

Valley Tribe has established regulations to protect the fishery resources and fishing rights of Indians of the Hoopa Valley Indian Reservation. The Yurok Tribe, which is also covered under these regulations, is in the final stages of drafting regulations covering fishing by their members. This proposed rule will eliminate 25 CFR Part 250, Indian Fishing—Hoopa Valley Indian Reservation.

Public Participation Statement

Publication of the proposed rule by the Department of the Interior (Department) provides the public an opportunity to participate in the rulemaking process. Interested persons may submit written comments regarding the proposed rule to the location identified in the ADDRESSES section of this document.

Evaluation and Certification

The Department has certified to the Office of Management and Budget (OMB) that the elimination of this rule meets the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order 12778.

The Office of Management and Budget has determined the elimination of this rule is not a significant regulatory action under Executive Order 12866.

There will be no economic effect on each tribal government and tribal organization under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and no additional outlays will be required of tribal governments, tribal organizations, and the Federal Government.

In accordance with Executive Order 12630, the Department has determined that the elimination of this rule will not have "significant" takings implications. The elimination of this rule does not pertain to "taking" of private property interests, nor does it impact private property.

The Department has determined that the elimination of this rule will not have significant federalism effects under Executive Order 12612 and will not interfere with the roles, rights and responsibilities of states.

The Department has determined that the elimination of this rule will not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

No information collection is required in the elimination of this rule that would require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Drafting Information

The primary author of this document is Bettie Rushing, Bureau of Indian Affairs.

List of Subjects in 25 CFR Part 250

Indians, Indian—fishing rights.

Under the authority of Executive Order 12866, and for the reasons stated above, it is proposed to remove 25 CFR part 250.

Dated: April 11, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA-070-0001b; FRL-5452-1]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution Control Agency

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from the transfer of gasoline in stationary storage containers, delivery vessels, bulk plants, and vehicle fuel tanks.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this Federal Register, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this 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. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by June 3, 1996.

ADDRESSES: Written comments on this action should be addressed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812.

San Joaquin Valley Unified Air Pollution Control District, 1999 Tuolumne Street, Fresno, CA 93721.

FOR FURTHER INFORMATION CONTACT: Christine Vineyard, Rulemaking Section [A-5-3], Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1197.

SUPPLEMENTARY INFORMATION: This document concerns San Joaquin Valley Unified Air Pollution Control District Rule 4621, Gasoline Transfer into Stationary Containers, Delivery Vessels, and Bulk Plants, and Rule 4622, Transfer of Gasoline into Vehicle Fuel Tanks, submitted to EPA on November 18, 1993 and May 24, 1994 by the California Air Resources Board. For further information, please see the information provided in the Direct Final action which is located in the Rules Section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: March 24, 1996.

Felicia Marcus,

Regional Administrator.

[FR Doc. 96-10569 Filed 5-01-96; 8:45 am]

BILLING CODE 6560-50-W

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96-79; RM-8779]

Television Broadcasting Services; Kearney, NE

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Citadel Communications, L.L.C. seeking the allotment of UHF Channel 20- to Kearney, NE, as the community's second local television service. Channel 20- can be allotted to Kearney in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 40-41-54 North Latitude and 99-05-00 West Longitude. The proposed allotment at Kearney is not affected by the Commission's temporary freeze on new television allotments in certain metropolitan areas.

DATES: Comments must be filed on or before June 17, 1996, and reply comments on or before July 2, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Eric L. Bernthal, Esq., Kevin C. Boyle, Esq., Steven H. Schulman, Esq., Latham & Watkins, 1001 Pennsylvania Avenue, NW., Suite 1300, Washington, DC 20004 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 96-79, adopted March 25, 1996, and released April 24, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-10852 Filed 5-1-96; 8:45 am]

BILLING CODE 6712-10-F

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 85-06; Notice 11]

RIN [2127-AG35]

Federal Motor Vehicle Safety Standards; Hydraulic Brake Systems; Light Vehicle Brake Systems

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to extend the requirements of Federal motor vehicle safety standard (FMVSS) No. 135, *Passenger Car Brake Systems*, to trucks, buses, and multipurpose passenger vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds (4,536 kilograms) or less. As a result, manufacturers of such vehicles have the option of complying with either FMVSS No. 105 or FMVSS No. 135 for an interim five year period, after which all light vehicles would have to comply with FMVSS No. 135. The agency believes that such an amendment would be consistent with the agency's policy of achieving international harmonization whenever possible, consistent with the statutory mandate to ensure motor vehicle safety.

DATES: *Comment Period:* Comments on this notice must be received by NHTSA no later than July 1, 1996.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street SW, Washington, D.C. 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: *For non-legal issues:* Mr. Robert M. Clarke, Office of Crash Avoidance, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 366-5278.

For legal issues: Mr. Marvin L. Shaw, NCC-20, Rulemaking Division, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 366-2992.

SUPPLEMENTARY INFORMATION:

I. Background

On February 2, 1995, the National Highway Traffic Safety Administration (NHTSA) published a final rule establishing a new Federal motor vehicle safety standard (FMVSS) No. 135, *Passenger Car Brake Systems* (60 FR 6411). This standard resulted from the agency's efforts to harmonize U.S. brake standards with international brake standards. FMVSS No. 135 applies only to passenger cars. Between March 6, 1995 and August 31, 2000, manufacturers of passenger cars have the option of complying with either FMVSS No. 105 or FMVSS No. 135. After September 1, 2000, all passenger cars must comply with the requirements of FMVSS No. 135, while all other vehicles with hydraulic brakes, including light vehicles¹ other than passenger cars, still must meet the requirements of FMVSS No. 105.

NHTSA is considering whether to extend the applicability of FMVSS No. 135 to all light vehicles. FMVSS No. 105 would continue to apply to vehicles with a GVWR greater than 10,000 pounds (i.e., medium and heavy hydraulically-braked vehicles). If this change is adopted, FMVSS No. 135 would be retitled *Light Vehicle Brake Systems*.

In comments submitted in response to the agency's July 3, 1991 supplemental proposed rulemaking (SNPRM) on this subject (56 FR 30528), Kelsey-Hayes asked whether the rule would apply to all purpose vehicles, mini-vans, and light trucks, as well as to passenger cars. In the final rule, NHTSA decided to apply FMVSS No. 135 only to passenger cars, but stated it might consider applying FMVSS No. 135 to all light vehicles at a later date.

In its petition for reconsideration to the final rule, General Motors (GM) requested, among other things, that the agency consider applying FMVSS No. 135 to all hydraulically-braked light vehicles. GM stated that the United Nations Economic Commission for Europe (ECE) Regulation R13-H was being developed with the intention of applying it to all light vehicles. That company further stated that "it would be desirable to have a single brake

¹ Those vehicles with a gross vehicle weight rating (GVWR) of 10,000 lbs. (4,536 kilograms) or less.