

the Assistant Chief Counsel, AEA-7, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, NY 11430.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR Part 71 to amend the Class E airspace area at Somerset, PA. A GPS RWY 6 SIAP has been developed for the Somerset County Airport. Additional controlled airspace extending upward from 700 feet AGL is needed to accommodate the SIAP and for IFR operations at the airport. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that would only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Parts, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AEA PA E5 Somerset, PA [Revised]

Somerset County Airport, PA
(lat. 40°02'20"N., long. 79°00'47"W.)
Stoystown NDB
(lat. 40°05'09"N., long. 78°55'00"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Somerset County Airport and within 3.1 miles each side of the 058° bearing from the Stoystown NDB extending from the 6.4-mile radius to 9.6 miles northeast of the NDB and 4 miles each side of the 236° bearing from the Somerset County Airport extending from the 6.4-mile radius to 9.5 miles southwest of the airport, excluding that portion that coincides with the Seven Springs, PA, Class E airspace area.

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Issued in Jamaica, New York, on October 7, 1997.

Franklin D. Hatfield,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 97-29835 Filed 11-12-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024-AC62

Delaware Water Gap National Recreation Area; Designation of Bicycle Routes; Deletion of Climbing Registration Regulation

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The National Park Service (NPS) is proposing to amend its special regulations to designate certain routes within a nondeveloped area as open for bicycle use and to regulate their use in this area and to delete the regulation concerning the mandatory registration of technical rock climbing activities at Delaware Water Gap National Recreation Area. Bicycle use has been determined by the Superintendent to be a desirable recreational use within the

Blue Mountain Lakes area of the park because such use is consistent with the protection of the park's natural, scenic and aesthetic values, safety considerations and management objectives and will not disturb wildlife or park resources. The requirement to register for climbing activities was originally intended to promote climbing safety, provide information concerning the location and difficulty of routes and provide climbers with procedures to follow in the event of an emergency. However, the registration system has not been effective and the NPS believes that a better course of action will be to promote self-responsibility within the climbing community. Many NPS areas with significant rock climbing activities do not require technical climbing registration. The deletion of this regulation will also remove an unnecessary administrative burden for both the climbing community and the NPS.

DATES: Written comments will be accepted until January 12, 1998.

ADDRESSES: Comments should be addressed to: Superintendent, Delaware Water Gap National Recreation Area, Bushkill, Pennsylvania, 18324.

FOR FURTHER INFORMATION CONTACT: Wayne Valentine, Kittatinny Subdistrict Ranger, Delaware Water Gap National Recreation Area. Telephone 908-841-9533.

SUPPLEMENTARY INFORMATION:

Background

Bicycle Routes

This proposed rule will designate certain trails and former roads for bicycle use in the Blue Mountain Lakes area of the park. This area was originally intended for a housing development associated with the proposed Tocks Island Dam prior to the establishment of Delaware Water Gap National Recreation Area in 1965.

On April 2, 1987, the NPS published revised regulations in the **Federal Register** amending 36 CFR part 4 which, among other regulations, states that “(T)he use of a bicycle is prohibited except on park roads, in parking areas and on routes designated for bicycle use” (52 FR 10670). This regulation, found at 36 CFR 4.30, requires that such designation be made only after “a written determination that such use is consistent with the protection of a park area's natural, scenic and aesthetic values, safety considerations and management objectives and will not disturb wildlife or park resources” (36 CFR 4.30(a)). This regulation further requires that, “except for routes

designated in developed areas and special use zones, routes designated for bicycle use shall be promulgated as special regulations" (36 CFR 4.30(b)).

The trails and former roads in the Blue Mountain Lakes area of the park are proposed for designation as open to bicycle use. These trails will not adversely impact other park users such as hikers and hunters, nor the park's natural and cultural resources. Currently, approximately eleven miles of trail and former road in the Blue Mountain Lakes area are recommended for bicycle trail use. All have suitable width and visibility and can be adequately maintained for multiple uses, including bicycling. This same trail network is also designated as a cross country ski trail during the winter months when snow covered.

Any additional trails, other than those in the Blue Mountain Lakes area, will be permitted on routes in developed areas and special use zones which have been designated by the Superintendent by the posting of signs and as designated on maps which will be available in the office of the superintendent and at other places convenient to the public. Further, the authority of the Superintendent to "impose public use limits, or close all or a portion" of a designated trail according to the criteria at 36 CFR 1.5 is not restricted by this rule.

Climbing Registration

The present regulation concerning mandatory registration for technical rock climbing at Delaware Water Gap National Recreation Area is codified at 36 CFR 7.71(c)(2). Mandatory registration of technical rock climbing activities was instituted at Delaware Water Gap in 1976. This regulation was intended to promote safety by educating climbers, especially novice or new climbers to the area about safety hazards, to provide climbers with the location and difficulty of climbing routes, and to provide climbers with procedures to follow in the event of an emergency. A check-in and check-out system that would activate a search and rescue effort for overdue climbers was also implemented.

Although many climbers register, just as many climbers do not, especially those climbing at locations not in the immediate vicinity of the Kittatinny Point Visitor Center where registration occurs. In most instances, climbers do not receive good practical information about the climbing area, because the rangers on duty at the visitor center are often not climbers and are often not familiar with the routes or with specific climbing hazards. Too often, the only information climbers receive at the

visitor center is a climbing safety handout. The check-in and check-out portion of the registration system has failed to provide a timely method to insure that all climbers have safely completed their climbs. There have been no documented cases of lives saved as a result of the check-in and check-out registration system.

Many NPS areas with significant rock climbing activity such as Joshua Tree, Rocky Mountain and Yosemite National Parks do not require climbers to register and have not experienced any adverse results. Denali National Park revised its mandatory climbing registration regulation in 1996. With the deletion of this park specific regulation, it will be the climbing party's responsibility to insure that responsible friends or relatives are advised of where they will be climbing, what kind of equipment they will use, the experience level of the climbers and when they expect to complete the climb and return.

Public Participation

It is the policy of the Department of Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments regarding this proposed rule to the address noted at the beginning of this rulemaking. The NPS will review all comments and consider making changes to the rule based upon analysis of the comments.

Drafting Information

The primary authors of this rule making are Wayne Valentine, Kittatinny Subdistrict Ranger, Robert Wilson, Law Enforcement Specialist, both of Delaware Water Gap National Recreation Area, and Dennis Burnett, Washington Office of Ranger Activities, National Park Service.

Paperwork Reduction Act

This rulemaking 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 negligible.

NPS has determined and certifies pursuant to the Unfunded Mandates

Reform Act, 2 U.S.C. 1502 *et seq.*, that this rule will not impose a cost of \$100 million or more in any given year on local, State or tribal governments or private entities.

NPS has determined that this rulemaking 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 characteristics of the area or cause physical damage to it;

(c) conflict with adjacent ownership or land uses; or

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

Based on this determination, this rulemaking 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 nor an Environmental Impact Statement has been prepared.

List of Subjects in 36 CFR Part 7

District of Columbia, National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, 36 CFR Chapter I is proposed to be amended as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation for Part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under D.C. Code 8-137(1981) and D.C. code 40-721(1981).

2. Section 7.71 is amended by revising paragraph (c) to read as follows:

§ 7.71 Delaware Water Gap National Recreation Area.

* * * * *

(c) *Designated bicycle routes.* The use of a bicycle is permitted according to § 4.30 of this chapter and, in nondeveloped areas, as follows: Bicycle use is permitted on trails and former roads in the Blue Mountain Lakes area of the park which have been designated by the Superintendent as bicycle routes by the posting of signs, and as designated on maps which are available in the office of the Superintendent and other places convenient to the public.

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Date: August 26, 1997.

William Leary,

Acting Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 97-29776 Filed 11-12-97; 8:45 am]

BILLING CODE 4310-70-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[FL-70-9738b; FRL-5920-4]

Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Florida

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the Section 111(d)/129 State Plan submitted by Florida on November 18, 1996. The State Plan was submitted by Florida to satisfy certain Federal Clean Air Act requirements. In the Final Rules Section of this **Federal Register**, EPA is approving the State's Plan submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates that it will not receive any significant, material, and adverse comments. A detailed rationale for the approval is set forth in the direct final rule and incorporated by reference herein. If no significant, material, and 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. EPA will not institute a second comment period on this action.

DATES: Comments on this proposed rule must be received in writing by December 15, 1997.

ADDRESSES: Written comments should be addressed to Joey LeVasseur at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule 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 day of the visit.

Environmental Protection Agency,
Region 4, Air and Radiation

Technology Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104.
Florida Department of Environmental Protection, Air Resources Management Division, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

FOR FURTHER INFORMATION CONTACT: Scott Davis at 404/562-9127 or Joey LeVasseur at 404/562-9035.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register** and incorporated by reference herein.

Dated: October 15, 1997.

A. Stanley Meiburg,

Acting Regional Administrator.

[FR Doc. 97-29859 Filed 11-12-97; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 350

Public Meeting To Discuss the Development of Functional Specifications for Performance-Based Brake Testers Used To Inspect Commercial Motor Vehicles

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of public meeting.

SUMMARY: The FHWA is announcing a public meeting to discuss the development of functional specifications for performance-based brake testing machines purchased with Federal funds through the FHWA's Motor Carrier Safety Assistance Program (MCSAP). The FHWA is nearing the completion of a multi-year research program to evaluate prototype performance-based brake testing technologies, including roller dynamometers, flat-plate brake testers, and breakaway torque brake testers. The agency has determined that certain performance-based brake testing machines are eligible for funding under MCSAP but only as screening and sorting devices in commercial vehicle inspections. The purpose of the public meeting is to discuss the establishment of generic functional specifications that would be applicable to a range of brake testing technologies. The functional specifications would serve as guidelines for the States to use in determining whether the purchase of a specific brake tester would be an eligible expense under the MCSAP.

DATES: The meeting will be held on December 8, 1997. The meeting will begin at 9:00 a.m. and end at 4:00 p.m. The meeting will include a presentation of the results to date from the brake tester evaluation program and a review of preliminary functional specifications.

ADDRESSES: The meeting will be held at the National Highway Traffic Safety Administration's (NHTSA) Vehicle Research and Test Center in East Liberty, Ohio.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Vehicle and Operations Division, Office of Motor Carrier Research and Standards, (202) 366-4009; Mr. Steve Keppler, Intelligent Transportation Systems—Commercial Vehicle Operations Division, Office of Motor Carrier Safety and Technology, (202) 366-0950; or Mr. Paul Alexander, State Programs Division, Office of Motor Carrier Safety and Technology (202) 366-9579, Federal Highway Administration, 400 Seventh Street, SW., Washington, D. C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

In 1993, the FHWA initiated a research program to evaluate various performance-based brake testing technologies for use on commercial motor vehicles. The purpose of the program was to determine, through field-test data collection, if performance-based brake inspection technologies could improve or assist with the throughput and accuracy of the current inspection techniques which involve visual examination of components, measurement of push-rod travel on air-braked vehicles, and listening for air leaks. Following the completion of the first task of the program, in which various performance-based technologies were analyzed, several of the systems were selected for evaluation in a roadside field-test inspection program.

During the field tests, inspections were performed using both visual and performance-based methods to compare their ability to detect vehicle brake defects. In particular, a Commercial Vehicle Safety Alliance Level 4 inspection (consisting of the brake and tire portion of a Level 1 inspection) was conducted in addition to a performance-based brake test. The dual inspections were performed by State officials in each of eight States that volunteered to participate in the field test program.

The data collected from these dual inspections were tabulated and