

(ii) ASME/ANSI B31.4 "Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols" (1992 edition with ASME B31.4a-1994 Addenda).

(iii) ASME/ANSI B31.8 "Gas Transmission and Distribution Piping Systems" (1995)

(iv) ASME/ANSI B31G "Manual for Determining the Remaining Strength of Corroded Pipelines" (1991).

(v) ASME Boiler and Pressure Vessel Code, Section VIII, Division 1 "Pressure Vessels" (1995 edition with 1995 Addenda).

(vi) ASME Boiler and Pressure Vessel Code, Section IX "Welding and Brazing Qualifications" (1995 edition with 1995 Addenda).

(4) Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS):

(i) MSS SP-75 "Specification for High Test Wrought Butt Welding Fittings" (1993).

(ii) [Reserved]

(5) American Society for Testing and Materials (ASTM):

(i) ASTM Designation: A 53 "Standard specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless" (A 53-95a).

(ii) ASTM Designation: A 106 "Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service" (A 106-94a).

(iii) ASTM Designation: A 333/A 333M "Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service" (A 333/A 333M-94).

(iv) ASTM Designation: A 381 "Standard Specification for Metal-Arc-Welded Steel Pipe for Use With High-Pressure Transmission Systems" (A 381-93).

(v) ASTM Designation: A 671 "Standard Specification for Electric-Fusion-Welded Steel Pipe for Atmospheric and Lower Temperatures" (A 671-94).

(vi) ASTM Designation: A 672 "Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures" (A 672-94).

(vii) ASTM Designation: A 691 "Standard Specification for Carbon and Alloy Steel Pipe Electric-Fusion-Welded for High-Pressure Service at High Temperatures" (A 691-93).

Issued in Washington, DC on May 16, 1996.

Rose A. McMurray,
Acting Deputy Administrator.

[FR Doc. 96-12843 Filed 5-23-96; 8:45 am]

BILLING CODE 4910-60-P

Federal Railroad Administration

49 CFR Part 212

[FRA Docket No. RSSP-3, Notice No. 5]

RIN AB08

State Safety Participation Regulations; Federal Regulatory Reform

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: In connection with the President's Regulatory Reform Initiative, the FRA has reviewed all of its existing regulations. This review identified a portion of the regulation governing state participation in the Federal Rail Safety Program that can be removed. FRA expects that this final rule will reduce the administrative burden to government and industry, reduce government printing costs, and provide a more concise and useful Title 49, Code of Federal Regulations.

EFFECTIVE DATE: The rule becomes effective June 24, 1996.

FOR FURTHER INFORMATION CONTACT: Cynthia Walters, Trial Attorney, Office of Chief Counsel, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 366-0621 or Mike Calhoun, Transportation Safety Program Specialist, Region 5 Hurst Regional Office, FRA, 8701 Bedford-Eules Rd. Suite 425, Hurst, TX 76053, (817) 284-8142.

SUPPLEMENTARY INFORMATION: On March 4, 1995, the President issued a memorandum directing the heads of federal departments and agencies to conduct a page-by-page review of all agency regulations now in force and eliminate or revise those that are outdated or otherwise in need of reform. FRA has conducted a page-by-page review of all of its regulations and identified the following portion of FRA's state participation regulation, 49 CFR Part 212, Subpart D—Grants in Aid, and corresponding appendices for removal:

FRA's Grants-in-Aid Program, 49 CFR Part 212, Subpart D, was established as part of the State Participation program by the Federal Railroad Safety Act of 1970. The State Participation Program allows states to conduct investigative and surveillance activities to enforce federal railroad safety regulations in conjunction with federal inspection efforts. The Grants in Aid program was intended to provide a transition to a uniform pattern of rail safety regulation and to provide a continuing state role in rail safety regulation. As originally

conceived, the program allowed participating states to obtain federal reimbursement of up to 50 percent of a state's allowable cost.

Once the goal of uniform rail safety regulation was realized, Congress elected to eliminate funding. Specifically, FRA's federal funding share of the program declined from the maximum of 50 percent in fiscal year 1985 to 39 percent in fiscal year 1986, 24 percent in fiscal year 1987, and 16 percent in fiscal year 1988, due to dwindling federal resources. There has been no federal funding available for the Grants-in-Aid program, since fiscal year 1989. Despite the lack of federal funds for the program, the State Participation has actually grown. In 1989, there were 110 participating state inspectors and currently there are 137 state inspectors participating in the program. In general, states have continued to participate as active partners in the program.

Appendices A, B, and C are being removed, as well, because they were previously used to determine the levels of inspection effort and reimbursement for Track Safety Standards, Freight Car Safety Standards, and Operating Practices respectively.

Regulatory Impact

Executive Order 12866 and DOT Regulatory Policies

This final rule has been evaluated in accordance with existing regulatory policies. The regulatory document is considered to be a nonsignificant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the Office of Management and Budget under that Order. This rulemaking has been reviewed under DOT Regulatory Policies and Procedures [44 FR 11034, February 26, 1979] and found to be a nonsignificant rule.

In its regulatory analysis, FRA has determined that this rulemaking presents no substantive issue which it could reasonably expect would produce meaningful public comment since it is merely removing, pursuant to Presidential directive, obsolete regulations, retention of which could serve no useful purpose. Accordingly, pursuant to 5 U.S.C. 553(c) and (d), the Administrative Procedure Act, FRA finds good cause exists to publish this as a final rule without opportunity for public comment.

Federalism

FRA has analyzed this rulemaking in accordance with the principles and

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

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires a review of rules to assess their impact on small entities. In reviewing the economic impact of the rule, FRA concluded that it will not have any measurable impact on small entities. There are no direct or indirect economic impacts for small units of government, businesses, or other organizations. Therefore, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the provisions of the Regulatory Flexibility Act.

Paperwork Reduction Act

This rulemaking contains no reporting requirements that are subject to OMB approval under 5 CFR Part 1320, pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*)

Environmental Assessment

This final rule meets the criteria that establish this as a non-major action for environmental purposes.

List of Subjects in 49 CFR Part 212

Railroad safety, State participation—Grants in aid and corresponding appendices.

Accordingly, for the reasons set forth above, and under the authority of 49 U.S.C. 20103, 20105, 20106, and 20113 (formerly secs. 202, 205, 206, and 208, of the Federal Railroad Safety Act of 1970, and amended (45 U.S.C. 431, 434, 435, and 436); and 49 CFR 1.49, FRA is taking the following action:

PART 212—[AMENDED]

Part 212, is amended by deleting § 212.301 Grant authority; § 212.303 Annual funding process; § 212.305 Reports; § 212.307 Maximum reimbursement levels; and Appendices A, B, and C in their entirety.

Issued in Washington, D.C. on May 16, 1996.

Jolene M. Molitoris,
Administrator, Federal Railroad
Administration.

[FR Doc. 96-13047 Filed 5-23-96; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

[Docket No. 960126016-6121-04; I.D. 051796A]

Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California; Cape Arago, OR, to Oregon-California Border

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Inseason adjustment.

SUMMARY: NMFS announces that the commercial salmon fishery in the area from Cape Arago, OR, to the Oregon-California border was opened 7 days a week effective midnight, May 18, 1996. This adjustment is intended to provide additional fishing opportunity to commercial fishermen.

DATES: Effective 2400 hours local time, May 18, 1996, through 2400 hours local time, June 30, 1996. Comments will be accepted through June 7, 1996.

ADDRESSES: Comments may be mailed to William Stelle, Jr., Director, Northwest Region, National Marine Fisheries Service, NOAA, 7600 Sand Point Way NE., BIN C15700-Bldg. 1, Seattle, WA 98115-0070. Information relevant to this notice has been compiled in aggregate form and is available for public review during business hours at the office of the Director, Northwest Region, NMFS (Regional Director).

FOR FURTHER INFORMATION CONTACT: William L. Robinson, 206-526-6140.

SUPPLEMENTARY INFORMATION: In the annual management measures for ocean salmon fisheries (61 FR 20175, May 6, 1996), NMFS announced that the 1996 commercial fishery in the area between Cape Arago, OR, and the Oregon-California border would open on May 1 and fishing would follow a cycle of 4 days open and 3 days closed. The fishery would close the earlier of June 30 or attainment of the 5,300-chinook salmon quota. The open/closure cycle could be modified inseason as necessary to manage the fishery.

The best available information on May 15 indicated that the commercial catch and effort rates were low during

the first two open periods (May 1-4 and May 8-11), with catches totaling less than 200 chinook salmon. The preseason objective for the open/closure cycle was to monitor catch levels. Opening the fishing season to 7 days per week would provide additional fishing opportunity to commercial fishermen without exceeding the share allocated to the commercial fishery in this area. Modification of the fishing season is authorized by the annual management measures and the regulations at 50 CFR 661.21(b)(1)(i). All other restrictions that apply to this fishery remain in effect as announced in the annual management measures.

The Regional Director consulted with representatives of the Pacific Fishery Management Council and the Oregon Department of Fish and Wildlife regarding this adjustment. The State of Oregon will manage the commercial fishery in state waters adjacent to this area of the exclusive economic zone in accordance with this Federal action. As provided by the inseason notice procedures of 50 CFR 661.23, actual notice to fishermen of this action was given prior to midnight, May 18, 1996, by telephone hotline number 206-526-6667 or 800-662-9825 and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to provide commercial fishermen with additional fishing opportunity, NMFS has determined that good cause exists for this notice to be issued without affording a prior opportunity for public comment.

Classification

This action is authorized by 50 CFR 661.21 and 661.23 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 20, 1996.

Richard H. Schaefer,
Director, Office of Fisheries Conservation and
Management, National Marine Services
Division.

[FR Doc. 96-13154 Filed 5-23-96; 8:45 am]

BILLING CODE 3510-22-F