

50 FR 1622  
11740

Federal Register notice that announced consolidated proceedings to consider NO<sub>x</sub> waiver applications for the 1981-1984 model years.<sup>3</sup>

Additionally, the Agency requests comments on whether a manufacturer may obtain a NO<sub>x</sub> waiver under section 202(b)(6)(B) of the Act for vehicles modified and tested under 40 CFR 85.1501 *et seq.*, in addition to vehicles covered by a certificate of conformity under section 206(a) of the Act.

Interested parties should submit written information to the record by May 24, 1985, to ensure its consideration by the Administrator in formulating waiver decisions. At the hearing, the Agency will make a verbatim record of any testimony. The Administrator will base determinations with regard to manufacturers' waiver requests on the record of the public hearing and on any other relevant written materials. This information will be available for public inspection at the EPA Central Docket, No. EN-85-01. Interested parties may obtain copies of documents in the public docket was provided in 40 CFR Part 2.

Dated: March 18, 1985.

Charles Elkins,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 85-6963 Filed 3-22-85; 8:45 am]

BILLING CODE 6560-50-M

**40 CFR Part 264**

(SW-1-FRL-2904-1)

**Hazardous Waste Management; Preparation of Permits for Hazardous Waste Land Treatment, Storage, and Disposal Facilities; Correction**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of availability of guidance manual and request for comments; correction.

**SUMMARY:** This notice corrects a telephone number cited in the Federal Register of Thursday, February 7, 1985, on page 5268.

**FOR FURTHER INFORMATION CONTACT:** Glen Galen, Office of Solid Waste (WH-565E), U.S. EPA, 401 M Street SW., Washington, D.C. 20460, (202) 382-4678.

**SUPPLEMENTARY INFORMATION:** The following change reflects the correction in the toll-free telephone number of the RCRA Hotline that can be used to obtain copies of the draft guidance manual entitled *Permit Writers' Guidance Manual for Locations of Hazardous Waste Land Storage and*

**Disposal Facilities—Phase 1: Criteria for Location Acceptability and Existing Applicable Regulations.**

The correct toll-free telephone number for the RCRA Hotline is: (800) 424-9346.

Dated: March 12, 1985.

Jack McGraw,

Acting Assistant Administrator,

Solid Waste and Emergency Response.

[FR Doc. 85-6956 Filed 3-22-85; 8:45 am]

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**LEGAL SERVICES CORPORATION**

**45 CFR Part 1622**

**Public Access to Meetings Under the Government in the Sunshine Act**

**AGENCY:** Legal Services Corporation.

**ACTION:** Proposed rule; amendment.

**SUMMARY:** On January 4, 1985, the Legal Services Corporation republished Part 1622 of its regulations for public comment. Based upon comments received and recommendations of the Board's Operations and Regulations Committee, the Board of Directors on March 8, 1985, voted to amend Part 1622 which covers public access to meetings under the Government in the Sunshine Act. The amendments to the proposed regulation are being published for further public comment. Four amendments are proposed. Of these amendments only one, a revision of emergency proceedings section, made a major, substantive change. The other three amendments are of a technical nature. The minor amendments provide for sending notice of meetings to program directors, deletion of the word "all" from the first sentence of paragraph (b) of § 1622.6, and reference to specific exemptions and a statement of reasons why specific discussions closed to public observation come within the cited exemption.

**DATES:** Comments must be received on or before April 24, 1985.

**ADDRESS:** Comments should be submitted to Office of General Counsel, Legal Services Corporation, 7733 15th Street, N.W., Room 601, Washington, D.C. 20005.

**FOR FURTHER INFORMATION CONTACT:** Richard N. Bagenstos, Acting Deputy General Counsel, (202) 272-4020.

**SUPPLEMENTARY INFORMATION:** On January 4, 1985, the Legal Services Corporation republished Part 1622 of its regulations for public comment (50 FR 514). Comments were received and considered. On March 8, 1985, the Corporation's Board of Directors, acting upon recommendations of its Operations

and Regulations Committee, voted to amend Part 1622 of the Regulations. Because substantive changes were made, the amendments to the proposed regulation are being published for further comment. The specific proposed amendments are discussed on a section-by-section basis below.

**Section 1622.3 Open Meetings.** The proposed amendment effects paragraph (c) of § 1622.3. The words "and the program director" are to be inserted after the words "governing body" in the two places these words appear in paragraph (c). This addition reflects the Corporation's present practice and is in response to comments received that expressed concern that unless notice was provided to the programs, the programs would not receive timely notice of meetings. This amendment ensures that timely notice is sent to programs.

**Section 1622.6 Procedure for Closing Discussion or Withholding Information.** In paragraph (b) of § 1622.6 the word "all" has been removed after the words "A separate vote of". The deletion of the word "all" in this paragraph does not change the requirement that action closing a meeting or withholding information requires a recorded vote of a majority of all of the Directors of the Corporation. Here, the word "all" is removed to avoid a misinterpretation that a vote to close a meeting or withhold information may be defeated if one Director is unable to participate in the vote. Such an interpretation could result in an absurdity. However, it does not relieve the Board of the responsibility of seeking the vote of every Director on the question.

In paragraph (e)(2) of § 1622.6, the words "together with" following the words "or series of meetings," has been replaced with the words "with reference to the specific exemption listed in § 1622.5, including a statement of reasons as to why the specific discussion comes within the cited exemption and".

This change clarifies what information must be included in the full written explanation of the action closing the meeting. However, the new language does not add any additional requirement. The existing language is from the Government in the Sunshine Act. The history of the Government in the Sunshine Act indicates that the written explanation requires references to specific exemptions, including a statement of reasons why the specific discussion comes within the cited exemption. Therefore, the change merely clarifies that which is already required.

<sup>3</sup> 46 FR 20705 (April 7, 1981).

**Section 1622.9 Emergency Proceedings.** This section has been completely revised. Comments received expressed the opinion the existing emergency proceedings provision violated the Government in the Sunshine Act. Many commentators stated that disruptive members of the audience should be removed. The revised section allows the Board, by recorded vote of the majority of the Directors present, to authorize the Chairman or presiding officer of the meeting to cause disruptive members of the public to be removed from the meeting. This new provision enables the Board to conduct its meeting free from disruption, yet also follows the letter and spirit of the Government in the Sunshine Act.

#### List of Subjects in 45 CFR Part 1622

Legal services, Sunshine Act.

#### PART 1622—(AMENDED)

For the reasons set out in the preamble, 45 CFR Part 1622 as published at 50 FR 514, January 4, 1985, is proposed to be amended as follows:

##### § 1622.4 (Amended)

1. Paragraph (c) of § 1622.4 is amended by inserting the words "and the program director" after the words "counsel and the governing body" and after the words "meeting to the governing body".

##### § 1622.6 (Amended)

2. Paragraph (b) of § 1622.6 is amended by removing the word "all" after the words "A separate vote of".

3. Paragraph (e)(2) of § 1622.6 is amended by removing the words "together with" following the words "or a series of meetings," and inserting in their place the words "with reference to the specific exemptions listed in § 1622.5, including a statement of reasons as to why the specific discussion comes within the cited exemption and".

4. Section 1622.9 is revised to read as follows:

##### § 1622.9 Emergency proceeding.

If, in the opinion of the Chairman, the Directors are rendered incapable of conducting a meeting by the acts or conduct of any members of the public present at the meeting, the Directors may thereupon determine by a recorded vote of the majority of the number of Directors present at the meeting that the Chairman or presiding officer of the Board shall have the authority to have such members of the public who are responsible for such acts or conduct removed from the meeting.

(Sec. 1004(g), Pub. L. 95-222, 91 Stat. 1619 (42 U.S.C. 2390c(g))

Dated: March 19, 1985.

Richard N. Bagenstoe,  
Acting Deputy General Counsel.

[FR Doc. 85-6851 Filed 3-22-85; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

46 CFR Parts 58, 58, 107, 108, 109, 111, and 174

[CGD 83-071a]

##### Mobile Offshore Drilling Unit Requirements

AGENCY: Coast Guard, DOT.

ACTION: Advance notice of proposed rulemaking.

**SUMMARY:** This notice solicits the public's comments and suggestions concerning a revision of the mobile offshore drilling unit (MODU) requirements. Since the original MODU regulations were published, new legislation and international agreements have been adopted, numerous recommendations have been received as a result of MODU casualty investigations, and various comments have been submitted by industry and other interested parties. This revision would align the regulations more closely with the International Maritime Organization (IMO) MODU Code, incorporate other applicable international agreements, implement legislation, and address problems identified by casualty investigations and public input.

**DATE:** Comments must be received on or before June 24, 1985.

**ADDRESSES:** Comments should be mailed to Commandant (G-CMC/21) [CGD 83-071a], U.S. Coast Guard, 2100 Second Street SW., Washington, D.C. 20593. Comments will be available for inspection or copying from 8 AM to 4 PM, Monday through Friday, except holidays, at the Office of the Marine Safety Council (G-CMC/21), Room 2110, at the address above. The telephone number is 202-426-1477.

##### FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander Anthony Dupree, Jr., Office of Merchant Marine Safety, 202-426-2307.

##### SUPPLEMENTARY INFORMATION:

Interested persons are invited to participate in this preliminary rulemaking proceeding by submitting written comments, data, or arguments. Each comment should include the name and address of the person submitting the comment, reference the docket number

(CGD 83-071a), and include sufficient detail to indicate the basis on which each comment is made. All comments received will be considered before further rulemaking action is taken. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

##### Drafting Information

The principal persons involved in drafting this notice are Lieutenant Commander Anthony Dupree Jr., Office of Merchant Marine Safety, and Mr. Stephen H. Barber, Project Counsel, Office of the Chief Counsel.

##### Discussion

The mobile offshore drilling unit (MODU) regulations, 46 CFR Chapter 1, Subchapter I-A, (Parts 107-109), have not been substantially revised since initial publication in 1978 (43 FR 56788; December 4, 1978). A modernization of the regulations is in order, due in large part to the following factors: uncorrected errors in the original regulations; six years of feedback from application of the regulations by Coast Guard marine inspectors, merchant marine technical staff engineers, and industry; increased use of classification societies and industry standards; passage of the Outer Continental Shelf Lands Act Amendments of 1978 and the 1982 Coast Guard regulations in 33 CFR Chapter I, Subchapter N, implementing the Amendments; United States acceptance of the International Convention for the Safety of Life at Sea, 1974, (SOLAS 74) and the 1978 Protocol to SOLAS 74; recommendations from the investigations of major MODU casualties; and the U.S. recognition of the International Maritime Organization (IMO) MODU Code.

In addition to making numerous editorial changes, such as correcting typographical errors and misspellings, the Coast Guard is considering possible substantive revision of sections in 46 CFR Chapter I, Subchapters F, J, I-A, and S. Some of the sections being considered for revision are:

(1) *Section 58.50-1.* Revise bilge/ballast pumping system regulations to include capability of unit to counterballast and/or dewater at excessive angles of heel or trim under emergency operating conditions. Include requirements for the safe operation of automated ballast control systems, for two independent means of taking suction on each ballast tank, for a draft indicating system, and for a readily