

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 187****[CGD 89-050]****RIN 2115-AD35****Vessel Identification System; Effective Date Change****AGENCY:** Coast Guard, DOT.**ACTION:** Interim final rule: change in effective date.

SUMMARY: On April 25, 1995, the Coast Guard published an interim final rule in the Federal Register (60 FR 20310) for establishing a vessel identification system and prescribing guidelines for State vessel titling systems. The effective date of the interim final rule was April 24, 1996. This document suspends the effective date of the guidelines for the State vessel titling systems for a period of two years.

EFFECTIVE DATES: This document is effective February 23, 1996. 33 CFR part 187, subpart D, is suspended through April 23, 1998. All other provisions of the interim final rule will become effective on April 24, 1996, as stated in the interim final rule.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Richard Ferraro, Project Manager, Information Resources Division (G-MIR-3), Office of Marine Safety, Security and Environmental Protection, (202) 267-0386, between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: One provision of the interim final rule prescribes the procedures for obtaining certification of compliance with guidelines for State vessel titling systems. Many comments pointed out that compliance of the States with these guidelines may create undue hardship upon the marine industry where titling, vessel documentation, mortgage recording, and lending institutions are concerned. The delay in the effective date until April 24, 1998, was deemed necessary in order to allow the Coast Guard, States, and the public time to further review the complexities of the State titling guideline issues identified during review of the comments received regarding this interim final rule. A delay of two years should provide sufficient time to complete the rulemaking on vessel titling guidelines.

All other provisions of the interim final rule will become effective on April 24, 1996.

Accordingly, under the authority of 46 U.S.C. 2103; 49 CFR 1.46, 33 CFR

part 187, subpart D is suspended effective February 23, 1996 through April 23, 1998.

Dated: February 14, 1996.

Joseph H. Angelo,

Director for Standards, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 96-3895 Filed 2-22-96; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE INTERIOR**National Park Service****36 CFR Part 13****RIN 1024-AC31****Denali National Park and Preserve, Alaska****AGENCY:** National Park Service, Interior.**ACTION:** Final rule.

SUMMARY: The National Park Service (NPS) is publishing final regulations for Denali National Park, Alaska, that will require mountain climbers to register a minimum of 60 days before any climb on Mount McKinley and Mount Foraker. Mountaineering in the park has increased dramatically over the last ten years and climbing-related injuries and deaths have correspondingly increased. By requiring advance registration, the Denali park staff will be able to provide information to prospective mountaineers in advance of their climb. This may include information on the specific dangers they may face, how to prepare and equip, other safety related issues, and requirements concerning resource protection issues such as litter removal and human waste disposal. Currently, climbers are required to register, but may do so as late as the day they depart for the mountain.

EFFECTIVE DATE: This final rule becomes effective on March 25, 1996.

ADDRESSES: Comments should be addressed to: Superintendent, Denali National Park and Preserve, P.O. Box 9, Denali National Park, AK 99755.

FOR FURTHER INFORMATION CONTACT: Steve Martin, Superintendent, Denali National Park and Preserve. Telephone 907-683-2294.

SUPPLEMENTARY INFORMATION:**Background**

Denali National Park was first established as Mt. McKinley National Park on February 26, 1917. A separate Denali National Monument was proclaimed on December 1, 1978. These two park areas were combined, reconfigured and established as Denali

National Park and Preserve on December 2, 1980, encompassing approximately 6.5 million acres. Prior to achieving its current configuration, the land the park now encompasses was recognized for its unique ecological value and designated an International Biosphere Reserve in 1976. That designation has since been expanded to encompass the entire 6.5 million acre park and preserve. The park contains North America's highest mountain, 20,320 foot Mount McKinley. Mount Foraker, at 17,400 feet, and numerous large glaciers of the Alaska Range are also a part of this park's subarctic ecosystem. Wildlife includes caribou, Dall sheep, moose, grizzly bears and wolves.

The first ascent of Mount McKinley occurred in 1913. Climbing continued to be a popular activity, although on a small scale, after the park was established. However, during the last ten years, mountaineering in the park has increased dramatically. The number of Mount McKinley climbers has risen from 695 in 1984 to 1277 in 1994 and 1,220 in 1995. With the numbers of climbers increasing, the number of accidents, rescues and resource-related problems have also increased. Since 1932, a total of 85 mountaineers have perished on the slopes of Mount McKinley; 28 percent of these deaths (24) have occurred since 1990. Recent years have also seen an increase in climbing-related deaths on Mount Foraker and the other Alaska Range peaks located in the park. In 1990, eight mountaineers were rescued on Mount McKinley. In sharp contrast, the number of mountaineers rescued increased to 28 in 1992, 27 in 1994 and 21 in 1995. Studies by the NPS showed that the major reason climbers got into trouble on the mountain and required rescue was their unfamiliarity with the hazards unique to Mount McKinley. Specifically, extreme weather conditions, weather changeability and the other hazards associated with climbing in such northerly latitudes caught the climbers unprepared. The NPS determined that climbers need better education and information prior to their climbs and that an appropriate time frame was necessary to convey this information to the climbing community. Climbers from 38 countries registered to climb Mount McKinley in 1995. With so many climbers seeking permits, adequate lead time required to fulfill the requests lengthens. The 60 day pre-registration period will provide sufficient opportunity for the Denali park staff to provide the necessary information to prospective

mountaineers on the dangers they may face climbing in the park, how to prepare and equip themselves for the climb, other safety related issues and requirements concerning resource protection issues such as litter removal and human waste disposal.

On September 13, 1995, the NPS published the proposed regulation that will require mountain climbers to register a minimum of 60 days before any climb on Mount McKinley and Mount Foraker (60 FR 47513). The comment period closed on November 13, 1995. No comments were received during the comment period. When this rule becomes final, it will replace the interim rule that was published on March 31, 1995, in the Federal Register. (60 FR 16579).

Drafting Information

The primary authors of this final rule are Dennis Burnett, Washington Office of Ranger Activities, National Park Service and Brenda Bussard of Denali National Park and Preserve, National Park Service.

Paperwork Reduction Act

This final rule does not contain collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995.

Compliance With Other Laws

This rule was not subject to Office of Management and Budget review under Executive Order 12866. The Department of the Interior determined that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) The economic effects of this rulemaking are local in nature and negligible in scope.

The NPS has determined that this final rule will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

(a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;

(b) Introduce incompatible uses which compromise the nature and character of the area or causing physical damage to it;

(c) Conflict with adjacent ownerships or land uses; or

(d) Cause a nuisance to adjacent owners or occupants.

Based on this determination, the regulation is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental guidelines in

516 DM 6 (49 FR 21438). As such, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) has been prepared.

List of Subjects in 36 CFR Part 13

Alaska, National Parks, reporting and recordkeeping requirements.

In consideration of the foregoing, 36 CFR Chapter I, Part 13 is amended as follows:

PART 13—NATIONAL PARK SYSTEM UNITS IN ALASKA

1. The authority citation for part 13 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 462(k), 3101 *et seq.*; § 13.65(b) also issued under 16 U.S.C. 1a–2(h), 1361, 1531.

Subpart C—Special Regulations—Specific Park Areas in Alaska

2. Section 13.63 is amended by revising paragraph (f) to read as follows:

§ 13.63 Denali National Park and Reserve.

* * * * *

(f) *Mountain climbing.* Climbing on Mount McKinley or Mount Foraker without registering, on a form provided by the Superintendent, at least 60 days in advance of any climb is prohibited.

Dated: February 6, 1996.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96–4162 Filed 2–22–96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 86

[A–94–13; FRL–5425–8]

RIN 2060–AE07

Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Nonconformance Penalties for 1996 Model Year Emission Standards for Heavy-Duty Vehicles

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This final rule announces the availability of nonconformance penalties (NCPs) for the Light-Duty Truck 3 (LDT3) particulate matter (PM) standard taking effect in the 1996 model year. The availability of these NCPs will allow manufacturers of LDT3 whose vehicles or engines fail to conform with the 1996 PM standard, but do not exceed a designated upper limit, to be

issued a certificate of conformity upon payment of a monetary penalty. The associated upper limit for the LDT3 PM standard will be the previous standard of 0.13 grams per mile (g/mi).

A concurrent, but separate rulemaking addresses the availability of NCPs for the 1998 and later model year oxides of nitrogen (NO_x) standard for Heavy-Duty Diesel Engines (HDDs), the 1996 and later model year NO_x standard for LDT3 and the 1996 urban bus PM standard.

EFFECTIVE DATE: This rule will become effective March 25, 1996.

ADDRESSES: Public Docket: Copies of materials relevant to this rulemaking proceeding are contained in Public Docket A–94–13 at the Air Docket of the US Environmental Protection Agency, Room M1500, 401 M Street, SW, Washington, DC 20460, and are available for review in Room M1500 between the hours of 8:00 a.m. and 5:30 p.m. on weekdays. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services.

FOR FURTHER INFORMATION CONTACT: Mr. Gregory Orehowsky, Manufacturers Operations Division (6405–J), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, telephone (202) 233–9292.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

Section 206(g) of the Clean Air Act (the Act), 42 U.S.C. 7525(g), requires EPA to issue a certificate of conformity for HDEs or Heavy-Duty Vehicles (HDVs) which exceed an applicable section 202(a) emissions standard, but do not exceed an upper limit associated with that standard, if the manufacturer pays an NCP established by rulemaking. Congress adopted section 206(g) in the Clean Air Act Amendments of 1977 as a response to perceived problems with technology-forcing heavy-duty emissions standards. (It should be noted, however, that the existence of NCPs does not change the criteria under which the standards have been and will be set under section 202.) Following *International Harvester v. Ruckelshaus*, 478 F.2d 615 (D.C. Cir. 1973), Congress realized the dilemma that technology-forcing standards were likely to cause. If strict standards were maintained, then some manufacturers, “technological laggards,” might be unable to comply initially and would be forced out of the marketplace. NCPs were intended to remedy this potential problem. The laggards would have a temporary alternative that would permit them to sell their engines or vehicles by payment of a penalty. This penalty is based in part, on the money saved from