

selection of this alternative is inconsistent with law.

Because the rule proposed here is expected to result in the expenditure by state, local, and tribal governments or the private sector of less than \$100 million in any one year, EPA has not prepared a budgetary impact statement or specifically addressed selection of the least costly, most cost-effective or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, EPA is not required to develop a plan with regard to small governments.

D. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601) requires EPA to consider potential impacts of proposed regulations on small business. If a preliminary analysis indicates that a proposed regulation would have a significant adverse economic impact on a substantial number of small business entities, a regulatory flexibility analysis must be prepared.

This rule decreases the stringency of the CO exhaust emission standard for Class I and II nonhandheld engines, thereby potentially creating beneficial effects on small businesses by easing one provision required of small engine manufacturers by the Phase 1 small SI engine regulations. As a result, EPA certifies that this rulemaking will not have a significant adverse effect on a substantial number of small entities. Consequently, EPA has not prepared a regulatory flexibility analysis for this rule.

List of Subjects in 40 CFR Part 90

Environmental protection, Administrative practice and procedure, Air pollution control, Confidential business information, Environmental protection, Imports, Incorporation by reference, Labeling, Nonroad source pollution, Reporting and recordkeeping requirements.

Dated: June 26, 1996.

Carol M. Browner,
Administrator.

For the reasons set out in the preamble, part 90 of title 40 of the Code of Federal Regulations is amended as follows:

PART 90—CONTROL OF EMISSIONS FROM NONROAD SPARK-IGNITION ENGINES

1. The authority citation for part 90 continues to read as follows:

Authority: Sections 203, 204, 205, 206, 207, 208, 209, 213, 215, 216, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7522, 7523, 7524, 7525, 7541, 7542, 7543, 7547, 7549, 7550, and 7601(a)).

Subpart B—[Amended]

2. Section 90.103 is amended by revising the table in paragraph (a) introductory text to read as follows:

§ 90.103 Exhaust emission standards.

(a) * * *

EXHAUST EMISSION STANDARDS

[Grams per kilowatt-hour]

Engine displacement class	Hydro-carbon plus oxides of nitrogen	Hydro-carbon	Carbon monoxide	Oxides of nitrogen
I	16.1	.....	519	.....
II	13.4	.....	519	.....
III .....	.....	295	805	5.36
IV .....	.....	241	805	5.36
V .....	.....	161	603	5.36

* * * * *

3. Section 90.109 is amended by adding new paragraph (c) to read as follows:

§ 90.109 Requirement of certification—closed crankcase.

* * * * *

(c) Notwithstanding paragraph (a) of this section, the Administrator may exercise the option to permit open crankcases for engines used exclusively to power snowthrowers based upon a manufacturer's demonstration, approved in advance by the Administrator, that all applicable emission standards will be met by the engine and that the cost of closing the crankcase is prohibitive.

[FR Doc. 96-16856 Filed 7-02-96; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-119; RM-8667]

Radio Broadcasting Services; Dafter, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: This document dismisses a petition filed by Dafter Community Broadcasters proposing the allotment of Channel 293A to Dafter, Michigan. See FR 38539, July 27, 1995. Petitioner failed to provide sufficient information to establish community status for Dafter. Therefore, in keeping with Commission policy to refrain from allotting channels to communities lacking community status, we have dismissed the petition for Dafter. With this action, this proceeding is terminated.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, MM Docket No. 95-119, adopted May 8, 1996, and released June 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission'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 Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

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. 96-16767 Filed 7-2-96; 8:45 am]
BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 96-140, RM-8824]

Radio Broadcasting Services; Hemphill, TX

AGENCY: Federal Communications
Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Phillip Burr proposing the allotment of Channel 280A at Hemphill, Texas, as the community first local FM service. Channel 280A can be allotted to Hemphill in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.2 kilometers (1.4 miles) north in order to avoid a short-spacing conflict with the licensed site of Station KBIU(FM), Channel 279C1, Lake Charles, Louisiana. The coordinates for Channel 280A at Hemphill are 31-21-30 and 93-51-24.

DATES: Comments must be filed on or before August 19, 1996, and reply comments on or before September 3, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Cary S. Tepper, Booth, Freret & Imlay, P.C., 1233 20th Street, NW., Suite 204, Washington, DC 20554 (Counsel for petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 96-140, adopted June 21, 1996, and released June 28, 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, ITS, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed

Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

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. 96-16958 Filed 7-2-96; 8:45 am]
BILLING CODE 6712-01-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 642

[Docket No. 950725189-6182-03; I.D.
060696A]

RIN 0648-AI92

Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Changes in Catch Limits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: In accordance with the framework procedure for adjusting management measures of the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP), NMFS proposes commercial vessel trip limits for the Atlantic migratory group of king mackerel. The intended effects of this rule are to preclude an early closure of the commercial fishery, protect king mackerel from overfishing, and maintain healthy stocks while still allowing catches by important commercial fisheries.

DATES: Written comments must be received on or before July 18, 1996.

ADDRESSES: Comments must be mailed to Mark F. Godcharles, Southeast Region, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Send requests for copies of the regulatory amendment document (dated June 1995) and its supplement (dated February 1996), which include the

environmental assessment and regulatory impact review for this action, to the South Atlantic Fishery Management Council, Southpark Building, One Southpark Circle, Suite 306, Charleston, SC 29407-4699.

FOR FURTHER INFORMATION CONTACT:
Mark F. Godcharles, 813-570-5305.

SUPPLEMENTARY INFORMATION: The fisheries for coastal migratory pelagic resources are regulated under the FMP. The FMP was prepared jointly by the Gulf of Mexico and South Atlantic Fishery Management Councils and is implemented by regulations at 50 CFR part 642.

In accordance with the framework procedures of the FMP, the South Atlantic Council (Council) recommended to the Director, Southeast Region, NMFS (Regional Director), a regulatory amendment, which, among other changes, included establishment of commercial vessel trip limits for the Atlantic migratory group of king mackerel. These vessel trip limits were included in a proposed rule published on August 3, 1995 (60 FR 39698). A final decision by NMFS on whether the trip limits were consistent with the National Standards of the Magnuson Fishery Conservation and Management Act (Magnuson Act) was deferred, and the reasons for the deferral were published in the final rule implementing the approved measures of the regulatory amendment (60 FR 5768, November 17, 1995). The Council revised the proposed trip limits to address cited deficiencies, took additional public comment, and resubmitted a supplemented regulatory amendment for NMFS' review and approval.

The Council proposes daily trip limits for vessels harvesting under the commercial allocation for Atlantic group king mackerel. This segment of the fishery has not been subject to trip limits. As revised, the daily possession/landing limit for a vessel using non-prohibited gear and having a Federal commercial mackerel permit would be 3,500 lb (1,588 kg) of king mackerel in or from the exclusive economic zone (EEZ) year-round in the northern area (i.e., between the New York/Connecticut and Flagler/Volusia County, FL boundaries). Off Volusia County, FL, the daily trip limit would be 3,500 lb (1,588 kg) of king mackerel in or from the EEZ from April 1 through October 31. South of there, between the Volusia/Brevard and Dade/Monroe County boundaries, the daily trip limit would be 500 lb (227