt the Richmond moderate ozone nonattainment area from the section 182(f) NO_x RACT requirement. This proposed approval is based upon the evidence provided by Virginia that the criteria outlined in the EPA guidance for section 182(f) exemptions have been met for the Richmond ozone nonattainment area. If a violation of the ozone NAAQS occurs in the Richmond ozone nonattainment area while this area is designated nonattainment for ozone, the exemption from the NO_x RACT requirement under section 182(f) of the Act shall no longer apply.

Final approval of Virginia's NO_x exemption petition would stop application of the offset sanction imposed on January 8, 1996 and defer application of future sanctions on the effective date of the waiver approval. Sanctions would then remain stopped or deferred contingent upon continued monitoring that demonstrates continued attainment of the ozone NAAQS in the

entire Richmond ozone nonattainment area. If there is a violation of the ozone NAAQS in any portion of the Richmond ozone nonattainment area while this area is designated nonattainment for ozone, the exemption will no longer be applicable as of the date of any such determination. Should this occur, EPA will provide notice both of the waiver revocation and of the date sanctions will re-apply in the Federal Register. A determination that the NO_x exemption no longer applies would mean that the NO_x requirements become once more applicable to the affected area, that the sanctions would be reinstated, and that deferred sanctions would be imposed on the date originally due or the effective date of the notice, whichever is later.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for NO_x exemptions under section 182(f). Each request for an exemption under section 182(f) shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. Exemptions under section 182(f) do not create any new requirements, but allow suspension of the indicated requirements for the life of the exemptions. Therefore, because the approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected.

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under section 205, EPA must adopt the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small

governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the proposed approval action does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. EPA's proposed action will relieve requirements otherwise imposed under the Clean Air Act and, hence does not impose any Federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

This action is not a SIP revision and is not subject to the requirements of section 110 of the Act. The authority to approve or disapprove exemptions from NO_x requirements under section 182 of the Act was delegated to the Regional Administrator from the Administrator in a memo dated July 6, 1994, from Jonathan Cannon, Assistant Administrator, to the Administrator, titled, "Proposed Delegation of

Authority: Exemptions from Nitrogen Oxide Requirements Under Clean Air Act Section 182(f) and Related Provisions of the Transportation and General Conformity Rules"—Decision Memorandum."

The EPA's decision to approve or disapprove the Virginia petition to exempt the Richmond ozone nonattainment area from NO_x RACT requirements will be based on whether it meets the requirements of section 182(f) of the Clean Air Act.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401-7671q.

Dated: March 7, 1996.

Stanley L. Laskowski,
Acting Regional Administrator, Region III.
[FR Doc. 96-6465 Filed 3-18-96; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[CC Docket No. 90-337, DA 96-291]

Regulation of International Accounting Rates

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule.

SUMMARY: On January 31, 1996 the Federal Communications Commission adopted a Policy Statement on international accounting rate reform. In light of that Policy Statement, the Commission released a Public Notice in CC Docket No. 90-337, Phase II, Regulation of International Accounting Rates, Second Further Notice of Proposed Rulemaking, wherein it requested the submission of supplemental comments and reply comments. In response to a request, the Commission released a Public Notice extending the pleading cycle. (Public Notice, DA 96-177, published elsewhere in this issue.) The Commission subsequently released this Public Notice in response to another request to extend the pleading cycle.

DATES: Supplemental reply comments must be submitted on or before March 14, 1996.

ADDRESSES: All supplemental comments and supplemental reply comments should be addressed to: Office of the Secretary, Federal Communications Commission, Washington D.C. 20554. All supplemental comments and supplemental reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Maureen C. McLaughlin, Attorney-Advisor, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418-1470.

SUPPLEMENTARY INFORMATION:

Commission Extends Reply Period in Phase II of the International Accounting Rates Proceeding (Second Further Notice)

[CC Docket No. 90-337]

Released: March 5, 1996.

Revised Pleading Cycle:

Supplemental Reply Comments Due: March 14, 1996.

On January 31, 1996 the Commission established a pleading cycle for the submission of supplemental comments and supplemental reply comments in Regulation of International Accounting Rates (Phase II), CC Docket No. 90-337, Second Further Notice of Proposed Rulemaking, 7 FCC Rcd 8040 (1992) (published elsewhere in this issue). This supplemental comment period was established in light of the policy initiatives set forth in the Commission's January 31, 1996 Policy Statement on International Accounting Rates. On February 13, 1996 the Commission

issued a Public Notice, DA 96-177, Report No. I-8146, extending the pleading cycle making supplemental comments due February 26, 1996 and supplemental reply comments due March 7, 1996 (published elsewhere in this issue).

The Commission subsequently has received another request for an extension of the pleading cycle and hereby extends the due dates for supplemental reply comments to March 14, 1996.

Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 CFR Sections 1.415 and 1.419, interested parties may file supplemental reply comments on or before March 14, 1996. To file formally in this proceeding, you must file an original and four copies of all submissions. If you want each Commissioner to receive a personal copy of your submission, you must file an original plus nine copies. You should send your submission to: Office of the Secretary, Federal Communications Commission, Washington D.C. 20554.

A copy of any pleadings should also be sent to Maureen C. McLaughlin, International Bureau, FCC, Room 845A, 2000 M Street NW., Washington, D.C. 20554, and to the Commission's contractor for public service records duplication: ITS, Inc., 2100 M Street NW., Suite 140, Washington, D.C. 20037. Supplemental comments will be available for inspection and copying in the FCC's Reference Center, Room 239, 1919 M Street NW., Washington, D.C. 20554. Copies also can be obtained from ITS at (202) 857-3800.

We will treat this proceeding as non-restricted for purposes of the Commission's *ex parte* rules. See generally 47 CFR §§ 1.1200 through 1.1216. For further information concerning this matter, please contact Maureen C. McLaughlin, Telecommunications Division, International Bureau, at (202) 418-1399, or Peggy Reitzel, Telecommunications Division, International Bureau, at (202) 418-1499.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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47 CFR Chapter I

[CC Docket No. 90-337, DA 96-177]

Regulation of International Accounting Rates

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: On January 31, 1996 the Federal Communications Commission adopted a Policy Statement on international accounting rate reform. In light of that Policy Statement, the Commission is reopening the record in CC Docket No. 90-337, Phase II, Regulation of International Accounting Rates, Second Further Notice of Proposed Rulemaking, for the submission of supplemental comments and reply comments.

DATES: Supplemental comments must be submitted on or before February 26, 1996. Supplemental reply comments must be submitted on or before March 7, 1996.

ADDRESSES: All supplemental comments and supplemental reply comments should be addressed to: Office of the Secretary, Federal Communications Commission, Washington D.C. 20554. All supplemental comments and supplemental reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Maureen C. McLaughlin, Attorney-Advisor, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418-1470.

SUPPLEMENTARY INFORMATION: On January 31, 1996 the Commission adopted a Policy Statement on international accounting rate reform. In light of that Policy Statement, the Commission is reopening the record in CC Docket No. 90-337, Phase II, Regulation of International Accounting Rates, Second Further Notice of Proposed Rulemaking, 7 FCC Rcd 8040 (1992), 58 FR 3522 (Jan. 11, 1993), for the submission of supplemental comments and supplemental reply comments. In its Notice, the Commission asked for comment on whether allowing some flexibility in our International Settlements Policy might be an appropriate means of achieving lower accounting rates as facilities-based competition is introduced in foreign countries. The Commission seeks supplemental comment on this issue in light of the policy initiatives set