

telephone numbers are listed in the handbooks.

4. A new § 210.204 is added to Subpart E to read as follows:

§ 210.204 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in an *Auditing and Financial System (AFS) Solid Minerals Payor Handbook* and a *Production Accounting and Auditing System (PAAS) Reporter Handbook* which are available from: Minerals Management Service, Attention: Lessee (or Reporter) Contact Branch, P.O. Box 5760, TA, Denver, Colorado 80217.

(b) Royalty payors or production reporters should refer to these handbooks for specific guidance with respect to solid minerals reporting requirements. If additional information is required, the payor or reporter should contact the MMS Lessee Contact Branch with respect to royalty reporting, or the MMS Reporter Contact Branch with respect to production reporting at the above address. The appropriate telephone numbers are listed in the handbooks.

PART 216—[AMENDED]

1. The authority citation for Part 216 is revised to read as follows:

Authority: 25 U.S.C. 396 *et seq.*; 25 U.S.C. 396a *et seq.*; 25 U.S.C. 2101 *et seq.*; 30 U.S.C. 181 *et seq.*; 30 U.S.C. 351 *et seq.*; 30 U.S.C. 1001 *et seq.*; 30 U.S.C. 1701 *et seq.*; 43 U.S.C. 1301 *et seq.*; 43 U.S.C. 1331 *et seq.*; and 43 U.S.C. 1801 *et seq.*

2. A new § 216.15 is added to Subpart A to read as follows:

§ 216.15 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in a *Production Accounting and Auditing System [PAAS] Reporter Handbook*, which is available from: Minerals Management Service, Attention: Reporter Contact Branch, P.O. Box 17110, Denver, Colorado 80217.

(b) Production reporters should refer to this handbook for specific guidance with respect to production reporting requirements. If additional information is required, the reporter should contact the MMS Reporter Contact Branch at the above address. The telephone number is listed in the handbook.

[FR Doc. 86-28706 Filed 12-22-86; 8:45 am]

BILLING CODE 4310-MR-M

PANAMA CANAL COMMISSION

35 CFR Part 103

General Provisions Governing Vessels

AGENCY: Panama Canal Commission.

ACTION: Final rule.

SUMMARY: The Panama Canal Commission is today adopting an interim final rule amending 35 CFR 103.8, concerning preference in transit schedulings and order of transiting vessels. These changes take into account the agency's experience with the Panama Canal Transit Booking System over the preceding three years and the needs of the shipping community.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Rhode, Jr., Secretary, Panama Canal Commission, telephone: (202) 634-6441, or Mr. John L. Haines, Jr., General Counsel, telephone in Balboa Heights, Republic of Panama, 011-507-52-7511.

SUPPLEMENTARY INFORMATION: On July 30, 1986, an interim rule was published in the *Federal Register* (51 FR 27174) setting forth several changes to the booking system regulations based on numerous requests from Canal users that the Canal Commission revise the arrival time requirements in the prior rules. The revisions take into account the need to better serve our customers, without adversely affecting Canal operations. Interested parties were given the opportunity to submit written comments by August 29, 1986. During that time period, the agency received a single comment relating to the decision to clarify the term *force majeure* by rephrasing the grounds to be considered in waiving a forfeiture of the booking fee. The writer expressed a preference for the term *force majeure* as a generally accepted marine term. Since, however, the change was initiated in response to customer confusion with the term, the Commission believes that clarification better serves Canal users.

Following is a summary of how the rules published today modify the rules which have been in effect concerning preference in the transit schedule and order of transiting vessels:

The Commission's regulations, in § 103.8(f)(1), require that booked vessels which are subject to transit restrictions arrive at a terminus of the Canal by midnight (2400 hours) of the day prior to the intended transit. Booked vessels which are not subject to transit restrictions must arrive prior to noon of the day of the intended transit. This section is revised to allow both classes of vessels to arrive at a Canal terminus

one hour later. Under this revision, restricted vessels must arrive not later than 0100 hours of the day of the transit, and non-restricted vessels must arrive not later than 1300 of the day of the transit.

In addition to the arrival time changes, the agency has revised the rules concerning forfeiture of the booking fee. The present rules provide that a vessel which does not arrive by the specified arrival time forfeits the booking fee unless its arrival has been delayed by *force majeure*. As stated above, the term *force majeure* has caused some confusion in the past, and accordingly, the grounds for waiving a forfeiture have been rephrased. Under the revised rule no forfeiture will occur, if the vessel's arrival is delayed by a natural event of major proportions, not caused by the intervention of man, which could not reasonably be predicted in advance. Heavy seas are not considered such a major natural event.

The amendment concerning the arrival times is a *de minimis* change that liberalizes current rules for booked vessels. The revision of the *force majeure* rule is not substantive, but is intended to clarify the rule.

The Commission has determined that this rule does not constitute a major rule within the meaning of Executive Order 12291 dated February 17, 1982 (47 FR 13193). The bases for that determination are, first, that the rule, when implemented would not have an effect on the economy of \$100 million or more per year, and secondly, that the rule would not result in a major increase in costs or prices for consumers, individual industries, local governmental agencies or geographic regions. Further, the agency has determined that implementation of the rule will have no adverse effect on competition, employment, investment, productivity, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Finally, the Commission has determined that this rule is not subject to the requirements of sections 603 and 604 of Title 5, United States Code, in that its promulgation will not have a significant impact on a substantial number of small entities, and the Administrator of the Commission so certifies pursuant to 5 U.S.C. 605(b).

List of Subjects in 35 CFR Section 103.8

Panama Canal, Vessels, Booking system, Navigation (Water).

PART 103—[AMENDED]

Accordingly, the interim rule amending 35 CFR Part 103 which was published at 51 FR 27174 on July 30, 1986, is adopted as a final rule without change.

Authority: 22 U.S.C. 3811, E.O. 12215, 45 FR 36043 and 44 U.S.C. 3501.

Dated: December 3, 1986.

D.P. McAuliffe,

Administrator, Panama Canal Commission.

[FR Doc. 86-28755 Filed 12-22-86; 8:45 am]

BILLING CODE 3640-04-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[A-5-FRL-3131-3]

Approval and Promulgation of Implementation Plans; Wisconsin

AGENCY: U.S. Environmental Protection Agency.

ACTION: Notice of final rulemaking.

SUMMARY: USEPA announces final approval of a revision to the Wisconsin State Implementation Plan (SIP) that was enacted in Wisconsin by means of Natural Resources Board Order Number A-33-84, and that took effect on May 1, 1985. The revision creates a new section of the Wisconsin Administrative Code, section NR 154.015, entitled "Department Review Times." This revision also establishes time limits for review and action by the Wisconsin Department of Natural Resources on three types of air permit applications. A public hearing was held on Board Order A-33-84 on August 31, 1984. USEPA's action is based on a SIP revision request that was submitted by the State of Wisconsin on June 14, 1985. A notice of proposed rulemaking on this revision appeared in the April 16, 1986 (51 FR 12884), *Federal Register*.

EFFECTIVE DATE: This final rulemaking becomes effective on January 22, 1987.

ADDRESSES: Copies of the SIP revision and other materials related to this rulemaking are available for review at the following addresses: (It is recommended that you telephone Colleen W. Comerford, at (312) 886-6034, before visiting the Region V office.) U.S. Environmental Protection Agency, Region V, Air and Radiation Branch, 230 South Dearborn Street, Chicago, Illinois 60604.

Copies of this revision to the

Wisconsin SIP are available for inspection at:

The Office of the Federal Register, 1100 L Street, NW., Room 8301, Washington, DC

U.S. Environmental Protection Agency, Public Information Reference Unit, 401 M Street SW., Washington, DC 20460
Wisconsin Department of Natural Resources, Bureau of Air Management (AIR/3), 101 South Webster, Madison, Wisconsin 53707

FOR FURTHER INFORMATION CONTACT: Colleen W. Comerford, (312) 886-6034.

SUPPLEMENTARY INFORMATION: On June 14, 1985, the State of Wisconsin submitted a SIP revision request to USEPA. The SIP revision was identified as Natural Resources Board Order Number A-33-84, which creates a new section of the Wisconsin Administrative Code, section NR 154.015, entitled "Department Review Times." The revision establishes time limits for review and action by the Wisconsin Department of Natural Resources (WDNR) on three types of air permit applications, as specified below:

(1) Alternate fuel variances under section NR 154.02(4)—10 business days;
(2) Temporary excess emissions plans under section NR 154.09(1)(b)—65 business days; and

(3) Use of emergency or reserve equipment under section NR 154.09(1)(c)—65 business days.

Unless another time period is specified by law, the WDNR is required to complete its review and make a determination on the permit applications specified above within the number of business days indicated, based on the date of receipt of the application. If the WDNR does not meet the specified deadlines, then the Department has to file a report with the Wisconsin Department of Development stating why the deadline was missed, and what future action will take place concerning the permit in question. The WDNR is required to do this under the provisions of 227.0105, Statutes, as created by 1983 Wisconsin Act 91. This clarifies the State's intent that failure to meet the provision's deadline does not result in the automatic issuance of a permit.

Conclusion

On April 16, 1986 (51 FR 12884), USEPA published a notice proposing to approve this SIP revision in the *Federal Register*. No public comments were received on this action. Based on this proposal, USEPA is taking final action to approve this revision to the Wisconsin Administrative Code, section NR 154.015, Department Review Times, as a part of the Wisconsin SIP.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 337(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 23, 1987. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

List of Subjects in 40 CFR Part 52

Intergovernmental relations, Air pollution control, Incorporated by reference.

Note.—Incorporation by reference of the State Implementation Plan for the State of Wisconsin was approved by the Director of the Federal Register on July 1, 1982.

Dated: November 28, 1986.

Lee M. Thomas,

Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**Subpart YY—Wisconsin**

Title 40 of the Code of Federal Regulations, Chapter I, Part 52 is amended as follows:

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.2570 is amended by adding new paragraph (c)(49) as follows:

§ 52.2570 Identification of plan.

* * * * *

(c) * * *

(49) Submittal from the State of Wisconsin, dated June 14, 1985, revising the Wisconsin Administrative Code to include section NR 154.015, Department Review Times.

(i) *Incorporation by reference.* (A) Letter from the Wisconsin Department of Natural Resources, dated June 14, 1985, and section NR 154.015 of the Wisconsin Administrative Code as a revision to the Wisconsin SIP, effective on May 1, 1985. Section NR 154.015 is entitled "Department Review Times", and it establishes time limits for review and action by the Wisconsin Department of Natural Resources on three types of air permit applications.

[FR Doc. 86-28742 Filed 12-22-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 52 and 81

[A-1-FRL-3113-5]

Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; Maine; Thomaston Attainment Status Designation**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: EPA is approving a request by the State of Maine to redesignate the Town of Thomaston from secondary nonattainment to attainment of the National Ambient Air Quality Standards (NAAQS) for total suspended particulates (TSP). Under section 107 of the Clean Air Act, the designation of attainment status may be changed where warranted by the available data. In conjunction with the redesignation, EPA is deleting the listing of Thomaston from the section in Maine's state implementation plan (SIP) regulating growth offsets in nonattainment areas. These actions acknowledge an improvement in air quality in the town of Thomaston due to an implemented control strategy at the Dragon Products Company, Inc., a cement manufacturer.

This action also corrects an error in listing the State of Maine in a July 12, 1985, notice at 50 FR 28544.

EFFECTIVE DATE: This action will be effective February 23, 1987, unless notice is received within 30 days from publication, that adverse or critical comments will be submitted.

ADDRESSES: Comments may be mailed to Louis F. Gitto, Director, Air Management Division, Rm. 2311, JFK Federal Bldg., Boston, MA 02203. Copies of the submittal and EPA's evaluation are available for public inspection during normal business hours at the Environmental Protection Agency, Room 2311, JFK Federal Building, Boston, MA 02203; and the Main Department of Environmental Protection, Ray Building, Hospital Street, Augusta, ME 04333.

FOR FURTHER INFORMATION CONTACT: Susan Kulstad (617) 565-3226; FTS 835-3226.

SUPPLEMENTARY INFORMATION: On February 20, 1986, the Commissioner of the Maine Department of Environmental Protection (DEP) submitted a request to redesignate the Town of Thomaston. The redesignation formally acknowledges the attainment of the secondary NAAQS for TSP in Thomaston.

Background

On March 3, 1978, EPA designated Thomaston as nonattainment for secondary TSP (43 FR 8964). A cement manufacturing facility then owned by Martin Marietta Cement and now owned and operated by Dragon Products Company, Inc. (Dragon Products) is the single significant source of TSP emissions in the designated area.

On February 19, 1980, EPA published approval of a plan for the attainment of the secondary TSP standards (45 FR 10766) that required controls on fugitive sources of particulate emissions at Dragon Products. This control plan employed the roll-back method to estimate a needed reduction in TSP emissions of 28%, and planned for an estimated 40% reduction (951 TPY) by requiring the following controls:

(1) Chemical stabilization of the quarry haul roads; (2) recycling and reclamation of dust in the kiln dust waste storage area; and (3) reclamation in the waste rock storage area.

In conjunction with the redesignation of Thomaston to attainment, Maine has revised its growth offsets regulation, 29 M.R.S.A. Chapter 113, by deleting Thomaston from Section 1.A. which lists the municipalities to which the regulation applies.

On July 12, 1985, at 50 FR 28544, EPA promulgated Federal visibility monitoring and new source review requirements for the State of Maine. These requirements were incorrectly listed in revisions to the Code of Federal Regulations for Maine. Today's notice corrects this error.

Redesignation

Upon a State's request for the redesignation of an area, EPA reviews all available information relative to the attainment status of the area. EPA will approve TSP redesignations where: (1) Eight consecutive quarters of the most recent, quality assured ambient air quality data reveal no violations of the TSP NAAQS; (2) an EPA-approved control strategy has been implemented; (3) emissions reductions are not temporary or merely the result of economic downturn; and (4) unallowable dispersion techniques are not responsible for the improvement in air quality.

The State's request addresses all of the EPA requirements, including: (A) Eleven consecutive quarters (January, 1983-September, 1985) of ambient air quality data from four TSP monitoring sites in Thomaston that show no violations of the secondary standards. Monitoring was conducted on a daily basis over this period.

(B) The control strategy for the area, which EPA approved on February 19, 1980, was required under the terms of an air emissions license issued by the Maine Department of Environmental Protection on March 28, 1979. The controls were implemented on significant fugitive emission sources at Dragon Products by early 1983. The State's submission contains a memorandum documenting that Dragon Products is complying with the control strategy.

A trend analysis of monitored air quality data in Thomaston performed by EPA clearly shows decreasing trends and supports the reduction estimate made in the attainment plan.

EPA's revised stack height regulations (50 FR 27892) are not an issue here since no stack heights at Dragon Products exceed the *de minimis* height of 65 meters and the attainment plan addresses only fugitive (non-stack) emissions.

EPA has reviewed the Maine DEP's request with its supporting data and has determined that the redesignation should be approved. For more details on EPA's review, see the technical support document available at the locations listed in the **ADDRESSES** section of this notice.

Associated SIP Action

EPA is approving the associated SIP revision to Maine's growth offsets regulation by deleting Thomaston from the list of the municipalities to which the regulation applies. Federal approval of this regulation that included the listing of Thomaston was published on February 19, 1980 (45 FR 10766).

The submission contains certification that opportunity for a public hearing was provided and includes a copy of the public notice inviting comment, as well as evidence that the hearing was held and no adverse comments were received.

Final Action

EPA is approving this redesignation to attainment of the secondary NAAQS for TSP in the Town of Thomaston, Maine, submitted on February 20, 1986.

Additionally, EPA is approving the associated SIP revisions to Maine's growth offsets regulation, 29 M.R.S.A. Chapter 113, by deleting Thomaston from the list in section 1.A. of the municipalities to which the regulation applies.

Since EPA views the redesignation and associated SIP action as noncontroversial, we are taking this action without prior proposal. This action will be effective February 23,

1987. However, if EPA is notified within 30 days of publication that adverse or critical comments will be submitted, we will withdraw this action and publish a new rulemaking proposing the action and establishing a comment period.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities (see 46 FR 8709).

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 23, 1987. This action may not be challenged later in proceedings to enforce its requirements.

(See section 307(b)(2).)

List of Subjects

40 CFR Part 52

Air pollution control, Particulate matter.

40 CFR Part 81

Air pollution control.

Dated: October 5, 1986.

Lee M. Thomas,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart U—Maine

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

Section 52.1020 is amended by adding paragraph (c)(21) to read as follows:

§ 52.1020 Identification of plan.

(c) * * *

(21) A revision to approve the deletion of Thomaston from the list of applicable municipalities in Maine regulation 29 M.R.S.A. Chapter 113, submitted by the Commissioner on February 20, 1986.

3. Section 52.1031 is amended by adding the entry to the table in numerical order to read as follows:

§ 52.1031 EPA-approved Maine regulations.

* * * * *

TABLE 52.1031.—EPA-APPROVED REGULATIONS

State citation	Title and subject	Date adopted by State	Date approved by EPA	FEDERAL REGISTER citation	Section 52.1020	Comments and unapproved sections
113	Growth Offset Regulation.	12/18/85	12/23/86	51 FR	(c)(21)	Deletes Thomaston.

4. Section 52.1032 is added to read as follows:

§ 52.1032 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.27 are hereby incorporated and made part of the applicable plan for the State of Maine.

§ 52.1031 [Duplicate section removed]

5. Part 52 is amended by removing the second § 52.1031 entitled "Visibility protection."

PART 81—[AMENDED]

Part 81 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 81 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. In § 81.320 the TSP table for Maine is amended by revising the entry for "AQCR 107 (Central ME)" to read as follows:

§ 81.320 Maine.

MAINE—TSP

Designated areas	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
AQCR 107 (Central ME):				
Augusta		X		
Lewiston/Auburn			X	
Rockland			X	
Remainder of AQCR				X

[FR Doc. 86-28750 Filed 12-22-86; 8:45 am]

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