

Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: For questions on the substance of the rulemaking, call George J. Jordan, Attorney-Adviser, Office of the Chief Administrative Law Judge, telephone 202-267-0006. For questions on viewing or submitting material to the docket, call Ms. Dorothy Walker, Chief of Dockets, Department of Transportation, telephone 202-366-9329.

SUPPLEMENTARY INFORMATION:

Request for Comments

The interim rule, published on May 24, 1999 [64 FR 28054], encouraged interested persons to participate in this rulemaking by submitting written data, views, or arguments by July 23, 1999. This request does the same, except that it invites their submitting them by April 3, 2000.

Persons submitting comments should include their names and addresses, identify this docket [USCG-1998-3472] and the specific section of the interim rule to which each comment applies, and give the reason for each comment. Please submit one copy of each comment and attachment in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing, to the DOT Docket Management Facility at the address under **ADDRESSES**. If you want acknowledgment of receipt of your comment, enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this interim rule in view of them.

The Coast Guard plans no public meeting. Persons may request one by writing to the Docket Management Facility at the address under **ADDRESSES**. The request must identify this docket [USCG-1998-3472] and should include the reasons why an opportunity for oral presentations would be helpful to this rulemaking. If such an opportunity would help the rulemaking, the Coast Guard will hold a public meeting at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Coast Guard seeks to improve its adjudicative process. Improvement will

also affect certain actions involving merchant mariners. First, the interim rule consolidates all Coast Guard adjudicative procedures to include the following: the suspension and revocation (S&R) of merchant mariners' licenses, certificates of registry, and documents and the procedures involving class II civil penalties. Second, the interim rule eliminates unnecessary procedures from S&R proceedings. The Coast Guard expects the interim rule to facilitate the efficient use of administrative resources relating to adjudication by the Coast Guard. It will save time, effort, and money for all parties who are or may become involved in actions of the Coast Guard.

Dated: September 27, 1999.

Robert S. Horowitz,

Acting Chief Counsel.

[FR Doc. 99-25865 Filed 10-4-99; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 175

[USCG-1999-6219]

Recreational Boating Safety—Federal Requirements for Wearing Personal Flotation Devices

AGENCY: Coast Guard, DOT.

ACTION: Notice; request for comments.

SUMMARY: The Coast Guard seeks (we seek) comments from interested people, groups, and businesses about the need for, and possible alternatives to, Federal requirements or incentives for people to wear lifejackets while engaged in a limited number of specific boating activities on the water. We will consider all comments and consult further with the National Boating Safety Advisory Council (NBSAC) to determine whether we should propose any Federal rules that would help to reduce the number of recreational boaters who drown in the circumstances identified by this notice and by the comments to it.

DATES: Comments and related material must reach the Docket Management Facility on or before April 3, 2000.

ADDRESSES: To make sure your comments and related material (referred to USCG-1999-6219) are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By hand delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street S.W., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this notice. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: For questions on this notice, contact Carlton Perry, Project Manager, Office of Boating Safety, by telephone at 202-267-0979 or by e-mail at cperry@comdt.uscg.mil. For questions on viewing or submitting material to the docket, call Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202-366-9329.

You may obtain a copy of this notice by calling the U.S. Coast Guard Infoline at 1-800-368-5647, or read it on the Internet at the Web Site for the Office of Boating Safety at <http://www.uscgboating.org> or at <http://dms.dot.gov>.

SUPPLEMENTARY INFORMATION:

Regulatory History

On September 25, 1997, we published in the **Federal Register** a notice of request for comments [62 FR 50280]. That notice, with the title "Recreational Boating Safety—Federal Requirements for Wearing Personal Flotation Devices", under docket number CGD 97-059, set the closing date for comments for February 2, 1998. On March 20, 1998, we published a second notice [63 FR 13586]. That notice, with the same title and under the same docket number, reopened the comment period until May 29, 1998.

Background and Purpose

A number of responses to the initial notice commented that the best way to prevent drowning was to keep people from falling into the water in the first place. Our review of data on recreational boating accidents indicates

that most people who drowned had ended up in the water unexpectedly and were not able to put on lifejackets during the incidents. Federal requirements to prevent unexpected falls overboard would unreasonably restrict moving about on the vessel and would also likely interfere with operating the vessel. We believe that the best way to minimize the number of deaths due to drowning is to maximize the number of recreational boaters wearing lifejackets, also known as personal flotation devices (PFDs). Each year we sponsor a national campaign for boating safety based on educational methods aimed at encouraging recreational boaters to wear lifejackets. We also recognize, however, that these nonregulatory methods of modifying behavior have not been successful enough.

When we published the initial notice, we sought public comment on the need for Federal requirements that any or all recreational boaters wear lifejackets. The request asked the public to identify the various conditions under which the use of lifejackets should be mandatory or optional, or would be inappropriate.

We received over 600 written comments in response to the initial notice. Most of them opposed any Federal requirements that all boaters wear lifejackets all the time. However, almost 120 of them supported Federal or State PFD requirements for at least some categories of recreational vessels, boaters, or activities.

After summarizing the comments (copy in the public docket for this notice), we consulted with NBSAC at its meetings in October 1998 and April 1999 regarding the results. The Council recommended that we publish another notice of request for comments, one that would focus more on the need to propose rules calling for mandatory wear for children, for operators of Personal Watercraft (PWC), and for people being towed behind recreational vessels.

We have considered the recommendations of NBSAC (also in the public docket for this notice), the comments we received in response to the initial notice, and drowning statistics from reports on recreational boating accidents. In this notice, we are again inviting comments from the public, but only targeting vessels less than 16 feet in length, which should include specific groups of high-risk recreational vessels, boaters, and activities.

Recreational boating has grown dramatically over the last 20 years. Over those years, there have been fewer and fewer deaths, thanks in part to ongoing

educational efforts like the Federal and State Recreational Boating Safety Programs. Unfortunately, recreational boating accidents still result in more deaths than all other transportation-related accidents, except for motor vehicle accidents.

Most people who die in recreational boating accidents drown. During 1997, our data show, recreational boating accidents resulted in over 800 deaths, 588 of them by drowning. Of the 588 victims, most (523) were not wearing lifejackets. Although 65 victims also drowned while wearing them, information in the accident reports suggest that other factors contributed to or even were the primary cause of death for most of these 65. Many of the 588 might have survived if they had worn lifejackets.

During 1997, vessels less than 16 feet in length accounted for 385 deaths, 293 by drowning, and vessels at least 16 feet in length, but less than 26 feet in length, accounted for 294 deaths, 192 by drowning. Also, during 1997, open motorboats accounted for 413 deaths, 307 by drowning, and PWC accounted for another 84 deaths, 22 by drowning. Sadly, during 1997, 25 children 12 years of age and under died in the water, 14 by drowning.

Request for Comments

We encourage you to participate in this project by submitting comments and related material about the need for, or alternatives to, Federal requirements and incentives for recreational boaters to wear lifejackets under the specific circumstances listed in this notice. We emphasize that we are not contemplating such requirements or incentives for commercial vessels, for larger recreational vessels, or for all recreational boaters under all circumstances. We encourage you to answer all of the following questions. We even encourage you to provide information on any subject related to those questions if you feel your comment addresses an issue we need to consider. We also solicit comments from all segments of the recreational boating community, from State boating safety authorities, from NBSAC, from the National Association of State Boating Law Administrators (NASBLA), and from other interested people, groups, and businesses, large or small, on the economic or other effects of any such requirements or incentives.

If you submit comments, please include your name and address, identify the docket number for this notice (USCG-1999-6219), indicate the specific section of this document to which each comment applies, and give

the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope.

We will summarize all the comments we receive during the comment period, place a copy of the summary in the public docket, and provide copies to the members of NBSAC for them to consider at their next meeting. We will consider all relevant comments and material received during the comment period in drafting any regulatory or nonregulatory measures that may follow from this notice.

Public Meeting

We do not plan to hold a public meeting. But you may submit a request for one to the Docket Management Facility at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this project, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Please consider and respond to the following questions:

1. Several States have imposed various requirements for wearing lifejackets—by children, during water-skiing, aboard PWC, canoes and kayaks, and sailboards, and so on. Should we continue to let individual States determine their own requirements for wearing lifejackets? Or should we propose Federal rules to—

a. Ensure that, if States do issue requirements for wearing lifejackets, those requirements be consistent with one another?

b. Preempt the several States from issuing any such requirements at all?

c. Apply only on those navigable waters where no State has issued requirements for wearing lifejackets?

2. Should we propose Federal rules requiring that any or all of the following recreational boaters wear lifejackets while underway? If so, which?

a. Any child under 13 years of age, or under some other age?

b. Any boater on a recreational vessel less than 16 feet in length, less than 20 feet in length, or some other length?

c. Any boater on a specific type of recreational vessel, such as an open motorboat, a PWC, a sailboat, a

sailboard, a rowboat, a canoe, or a kayak?

d. Any person being towed behind a recreational vessel on water skis, on an inflatable raft or tube, or on some other device?

e. Any boater who is the sole occupant of a recreational vessel? If so, should the rule not apply when a vessel capable of rendering assistance accompanies the first vessel?

f. Any boater on a recreational vessel operating either in certain water or weather—such as fast currents, white water, high tides, cold weather, or gale-force winds—or where the recreational vessel is, or could drift to, more than a given distance from land.

g. Any boater on a recreational vessel defined by a specific combination of the boater's age, the vessel's type and size, its operation, and the prevailing water or weather?

3. Should we propose any Federal rules that allow alternatives to wearing Coast Guard approved lifejackets? If so, which alternatives? And if so, for which vessels, activities, water or weather, or boaters?

4. Please describe any nonregulatory ways to reduce the number of deaths by drowning, that are achievable at lower cost or with less burden than by Federal rules for wearing lifejackets.

Dated: September 28, 1999.

Terry M. Cross,

Rear Admiral, U.S. Coast Guard, Acting Assistant Commandant for Operations.

[FR Doc. 99-25864 Filed 10-4-99; 8:45 am]

BILLING CODE 4910-15-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA083-0182; FRL-6452-2]

Clean Air Act Approval and Promulgation of New Source Review Implementation Plan for El Dorado County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes three actions on rules submitted by El Dorado Air Pollution Control District (District or EDCAPCD) for the purpose of meeting requirements of the Clean Air Act, as amended in 1990 (CAA or Act), with regard to new source review (NSR) in areas that have not attained the national ambient air quality standards (NAAQS). First, EPA proposes to approve the following rules into State

Implementation Plan (SIP): Rule 501, General Permit Requirements; Rule 520, Enhanced Monitoring and Compliance Certification; Rule 524, Emission Reduction Credits; and Rule 525, Priority Reserve. Second, EPA proposes a limited approval and limited disapproval of Rule 523, New Source Review. Finally, EPA proposes to rescind from the SIP 36 District rules that will be replaced by the rules mentioned above. All of these rules were submitted by the State of California on behalf of the District as a requested SIP revision to satisfy certain federal requirements for an approvable NSR SIP.

DATES: EPA is requesting comments on all aspects of the requested SIP revision and EPA's proposed rulemaking action. Comments on this proposed action must be received in writing by November 4, 1999.

ADDRESSES: To submit comments or receive further information, please contact Roger Kohn, Environmental Protection Specialist, Permits Office, Air Division (AIR-3), EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105. Copies of the State's submittal and other information are available for inspection during normal business hours at the following locations: (1) EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105; (2) California Air Resources Board, 2020 L Street, Sacramento, CA 95814; (3) El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667-4100. A courtesy copy of these rules may be available via the Internet at <http://arbis.arb.ca.gov/drdb/ed/cur.htm>. These versions of the District rules, however, may be different from the versions submitted to EPA for approval. Readers are cautioned to verify that the adoption date of the rule listed is the same as the rule submitted to EPA for approval. The official submittals are available only at the three addresses listed above.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office, (AIR-3), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1238 E-mail: kohn.roger@epa.gov

SUPPLEMENTARY INFORMATION:

I. What Action is EPA Proposing?

- A. Today's Proposed Actions
 - B. Limited Approval and Limited Disapproval of Rule 523
 - C. Full Approval of Rules 501, 520, 524, and 525
 - D. Recission of 36 Rules
 - E. 1982 NSR SIP Conditional Approval
- ##### II. Rule 523 Deficiencies

A. Offset Ratio for Severe Ozone Nonattainment Area

B. Offsetting Total Emissions

C. Incomplete BACT Definition

D. Exemption for Regulatory Compliance

E. Interpollutant Trading

III. How Did EPA Arrive at the Proposed Action?

IV. Administrative Requirements

A. Executive Order 12866

B. Executive Order 12875

C. Executive Order 13045

D. Executive Order 13084

E. Regulatory Flexibility Act

F. Unfunded Mandates

I. What Action is EPA Proposing?

A. Today's Proposed Actions

EPA's proposed actions on NSR rules submitted by the District are summarized in Tables 1, 2, and 3 below.

TABLE 1.—EPA PROPOSES APPROVAL

Rule No.	Rule title
501	General Permit Requirements.
520	Enhanced Monitoring and Compliance Certification.
524	Emission Reduction Credits.
525	Priority Reserve.

TABLE 2.—EPA PROPOSES LIMITED APPROVAL AND LIMITED DISAPPROVAL

Rule No.	Rule title
523	New Source Review.

TABLE 3.—EPA PROPOSES RESCISSION FROM SIP

Rule No	Rule title
401 through 407.	Various—refer to TSD.
410, 411	
415, 416	
418	
418 through 425	
501 through 508	
510	
510 through 513	
515	
517 through 519	
521	