

shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. See section 307(b)(2).

#### VII. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, the EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under section 205, the EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires the EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The EPA has determined that this proposed action does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, New source review, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

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

Dated: September 29, 1995.

Samuel Coleman,

*Acting Regional Administrator (6RA).*

[FR Doc. 95-24940 Filed 10-5-95; 8:45 am]

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#### 40 CFR Part 82

[FRL-5313-1]

#### Protection of Stratospheric Ozone: Listing of Global Warming Potential for Ozone-Depleting Substances

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed listing.

**SUMMARY:** With this proposed action, the Environmental Protection Agency (EPA or the Agency) lists the global warming potentials for ozone-depleting substances that are included as class I and class II controlled substances, or have been added as class I or class II controlled substances, under authority of section 602(e) of the Clean Air Act Amendments of 1990 (CAA). Class I and class II controlled substances are more fully described in a final rule previously published in the Federal Register on May 10, 1995. To meet EPA's statutory obligation under the CAA, this proposed listing cites the global warming potentials contained in the document, Scientific Assessment of Ozone Depletion: 1994, published by the United Nations Environment Programme (UNEP) in early 1995. As stated in the CAA, the listing of global warming potentials for class I and class II controlled substances "shall not be construed to be the basis of any additional regulation under this Act."

**DATES:** Written comments on this proposed listing must be received on or before November 6, 1995. Inquiries regarding public comments should be directed to the Stratospheric Ozone Information Hotline at 1-800-296-1996.

**ADDRESSES:** Comments on this proposed listing should be submitted in duplicate (two copies) to: Air Docket No. A-92-13, U.S. Environmental Protection Agency, 401 M Street, SW., Room M-1500, Washington, DC 20460.

Materials relevant to this proposed listing are contained in Docket No. A-92-13. The Docket is located in room M-1500, First Floor, Waterside Mall at the address above. The materials may be inspected from 8 a.m. until 5:30 p.m. Monday through Friday. A reasonable fee may be charged by EPA for copying the docket.

**FOR FURTHER INFORMATION CONTACT:** Tom Land, Program Implementation Branch, Stratospheric Protection Division, Office of Atmospheric Programs, Office of Air and Radiation (6205J), 401 M Street, SW., Washington, DC 20460, (202) 233-9185. The Stratospheric Ozone Hotline at 1-800-296-1996 can also be contacted for further information.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The temperature of the earth is determined by a balance between incoming energy from the sun and outgoing energy radiated from the earth's surface and atmosphere. Ultraviolet and visible radiation from the sun pass through the earth's atmosphere and strike the earth's surface. The earth radiates this energy from the sun back into the atmosphere in the form of infrared radiation in a process called radiative forcing. Certain constituents of the atmosphere, such as carbon dioxide and water vapor, absorb the infrared radiation and trap it in the atmosphere in a process known as the greenhouse effect. The trapped infrared radiation warms the earth's surface and the troposphere (lower atmosphere). The warming of the earth's surface and the troposphere through the balance between absorbed energy and radiated energy determines the climate of the planet.

The molecular structure of a chemical determines its ability to absorb infrared radiation in the atmosphere. Scientists use an index called the global warming potential (GWP) to quantify the relative capability of different chemicals to absorb radiated infrared radiation. Three factors contribute to a chemical's relative contribution to this radiative forcing process. The three factors are the primary input in the formulation, calculation and use of the radiative forcing index known as the GWP. The three factors that contribute to the relative radiative forcing potential of a chemical are: (1) The capacity to absorb the different wavelengths of infrared energy, (2) the residence time in the atmosphere, and (3) the time period over which the radiative effects will be considered. The first two of these factors are technical, and the third is dependent on the interests of the user. In addition to these direct radiative effects, some chemicals, such as ozone-depleting substances, have an indirect effect on radiative forcing due to interactive atmospheric processes.

Molecules containing carbon-chlorine bonds and carbon-fluorine bonds, such as the ozone-depleting substances controlled under the Montreal Protocol and Title VI of the Clean Air Act Amendments of 1990, absorb radiation emitted by the earth that would otherwise escape into space. In defining the relative capability of ozone-depleting substances to affect radiative forcing, scientists assign a GWP to a specific substance, such as dichlorodifluoromethane (CFC-12). Research to define the GWP for each of

the class I and class II ozone-depleting substances, as well as other substances, is being conducted by scientists throughout the world. The potential of chlorofluorocarbons (CFCs) to provide significant radiative warming to the troposphere has been understood for more than 15 years. However, the exact radiative forcing effect of CFCs and other ozone-depleting substances relative to other chemicals is still being investigated. Scientists are still researching the interaction between atmospheric processes, seasonality, long-term changes in climate, the introduction of chemicals produced by humans into the atmosphere and the uncertainties inherent in the interaction of these complex processes.

**II. Referencing Recently Published Scientific Documents**

EPA believes that three recently published scientific documents represent the most up-to-date international scientific knowledge regarding GWPs for class I and class II controlled substances. EPA referencing these three scientific documents and the list of GWPs they contain in order to meet the Agency's statutory obligations under Section 602(e) of the CAA to publish GWPs for class I and class II controlled substances. These documents are also referenced in part, for their discussions of different radiative forcing indices and the indirect effects of ozone-depleting substances on radiative forcing. These documents demonstrate the current state of knowledge and the current uncertainties involved in calculating the GWPs for class I and class II controlled substances.

The citation for the three scientific documents that report on GWPs for class I and class II controlled substances are:

United Nations Environment Programme (UNEP), February 1995, Scientific Assessment of Ozone Depletion: 1994, Chapter 13: "Ozone Depleting Potentials, Global Warming Potentials and Future Chlorine/Bromine Loading;"

Intergovernmental Panel on Climate Change (IPCC), 1995, Climate Change 1994: Radiative Forcing of Climate Change and An

Evaluation of the IPCC IS92 Emission Scenarios, "Summary for Policymakers: Radiative Forcing of Climate Change," pages 32-34; and

Daniel, John S., Susan Solomon and Daniel L. Albritton, January 20, 1995, Journal of Geophysical Research, Vol. 100, No. D1, "On the evaluation of halocarbon radiative forcing and global warming potentials."

Chapter 13 in the UNEP, Scientific Assessment and pages 32 through 34 in the IPCC, Summary for Policymakers describe the factors considered in calculating various radiative forcing indices, such as (1) the direct GWP, (2) the absolute global warming potential (AGWP), and (3) the net GWP per unit mass emission. Chapter 13 of the Scientific Assessment and the article by John S. Daniel, et. al. in the Journal of Geophysical Research describe the indirect feedback effects of ozone-depleting substances on the temperature of the atmosphere, and therefore the potential indirect effects that depletion of stratospheric ozone has on the calculation of the GWP.

**III. Listing GWPs for class I and class II Controlled Substances**

With today's action, EPA proposes publication of the GWPs that are listed for class I and class II controlled substances in the Scientific Assessment of Ozone Depletion: 1994 as published by the United Nations Environment Programme (UNEP) under the auspices of the Montreal Protocol in February of 1995. The GWPs for class I and class II controlled substances as published in the Scientific Assessment are in Appendix I to Subpart A—Global Warming Potentials.

The Scientific Assessment of Ozone Depletion: 1994 does not list a GWP for every controlled substance that is listed in Appendices A and B to Subpart A as most recently promulgated in the Federal Register on May 10, 1995 (60 FR 24970). For some ozone-depleting chemicals, such as methyl bromide, scientists have not developed a full infrared spectrum that is necessary to calculate the relative radiative forcing potential of a substance. Each chemical absorbs the Earth-emitted infrared radiation in specific energy (or wavelength) bands determined by the quantum-mechanical properties of the specific molecule.<sup>1</sup> Scientists have not

measured the spectral region in which some of the ozone-depleting substances absorb infrared radiation. In addition, more data must be collected on the tropospheric distribution and concentration of some of the chemicals, their atmospheric lifetimes, and the interactive atmospheric chemistry in order to complete a calculation of the global warming potential for the remaining ozone-depleting substances. Scientific centers and academic institutions throughout the world are undertaking the necessary measurements and studies that are needed to complete the calculations of GWPs for other ozone-depleting substances. EPA believes it is not possible at this time to publish GWPs for every ozone-depleting substance listed in Appendix A and B to Subpart A because the necessary scientific information is not available. EPA will continue to evaluate GWPs for class I and class II controlled substances not listed in today's proposal and as deemed appropriate amend the listing through rule making.

**List of Subjects in 40 CFR Part 82**

Environmental protection, Administrative practice and procedure, Air pollution control, Chemicals, Chlorofluorocarbons, Exports, Hydrochlorofluorocarbons, Imports, Ozone layer, Reporting and recordkeeping requirements, Stratospheric ozone layer.

Dated: September 29, 1995.

Carol Browner,  
Administrator.

40 CFR part 82 is proposed to be amended as follows:

**PART 82—PROTECTION OF STRATOSPHERIC OZONE**

1. The authority citation for part 82 continues to read as follows:

Authority: 42 U.S.C. 7414, 7601, 7671-7671q.

2. Appendix I is added to Subpart A to read as follows:

**APPENDIX I TO SUBPART A—GLOBAL WARMING POTENTIALS (Mass Basis), REFERENCED TO THE ABSOLUTE GWP FOR THE ADOPTED CARBON CYCLE MODEL CO<sub>2</sub> DECAY RESPONSE AND FUTURE CO<sub>2</sub> ATMOSPHERIC CONCENTRATIONS HELD CONSTANT AT CURRENT LEVELS**

[Only direct effects are considered]

Species (chemical)	Chemical formula	Global warming potential (time horizon)		
		20 years	100 years	500 years
CFC-11 .....	CFC1 <sub>3</sub>	5000	4000	1400

<sup>1</sup>Wuebbles, Donald J., 1995, "Weighing Functions for Ozone Depletion and Greenhouse Gas Effects on

Climate," Annual Review of Energy and Environment, 20:45-70.

APPENDIX I TO SUBPART A—GLOBAL WARMING POTENTIALS (Mass Basis), REFERENCED TO THE ABSOLUTE GWP FOR THE ADOPTED CARBON CYCLE MODEL CO<sub>2</sub> DECAY RESPONSE AND FUTURE CO<sub>2</sub> ATMOSPHERIC CONCENTRATIONS HELD CONSTANT AT CURRENT LEVELS—Continued

[Only direct effects are considered]

Species (chemical)	Chemical formula	Global warming potential (time horizon)		
		20 years	100 years	500 years
CFC-12	CF <sub>2</sub> Cl <sub>2</sub>	7900	8500	4200
CFC-13	CClF <sub>3</sub>	8100	11700	13600
CFC-113	C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub>	5000	5000	2300
CFC-114	C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub>	6900	9300	8300
CFC-115	C <sub>2</sub> F <sub>5</sub> Cl	6200	9300	13000
H-1301	CF <sub>3</sub> Br	6200	5600	2200
Carbon Tet	CCl <sub>4</sub>	2000	1400	500
Methyl Chl	CH <sub>3</sub> CCl <sub>3</sub>	360	110	35
HCFC-22	CF <sub>2</sub> HCl	4300	1700	520
HCFC-141b	C <sub>2</sub> FH <sub>3</sub> Cl <sub>2</sub>	1800	630	200
HCFC-142b	C <sub>2</sub> F <sub>2</sub> H <sub>3</sub> Cl	4200	2000	630
HCFC-123	C <sub>2</sub> F <sub>3</sub> HCl <sub>2</sub>	300	93	29
HCFC-124	C <sub>2</sub> F <sub>4</sub> HCl	1500	480	150
HCFC-225ca	C <sub>3</sub> F <sub>5</sub> HCl <sub>2</sub>	550	170	52
HCFC-225cb	C <sub>3</sub> F <sub>5</sub> HCl <sub>2</sub>	1700	530	170

United Nations Environment Programme (UNEP), February 1995, Scientific Assessment of Ozone Depletion: 1994, Chapter 13, "Ozone Depleting Potentials, Global Warming Potentials and Future Chlorine/Bromine Loading."

[FR Doc. 95-24938 Filed 10-5-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 46 CFR Part 25

[CGD 87-016b]

RIN 2115-AC69

#### Emergency Position Indicating Radio Beacons for Uninspected Vessels

AGENCY: Coast Guard, DOT.

ACTION: Notice of withdrawal.

**SUMMARY:** This rulemaking was intended to require emergency position indicating radio beacons (EPIRBs) to be carried on certain uninspected passenger vessels and assistance towing vessels. The proposed EPIRB requirements would have applied to vessels operating on the high seas and on the Great Lakes beyond three miles from the coastline. The Coast Guard also proposed requiring visual distress signals on all uninspected vessels not presently required to carry them, when those vessels operate in coastal waters. The Coast Guard has decided to withdraw this project because existing regulations generally fulfill the intended purpose of the underlying statute and the Coast Guard needs to focus its available resources on other regulatory projects.

**DATES:** This withdrawal is effective on October 6, 1995.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Robert Markle, Project Manager, Office of Marine Safety, Security, and Environmental Protection (G-MMS-4), (202) 267-1444.

**SUPPLEMENTARY INFORMATION:** Public Law 100-540, known as the "EPIRB's On Uninspected Vessels Requirements Act" (102 Stat. 2719, October 28, 1988), amended 46 U.S.C. 4102 by revising paragraph (e) to require uninspected commercial vessels operating on the high seas and on the Great Lakes beyond three miles from the coastline to carry the number and type of alerting and locating equipment, including emergency position indicating radio beacons (EPIRBs) as prescribed by the Secretary of Transportation.

On March 10, 1993, the Coast Guard published a Final Rule requiring EPIRBs on certain uninspected vessels, excluding uninspected passenger vessels and assistance towing vessels (58 FR 13364). The preamble of that final rule explained that a Supplemental Notice of Proposed Rulemaking (SNPRM) would propose new EPIRB regulations and visual distress signal requirements for uninspected vessels not presently required to carry them.

On February 17, 1994, the Coast Guard published an SNPRM titled "Emergency Position Indicating Radio Beacons and Visual Distress Signals for Uninspected Vessels" (59 FR 8100). The SNPRM proposed EPIRB requirements for a limited category of uninspected passenger vessels and assistance towing vessels, and proposed the carriage of visual distress signals for certain

uninspected vessels not currently required to carry them.

The Coast Guard has completed a comprehensive review of its regulations and is withdrawing some proposed regulations resources on the highest priority projects. In reviewing this regulatory project, it was noted that the Coast Guard had required many uninspected vessels to carry EPIRBs under the Final Rule of March 10, 1993, and had therefore largely fulfilled its obligations under P.L. 100-540. The Coast Guard has therefore determined that the best course of action is to withdraw this rulemaking.

Dated: September 26, 1995.

Joseph J. Angelo,  
Acting Chief, Office of Marine Safety, Security  
and Environmental Protection.

[FR Doc. 95-24920 Filed 10-5-95; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 36

[CC Docket No. 80-286; FCC 95-416]

#### Proposed Six-Month Extension of the Interim Indexed Cap on the Total Level of the Universal Service Fund

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** The Federal Communications Commission proposes to extend the duration of the interim indexed cap on the total level of the Universal Service Fund (USF) for an additional six months. The cap was intended to be