

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has determined that certain navigation lights on USS SEAWOLF (SSN 21), previously certified as not in compliance with 72 COLREGS, have been relocated. The relocation has resulted in a reduction in the arc of visibility of the side lights of the vessel from 118.3 degrees to 111.5 degrees.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

#### PART 706—[AMENDED]

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

2. Table Three of § 706.2 is amended by adding an entry for USS SEAWOLF (SSN 21) to read as follows:

#### § 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

\* \* \* \* \*

TABLE 3

Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights distance in-board of ship's sides in meters 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2(K) annex 1	Anchor lights relationship of aft light to forward light in meters 2(K) annex 1
USS SEAWOLF .....	SSN-21	225°	111.5°	205°	5.1	10.7	2.8	1.8 below.
*	*	*	*	*	*	*	*	*

Dated: June 4, 1996.

M.W. Kerns,

*Lieutenant, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty), Acting.*

[FR Doc. 96-16830 Filed 7-8-96; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### 36 CFR Part 222

#### Management of Wild Free-Roaming Horses and Burros

**AGENCY:** Forest Service, USDA.

**ACTION:** Correction.

**SUMMARY:** The Forest Service is amending regulations for management of wild free-roaming horses and burros to correct a citation that was redesignated when the agency amended regulations for impoundment and disposal of unauthorized livestock. This rulemaking is identified as an agency action under the USDA Regulatory Reform initiative.

**EFFECTIVE DATE:** This rule is effective July 9, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Ralph Giffen, Range Management Staff, Forest Service, USDA, P.O. 96090, Washington, D.C. 20090-6090, (202) 205-1460.

**SUPPLEMENTARY INFORMATION:** While reviewing current regulations as part of the President's Regulatory Reform Initiative, an agency review team identified an incorrect citation in the wild horse and burro management regulations. This technical amendment corrects that citation.

On April 9, 1980, at 45 FR 24135, the Secretary of Agriculture established final regulations for the Management of Wild and Free-Roaming Horses and Burros at 36 CFR Part 222, Subpart B. Section 222.23 of that rule cited § 262.2 of the same Title as the authority for the impoundment and removal of unauthorized livestock on National Forest System lands. By issuance of final regulations on June 9, 1983 (48 FR 26605), § 262.2 was redesignated § 262.10. Currently regulations at § 262.10 of Title 36 provide for impoundment and disposal of unauthorized livestock on National Forest System lands. The Forest Service is correcting this citation by amending Title 36 of the Code of Federal Regulations, Part 222, Subpart B.

As a technical amendment, this final rule is not subject to review under Executive Orders 12630, 12778, or 12866.

#### List of Subjects in 36 CFR Part 222

Grazing lands, Livestock, National forests, National grasslands, Range management, and Wildlife.

Therefore, for the reasons set forth in the preamble, Part 222 of Title 36 of the Code of Federal Regulations is hereby amended as follows:

#### PART 222—[AMENDED]

#### Subpart B—Management of Wild Free-Roaming Horses and Burros

1. The authority citation for Subpart B of Part 222 continues to read as follows:

Authority: 85 Stat. 649, as amended 16 U.S.C. 1331-1340; sec. 1, 30 Stat. 35, as amended (16 U.S.C. 551); sec. 32, 50 Stat. 522, as amended (7 U.S.C. 1011); 92 Stat. 1803 (43 U.S.C. 1901 note).

2. Revise section 222.23 to read as follows:

#### § 222.23 Removal of other horses and burros.

Horses and burros not within the definition in § 222.20(b)(13) which are

introduced onto Wild Horse and Burro Territories or ranges after December 15, 1971, by accident, negligence, or willful disregard of private ownership, and which do not become intermingled with wild free-roaming horses or burros shall be considered as unauthorized livestock and treated in accordance with provisions in 36 CFR 261.7 and 262.10.

Dated: June 28, 1996.

David G. Unger,  
*Associate Chief.*

[FR Doc. 96-17444 Filed 7-8-96; 8:45 am]

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### 36 CFR Part 223

#### **Sale and Disposal of National Forest System Timber; Subpart E—Federal Timber Contract Payment Modification Program**

**AGENCY:** Forest Service, USDA.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Forest Service is amending its regulations on timber sale contracts to remove the subpart on Federal timber contract payment modification program. Originally required to implement the Federal Timber Contract Payment Modification Act of 1984, these regulations were reviewed during the regulatory reform phase II initiative of the National Performance Review and determined to be obsolete.

**EFFECTIVE DATE:** July 9, 1996.

**FOR FURTHER INFORMATION CONTACT:** Jim Naylor, Timber Management Staff, Forest Service, USDA, P.O. Box 96090, Washington, D.C. 20090-6090, (202) 205-0858.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Federal Timber Contract Payment Modification Act of October 16, 1984, (16 U.S.C. 618) authorized and directed the Secretaries of Agriculture and the Interior to release a timber sale purchaser from specified contractual obligations thereby returning to the Government certain timber sale contracts.

Speculative bidding in the early 1980's, followed by a substantial drop in the forest products market, left many timber purchasers in high risk of defaulting timber sale contracts and having to declare bankruptcy.

The Act allowed purchasers of national forest timber to return to the Government a certain number of timber sale contracts upon payment of a "buy-out charge."

The final rule to implement the Federal Timber Contract Payment Modification Act was published in the Federal Register on June 27, 1985, at 50 FR 26666. Under this regulation, purchasers were required to apply for contract buyout within 90 days of the published date of the rule. All of the contracts governed by this regulation are closed. Also, the emergency rate redetermination in Alaska rules, which were part of Subpart E, are no longer applicable. Therefore, these rules are no longer needed and by this amendment are removed from the Code of Federal Regulations. Because of the narrow scope and limited effect of this action, the Agency has determined that this amendment is a technical amendment for which notice and comment pursuant to the Administrative Procedures Act (5 U.S.C. 553) is neither practical nor necessary.

##### **Regulatory Impact**

This rule is a technical amendment to remove obsolete regulations and, as such, has no substantive effect nor is it subject to review under USDA procedures and Executive Order 12866 on Regulatory Planning and Review. Accordingly, this rule is not subject to OMB review under Executive Order 12866.

Moreover, good cause exists to exempt this rule from notice and comment pursuant to 5 U.S.C. 553 and, therefore, this rule is exempt from further analysis under the Unfunded Mandates Reform Act of 1995; Executive Order 12778, Civil Justice Reform; Executive Order 12630, Takings Implications; or The Paperwork Reduction Act of 1995.

##### **Environmental Impact**

This action falls within a category of actions excluded from documentation in an Environmental Impact Statement and an Environmental Assessment. Section 31.1b of Forest Service Handbook 1909.15 (57 FR 43180; September 18, 1992) excludes from documentation in an environmental assessment or impact statement "rules, regulations, or policies to establish Service-wide administrative procedures, program processes, or instructions." The agency's assessment is that this final technical rule falls within this category of actions and that no extraordinary circumstances exist which would require preparation of an environmental assessment or environmental impact statement.

##### **List of Subjects in 36 CFR Part 223**

Exports, Government contracts, National forests, Reporting requirements, and Timber sales.

Therefore, for the reasons set forth in the preamble, Part 223 of Title 36 of the Code of Federal Regulations is hereby amended as follows:

#### **PART 223—SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER**

1. The authority citation for part 223 continues to read as follows:

Authority: 90 Stat. 2958, 16 U.S.C. 472a; 98 Stat. 2213, 16 U.S.C. 618; 104 Stat. 714-726, 16 U.S.C. 620-620h, unless otherwise noted.

##### **Subpart E—[Removed and Reserved]**

2. Remove and reserve Subpart E consisting of sections 223.170-223.183.

Dated: June 28, 1996.

David G. Unger,  
*Associate Chief.*

[FR Doc. 96-17443 Filed 7-8-96; 8:45 am]

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### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 80**

[FRL-5532-6]

RIN 2060-AD27

#### **Regulation of Fuels and Fuel Additives; Standards for Reformulated Gasoline**

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

**ACTION:** Petition for reconsideration; request for comment.

**SUMMARY:** EPA requests comment on a petition submitted to EPA by the American Petroleum Institute (API). The petition, submitted pursuant to section 553(e) of the Administrative Procedure Act, requests reconsideration of the Phase II reformulated gasoline reduction standard for oxides of nitrogen (NO<sub>x</sub>).

**DATES:** Comments must be received on or before September 9, 1996.

**ADDRESSES:** Interested parties may submit written comments (in triplicate, if possible) to: EPA Air and Radiation Docket, Attention Docket No. A-96-27, room M-1500 (mail code 6102), 401 M St., SW, Washington, D.C. 20460. The docket may be inspected at this location from 8:30 a.m. until 5:30 p.m. weekdays. The docket may also be reached by telephone at (202) 260-7548. As provided in 40 CFR part 2, a reasonable fee may be charged by EPA for photocopying.

**FOR FURTHER INFORMATION CONTACT:** Debbie Wood, Office of Mobile Sources, Fuels and Energy Division, (202) 233-9000.