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The Proposal

The FAA is considering an amendment to Part 73 of the Federal Aviation Regulations (14 CFR Part 73) to establish a new Restricted Area R-2602 located near Colorado Springs, CO. After reviewing their operational requirements the USAF has requested additional airspace to accommodate an automated remote tracking system satellite communications antenna. This antenna will pose a radiation hazard to aircraft in flight carrying electroexplosive devices. Therefore, it will be necessary to establish restricted airspace from the surface up to 1,000 feet AGL within one square mile of Falcon Air Force Station, CO. Section 73.26 of Part 73 of the Federal Aviation Regulations was republished in Handbook 7400.6D dated January 4, 1988.

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. It, therefore (1) is not a "major rule" under Executive Order 12291; (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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a 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 73

Aviation Safety, Restricted Areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for Part 73 continues to read as follows:

Authority: 49 U.S.C. 1348(a) 1354(a), 1510, 1522; Executive Order 10854; 49 U.S.C. 106(g) [Revised Pub. L. 97-449, January 12, 1983]; 14 CFR 11.69.

§ 73.2 [Amended]

2. § 73.26 is amended as follows:

R-2602 Colorado Springs, CO [New]

Boundaries. Beginning at lat. 38°48'35" N., long. 104°32'03" W.; to lat. 38°48'35" N., long. 104°30'57" W.; to lat. 38°47'43" N., long. 104°32'02" W.; to lat. 38°47'43" N., long. 104°30'56" W.

Designated altitudes. Surface to 1,000 feet AGL.

Time of designation. Continuous.
Controlling agency. FAA, Denver ARTCC.
Using agency. USAF, Air Force Space Command, 2nd Space Wing, Falcon Air Force Station, CO.

Issued in Washington, DC, on March 29, 1988.

Shelomo Wugalter,

Acting Manager, Airspace-Rules and Aeronautical Information.

[FR Doc. 88-7339 Filed 4-4-88; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR-29-88]

Automatic Extension of Time To File Partnership Return of Income and Trust Income Tax Return

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: In the Rules and Regulations portion of this issue of the **Federal Register**, the Internal Revenue Service is issuing temporary regulations relating to the automatic extension of time to file partnership returns of income and trust income tax returns. The text of those temporary regulations also serves as the comment document for this proposed rulemaking.

DATES: The regulations contained in this document are proposed to be effective for partnership and trust returns required to be filed for taxable years beginning after December 31, 1986. Written comments and requests for a public hearing must be delivered or mailed by June 6, 1988.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T (LR-29-88), Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Katherine Lee Wambsgans, Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224 (Attention:

CC:LR:T) (202-556-3288, not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations (designated by a "T" following the section citation) in the Rules and Regulations portion of this issue of the **Federal Register** amend Part 1 of Title 26 of the Code of Federal Regulations. These amendments reflect the provisions of section 6081(a) of the Internal Revenue Code of 1986. For the text of the temporary regulations, see FR Doc. (T.D. 8190) published in the Rules and Regulations portion of this issue of the **Federal Register**. The preamble of the temporary regulations contains a discussion of the regulations. The final regulations, which this document proposes to base on the temporary regulations, would amend Part 1 of Title 26 of the Code of Federal Regulations.

Special Analyses

The Commissioner of Internal Revenue has determined that this proposed rule is not a major rule as defined in Executive Order 12291. Accordingly, a Regulatory Impact Analysis is not required. Although this document is a notice of proposed rulemaking that solicits public comments, the Internal Revenue Service has concluded that the proposed regulations are interpretative and that the notice and public procedure requirements of 5 U.S.C. 553 do not apply. Accordingly, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

The collection of information requirements contained in this notice of proposed rulemaking have been submitted to the Office of Management and Budget (OMB) for review under section 3504(h) of the Paperwork Reduction Act. Comments on the requirements should be sent to the Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for Internal Revenue Service, New Executive Office Building, Washington, DC 20503. The Internal Revenue Service requests that persons submitting comments on these requirements to OMB also send copies of those comments to the Service.

Comments and Requests for a Public Hearing

Before these proposed regulations are adopted, consideration will be given to any written comments that are submitted (preferably eight copies) to the Commissioner of Internal Revenue.

All comments will be available for public inspection and copying. A public hearing will be held upon written request to the Commissioner by any person who submitted comments. If a public hearing is held, notice of the time and place will be published in the **Federal Register**.

Drafting Information

The principal author of these proposed regulations is Katherine Lee Wambsgans, Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations on matters of both substance and style.

List of Subjects in 26 CFR 1.6001-1—1.6109-2

Income taxes, Administration and procedure, Filing requirements.

Lawrence B. Gibbs,

Commissioner of Internal Revenue.

[FR Doc. 88-7393 Filed 3-31-88; 2:08 pm]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 761 and 796

[OPTS 2900; FRL-3360-5]

Polychlorinated Biphenyls and Chemical Fate Testing Guidelines; Proposed Revisions of Incorporations by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) has incorporated by reference certain American Society for Testing and Materials (ASTM) test methods in the Polychlorinated Biphenyls (PCB) regulations, 40 CFR Part 761, and in the Chemical Fate Testing Guidelines, 40 CFR Part 796. Several of the incorporated test methods have been revised by ASTM. Those test methods are listed below in **SUPPLEMENTARY INFORMATION**. EPA is proposing that the revised test methods be used to meet the testing requirements found in 40 CFR Parts 761 and 796.

DATE: Comments on the proposed revised incorporations by reference must be submitted by May 5, 1988.

ADDRESS: Send comments, preferably in triplicate, to: TSCA Document Processing Center (TS-790), Rm. L-100, Office of Toxic Substances,

Environmental Protection Agency, 401 M Street., SW., Washington, DC 20460.

Comments should include the docket control number "OPTS 29000". Comments on this proposed rule will be available for review and copying from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in Rm. NE-G004, at the address above.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Acting Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M Street., SW., Washington, DC 20460, Telephone: 202-554-1404.

SUPPLEMENTARY INFORMATION: Several ASTM test methods which are incorporated by reference in 40 CFR Parts 761 and 796 have been revised by ASTM. EPA invites comments on the revised test methods. The designations of the old test methods, and the designations of the new, revised test methods are set forth below. Copies of the revised test methods may be obtained from the OPTS Reading Room, in Room NE-G004, at the address given above.

The new designation of the revised test methods and the equivalent old designations are as follows:

New designation	Old designation
ASTM D 93-85.....	ASTM D 93-80.
ASTM D 240-87.....	ASTM D 240-76 (Reapproved 1980).
ASTM D 923-86.....	ASTM D 923-81.
ASTM D 2158-85.....	ASTM D 2185-80.
ASTM D 2879-86.....	ASTM D 2879-75 (Reapproved 1980).
ASTM D 3178-86.....	ASTM D 3178-73 (Reapproved 1979).

A. Executive Order 12291

Under E.O. 12291, issued February 17, 1981, EPA must judge whether a rule is a major rule and, therefore, subject to the requirement that a Regulatory Impact Analysis be prepared. EPA has determined that this proposed rule is not a major rule, as that term is defined in section 1(b) of E.O. 12291. Therefore, EPA has not prepared been submitted to OMB for review.

B. Regulatory Flexibility Act

Under section 605(b) of the Regulatory Flexibility Act the Administrator may certify that a rule will not, if promulgated, have a significant impact on a substantial number of small entities, and therefore, does not require a regulatory flexibility analysis. This document proposes only to update certain American Society for Testing and Materials (ASTM) test methods,

which are incorporated by reference in the PCB regulations and in the Chemical Fate Test Guidelines, to the current ASTM test methods. Since no negative economic impact would be expected upon any business entity from the promulgation of this proposed rule, EPA certifies that this proposed rule will not have a significant economic impact on small entities.

C. Paperwork Reduction Act

EPA has determined that the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*, does not apply to this proposed rule since no information collection and recordkeeping are involved.

List of Subjects in 40 CFR Parts 761 and 796

Environmental protection, Chemicals, Hazardous substances, Health, Labeling, Laboratories, Polychlorinated biphenyls, Reporting and recordkeeping requirements, Incorporation by reference.

Dated March 16, 1988.

Charles L. Elkins,

Director, Office of Toxic Substances.

Therefore, it is proposed to amend 40 CFR, Chapter I as follows:

PART 761—[AMENDED]

1. In Part 761:

a. The authority citation for Part 761 continues to read as follows:

Authority: 15 U.S.C. 2605, 2607, and 2611; Subpart G also issued under 15 U.S.C. 2614 and 2616.

§ 761.19 [Amended]

b. In § 761.19, paragraph (b), the entries "ASTM D 93-80", "ASTM D 240-76 (Reapproved 1980)", "ASTM D 923-81", "ASTM D 2158-80", and "ASTM D 3178-73 (Reapproved 1979)", are revised to read "ASTM D 93-85", "ASTM D 240-87", "ASTM D 923-86", "ASTM D 2158-85", and "ASTM 3178-84", respectively.

§ 761.60 [Amended]

c. In § 761.60 the following changes are made:

i. In paragraph (a)(3)(iii)(B)(6), the references "ASTM D 93-80", "ASTM D 240-76 (reapproved 1980)", "ASTM D 2158-80" and "ASTM D 3178-73 (reapproved 1979)", are revised to read "ASTM D 93-85", "ASTM 240-87", "ASTM D 2158-85", and "ASTM D 3178-84", respectively.

ii. In paragraph (g)(1)(ii), the phrase "American Society of Testing and Materials method D-923" is revised to read "ASTM D 923-86".

iii. In paragraph (g)(2)(ii), the phrase "American Society of Testing and Materials method D 923-81", is revised to read "ASTM D 923-86".

§ 761.75 [Amended]

d. In § 761.75, paragraph (b)(8)(iii), the entry "ASTM Standard D 93-80", is revised to read "ASTM D 93-85".

PART 796—[AMENDED]

2. In Part 976:

a. The authority citation for Part 796 continues to read as follows:

Authority: 15 U.S.C. 2603.

§ 796.1950 [Amended]

b. In § 796.1950, paragraph (b)(2)(i), the entry "ASTM Method D 2879-75 (Reapproved 1980)", and the entry "ASTM D 2879-75 (Reapproved 1980)" are revised to read "ASTM D 2879-86", each time it appears.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 1-21; Notice 7]

FMVSS 114, Theft Protection

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: NHTSA continues to receive complaints of accidents, property damage, personal injury, and fatalities that apparently result from drivers of manual and automatic transmission vehicles inadvertently locking their steering columns while driving. The agency has also received complaints and petitions for rulemaking in response to accidents and injuries resulting from the rolling away of automatic transmission vehicles whose gear shift lever is inadvertently moved while the vehicles are parked on slanted surfaces with the engine off.

The inadvertent locking problem seems to arise from the design of the steering column locks that some manufacturers use to comply with Standard No. 114. Standard No. 114, *Theft Protection*, currently requires that each vehicle subject to the Standard have a key-locking system that prevents steering (e.g., a steering column lock) and/or forward self-mobility of the vehicle (e.g., a transmission gear shift lever lock) whenever the key is

removed. In response to this problem, NHTSA proposes to establish a locking sequence for automatic transmission vehicles that would require a vehicle's engine be off and the transmission in park before the driver can lock the steering column. For manual transmission vehicles, the steering column lock could be engaged only after the ignition key has deactivated the engine, and the operator has performed an additional manual action other than using the ignition key.

The Standard does not currently address the kind of problem that gives rise to inadvertent gear shifting in automatic transmission vehicles. To address this problem, the agency proposes to require gear shift locks on those vehicles.

DATE: Comments must be received on or before May 20, 1988. If adopted, the agency intends to make this amendment effective two years after the date on which the final rule is published in the *Federal Register*.

ADDRESS: Comments should refer to Docket No. 1-21; Notice 7, and be submitted to Docket Section, Room 5109, NHTSA, 400 Seventh Street SW., Washington, DC 20590. The Docket Section is open on weekdays from 8 a.m. to 4 p.m.

FOR FURTHER INFORMATION CONTACT: Kenneth Rutland, Office of Vehicle Safety Standards, NRM-11, NHTSA, 400 Seventh Street SW., Washington, DC 20590 (202-366-5267).

SUPPLEMENTARY INFORMATION:

Background

1. *Inadvertent steering column lock-up.* Section S4.2(b) of Standard 114 requires that each vehicle subject to the Standard have a key-locking system preventing steering and/or forward self-mobility of the vehicle whenever the key is removed. In 1968, when FMVSS 114 was adopted, the stated purpose was to "reduce the incidence of accidents resulting from unauthorized (motor vehicle) use." 33 FR 6471, April 27, 1968. NHTSA based this goal on evidence showing that: "Cars operated by unauthorized persons are far more likely to cause unreasonable risk of accident, personal injury and death than those which are driven by authorized individuals." Neither the Standard nor the language in the preamble to it states any other goal.

In 1980, the agency issued a final rule amending FMVSS 114 to prevent a driver from inadvertently locking the steering column of a moving vehicle by removing the ignition key or shutting off the engine. 45 FR 85450, December 29, 1980. The agency later rescinded this

amendment after studying the question further in response to petitions for reconsideration. NHTSA decided that while this kind of inadvertent activation was a safety problem in certain vehicles, the problem did not then warrant requiring additional steps to reduce the possibility of inadvertent lock-up. The agency stated that it would continue to monitor complaints on the subject, and initiate rulemaking should new data warrant it. At the same time, the agency encouraged manufacturers voluntarily to install ignition key locking systems that provide improved protection against inadvertent lock-up on their vehicles. 46 FR 32251, 32253, June 22, 1981.

Since that time, NHTSA has received several complaints of accidents, fatalities, personal injury, and property damage resulting from inadvertent steering column lock-up. The cause of the lock-ups most frequently is an occupant's removing the key from the vehicle ignition while the vehicle is moving. Such key removal may be the result of "horseplay" within the vehicle, inadvertent removal by the driver (e.g., under "panic" conditions), or through the action of unrestrained children in the front seat. Regardless of the cause, removal of the key can have disastrous effects, and should be guarded against with certainty.

The problem applies both to automatic and manual transmission vehicles. Some ignition locking switches are so configured that removing the key—with no further action—locks the steering column, (and consequently the wheels), in the direction the driver last turned. Thus, the driver can lose control of vehicle steering.

To obtain further information about the incidence of inadvertent steering column lock-up, the agency examined its consumer complaint files. Through the Auto Safety Hotline maintained by NHTSA's Office of Defects Investigation (ODI), the agency collects consumer complaints connected with alleged motor vehicle defects or with failure to observe a safety standard. NHTSA searched this complaint file to determine the universe of accidents, injury, damage, and fatalities where the component and fault apparently matched those involved in inadvertent steering column lock-up. In searching the ODI complaint file for such incidents, NHTSA used "steering column locking device" as the component value. NHTSA found a relatively low level, but continuing series of complaints of accident and injury arising from inadvertent steering lock-up.