

SUMMARY: This document denies a petition filed by Brian M. Encke d/b/a BME Broadcasting, requesting the allotment of FM Channel 225C2 to Clark, Colorado, as that locality's first local aural transmission service. The proposal is denied based upon the petitioner's failure to demonstrate that Clark constitutes a *bona fide* "community", as that term is defined for purposes of Section 307(b) of the Communications Act, as amended by the Telecommunications Act of 1996, for allotment objectives. See 60 FR 36772, July 18, 1995. With this action, the proceeding is terminated.

EFFECTIVE DATE: June 11, 1996.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-107, adopted May 15, 1996, and released June 4, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's 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 contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-14705 Filed 6-10-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-137; RM-8683]

Radio Broadcasting Services; Milton, WV and Flemingsburg, KY

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Simmons Broadcasting Company, substitutes Channel 292B1 for Channel 292A at Milton, West Virginia, and modifies Station WFXN(FM)'s license accordingly. To accommodate the upgrade, we also substitute Channel 236A for Channel 292A at Flemingsburg, Kentucky, and modify Station WFLE-FM's license

accordingly. See 60 FR 45391, August 31, 1995. Additionally, we dismiss the invalid counterproposals filed jointly by Kentucky River Broadcasting Company, WMOR, Inc., and James P Gray, since there is no mutual exclusivity between the petitioner's upgrade request at Milton, West Virginia, and the counterproponents' upgrade requests for Morehead-Carlisle-Irvine, Kentucky. Channel 292B1 can be allotted to Milton, West Virginia, in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.7 kilometers (0.5 miles) southeast to avoid a short-spacing to the licensed site of Station WWJM(FM), Channel 292A, New Lexington, Ohio. The coordinates for Channel 292B1 at Milton are North Latitude 38-29-02 and West Longitude 82-12-59. See *Supplementary Information, infra*.

EFFECTIVE DATE: July 19, 1996.

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-137, adopted May 17, 1996, and released June 4, 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 contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Channel 236A can also be allotted to Flemingsburg, Kentucky, in compliance with the Commission's minimum distance separation requirements at Station WFLE-FM's presently licensed site. The coordinates for Channel 236A at Flemingsburg are North Latitude 38-24-42 and West Longitude 83-34-41. With this action, this proceeding is terminated.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

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

Authority: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under West Virginia, is amended by removing Channel 292A and adding Channel 292B1 at Milton.

3. Section 73.202(b), the Table of FM Allotments under Kentucky, is amended by removing Channel 292A and adding Channel 236A at Flemingsburg.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-14704 Filed 6-10-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 89-590; RM-7071, RM-7855]

Radio Broadcasting Services; Sumter, Orangeburg and Columbia, SC

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Gamecock City Broadcasting, Inc. (now Threshold Broadcasting, Inc.), dismisses the request to reallocate Channel 267C from Sumter to Columbia, South Carolina, and modify Station WWDM's license accordingly. See 55 Fed. Reg. 883, January 10, 1990. The Commission also denies the request of Radio South Carolina, Inc., to reallocate Channel 294C1 from Orangeburg to Columbia, and the modification of Station WTCB(FM)'s license accordingly. See 57 Fed. Reg. 7902, March 5, 1992. With this action, this proceeding is terminated.

EFFECTIVE DATE: June 11, 1996.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 89-590, adopted May 24, 1996, and released June 4, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's 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 Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.
John A. Karousos,
*Chief, Allocations Branch, Policy and Rules
Division, Mass Media Bureau.*
[FR Doc. 96-14703 Filed 6-10-96; 8:45 am]
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ENVIRONMENTAL PROTECTION AGENCY

48 CFR Parts 1528 and 1552

[FRL-5517-4]

Acquisition Regulation; Bonds and Insurance

AGENCY: Environmental Protection
Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection
Agency (EPA) is removing from the EPA
Acquisition Regulation (EPAAR) (48
CFR Chapter 15) clauses for insurance
for liability to third parties for
Superfund response action contractors.

EFFECTIVE DATE: June 11, 1996.

FOR FURTHER INFORMATION CONTACT:

Linda Avellar, Environmental
Protection Agency, Office of Acquisition
Management (3802F), 410 M Street,
SW., Washington, DC 20460. Telephone:
(202) 260-6800.

SUPPLEMENTARY INFORMATION:

A. Background

The Agency is eliminating from its
acquisition regulation outdated and
unnecessary material, which will no
longer be used. This final rule
eliminates coverage and clauses on
Insurance, Liability to Third Persons, for
commercial organizations and state and
local governments performing as
response action contractors in
Superfund. The Agency Final
Guidelines for Superfund Response
Action Contractor Indemnification,
issued on January 25, 1993, rendered
these clauses obsolete. As a result of the
guidelines, the Agency may currently
indemnify response action contractors
only in limited circumstances, primarily
where it can show a lack of competition
in response to a solicitation directly
attributable to the absence of any
indemnification provisions.

B. Executive Order 12866

The final rule is not a significant
regulatory action for the purposes of
Executive Order 12866; therefore, no
review is required by the Office of
Information and Regulatory Affairs.

C. Paperwork Reduction Act

The Paperwork Reduction Act does
not apply because this final rule does

not contain information collection
requirements that require the approval
of OMB under the Paperwork Reduction
Act of 1980 (44 U.S.C. 3501 *et seq.*).

D. Regulatory Flexibility Act

The EPA certifies that this final rule
does not exert a significant economic
impact on a substantial number of small
entities. The requirements to contractors
under the final rule impose no
reporting, recordkeeping, or any
compliance costs.

E. Unfunded Mandates

This final rule will not impose
unfunded mandates on state or local
entities, or others.

The provisions of this regulation are
issued under 5 U.S.C. 301; 40 U.S.C.
486(c).

List of Subjects in 48 CFR Parts 1528
and 1552

Government procurement.

Therefore, 48 CFR Chapter 15 is
amended as set forth below:

PART 1528—[REMOVED]

1. Under the authority of 33 U.S.C.
1361(a), Part 1528 is removed.

PART 1552—[AMENDED]

2. The authority citation for 48 CFR
Part 1552 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390 as
amended, 40 U.S.C. 486(c).

3. Part 1552 is amended to delete
sections: 1552.228-70, 1552.228-71,
1552.228-72, & 1552.228-73.

Dated: May 13, 1996.

Betty L. Bailey,

Director, Office of Acquisition Management.

[FR Doc. 96-14610 Filed 6-10-96; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 571 and 574

[Docket No. 96-57, Notice 01]

RIN 2127-AG26

Federal Motor Vehicle Safety Standards: New Pneumatic Tires; Retreaded Pneumatic Tires; New Pneumatic Tires for Vehicles Other Than Passenger Cars; Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars; Tire Identification and Recordkeeping

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

ACTION: Technical amendment.

SUMMARY: The technical amendments
herein amend four Federal motor
vehicle safety standards and the
regulation on tire identification and
recordkeeping to delete obsolete dates,
update statutory citations, correct
typographical errors, and update the
designations of the offices to which
requests and reports are submitted.

The changes effected by these
technical amendments are in
accordance with the President's
Regulatory Reinvention Initiative of
March 4, 1994, which directed Federal
departments and agencies to eliminate
unnecessary regulations or parts thereof
and update those that are to remain in
effect.

DATES: These amendments are effective
July 11, 1996.

FOR FURTHER INFORMATION CONTACT: For
technical issues: Robert M. Clarke,
Chief, Vehicle Dynamics Division,
Office of Crash Avoidance Standards,
National Highway Traffic Safety
Administration, 400 Seventh Street SW.,
Washington, DC 20590; telephone (202)
366-5281; FAX (202) 366-4329.

For legal issues: Walter Myers, Office
of the Chief Counsel, National Highway
Traffic Safety Administration, 400
Seventh Street SW., Washington, DC
20590; telephone (202) 366-2992; FAX
(202) 366-3820.

SUPPLEMENTARY INFORMATION:

Background

On March 4, 1994 the President
issued a directive entitled "Regulatory
Reinvention Initiative" to the heads of
all Federal departments and agencies
directing them to review all regulations
for which they are responsible in the
Code of Federal Regulations (CFR). The
review was intended to delete