

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-209, adopted October 4, 1996, and released October 11, 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.

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* contact.

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. 96-27287 Filed 10-23-96; 8:45 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-207, RM-8874]

#### Radio Broadcasting Services; Cawker City, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition by Ruby J. Hoeflicker proposing the allotment of Channel 242C3 at Cawker City, Kansas, as the community's first local FM service. Channel 242C3 can be allotted to Cawker City in compliance with the Commission's minimum distance separation requirements without the imposition of site restriction. The coordinates for Channel 242C3 at Cawker City are 39-30-30 and 98-25-54.

**DATES:** Comments must be filed on or before December 2, 1996, and reply comments on or before December 17, 1996.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John B. Kenkel, Kenkel & Associates, 1901 L Street, N.W., Suite 290, Washington, D.C. 20036 (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. 96-207, adopted October 4, 1996, and released October 11, 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, D.C. 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, D.C. 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. 96-27284 Filed 10-23-96; 8:45 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-206, RM-8877]

#### Radio Broadcasting Services; Raton, NM

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by N'Joy Broadcasting, seeking the allotment of Channel 249A to Raton, NM, as the community's third local FM service. The Notice also proposes to allow the petitioner to amend its application (BPH-960124MA) for Channel 243A at Raton to reflect the new channel without loss of cut-off protection. The Notice also proposes to allot Channel 299A to Raton, as the community's fourth local FM service, if other parties express an interest in applying for Channel 249A. Channel 249A can be allotted to Raton in compliance with the Commission's minimum distance separation requirements at a transmitter site 6.3 kilometers (3.9 miles) north of the community, at coordinates 36-57-18 NL; 104-25-22 WL, to accommodate the site proposed in petitioner's pending application. Channel 299A can be allotted to Raton with a site restriction of 5.5 kilometers (3.4 miles) southeast, at coordinates 36-51-21 NL; 104-22-16, to avoid a short-spacing to Station KDZA-FM, Channel 300C1, Pueblo, CO.

**DATES:** Comments must be filed on or before December 2, 1996, and reply comments on or before December 17, 1996.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Ms. Mary Alice Rateau, N'Joy Broadcasting, 8264 South Cody, Littleton, CO 80123 (Petitioner).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-206, adopted October 4, 1996, and released October 11, 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, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 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. 96-27283 Filed 10-23-96; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 48 CFR Parts 1535 and 1552

[FRL-5639-4]

#### Acquisition Regulation: Removal of Certification Requirements Regarding Collection, Use, Access, Treatment, and Disclosure of Confidential Business Information (CBI)

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to amend the Environmental Protection Agency Acquisition Regulation (EPAAR) (48 CFR Chapter 15) by removing certification requirements regarding the collection, use, access, treatment, and disclosure of confidential business information (CBI) not specifically imposed by statute, and to amend CBI clauses to remove such certification requirements.

**DATE:** Written comments on this proposed rule must be received on or before December 23, 1996.

**ADDRESSES:** Comments should be addressed to the Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, attn: Paul Schaffer (Mail Code 3802F). Comments may also be transmitted electronically by electronic mail (e-mail) to Schaffer.paul@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments will also be accepted on disk in Wordperfect in 6.1 file format or ASCII file format. Electronic comments on the proposed rule may be filed online at many Federal Deposit Libraries.

**FOR FURTHER INFORMATION CONTACT:** Paul Schaffer at (202) 260-9032.

## SUPPLEMENTARY INFORMATION:

### A. Background

Section 4301(b) of the National Defense Authorization Act for Fiscal Year 1996 (Pub. L. 104-106) requires agencies to remove all non-statutory certifications from their acquisition regulation, unless the head of the agency approves a justification for the retention of a certification requirement. The basis for the justification must be that there is no less burdensome means for administering and enforcing the certification requirement.

The Senior Procurement Official has provided the Administrator of EPA a determination, which the Administrator has approved, that there is no less burdensome means for administering and enforcing protections for EPA from organizational conflicts of interests than by certification. The following conflict of interest certifications are therefore not affected by this rule:

48 CFR 1552.209-72 Organizational Conflicts of Interest Certification.

48 CFR 1552.210-80 Annual Certification.

48 CFR 1552.212-71 Work Assignments.

A copy of the determination approved by the EPA Administrator for retention of the conflict of interest certifications listed above may be obtained from the contact point listed in this rule.

An analysis of the certifications for 48 CFR 1552.235-72 (Control and Security of Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Confidential Business Information), and 48 CFR 1552.235-74, (Control and Security of Toxic Substances Control Act (TSCA) Confidential Business Information) revealed these certifications can be removed. Existing FIFRA and TSCA CBI clauses will be amended to mandate that prior to receipt of FIFRA CBI and TSCA CBI by the Contractor, the Contractor will ensure that their employees have read and are familiar with the handling, control, and data security requirements without the need for a certification.

### B. Executive Order 12866

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

### C. Paperwork Reduction Act

The Paperwork Reduction Act did not apply because this 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 rule does not exert a significant economic impact on a substantial number of small entities. This rule imposes no reporting, record-keeping, or any compliance costs for any entity, whether large or small.

### E. Unfunded Mandates

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

### List of Subjects in 48 CFR Parts 1535 and 1552

Government procurement.

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

1. The authority citation for Parts 1535 and 1552 continues to read as follows:

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

2. Section 1535.007 is revised to read as follows:

#### 1535.007 Solicitations.

(a) Contracting Officers shall insert 48 CFR 1552.235-73, Access to Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information, in all solicitations when the Contracting Officer has determined that EPA may furnish the contractor with confidential business information which EPA had obtained from third parties under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 *et seq.*).

(b) Contracting Officers shall insert 48 CFR 1552.235-75, Access to Toxic Substances Control Act Confidential Business Information, in all solicitations when the Contracting Officer has determined that EPA may furnish the contractor with confidential business information which EPA had obtained from third parties under the Toxic Substances Control Act (15 U.S.C. 2601 *et seq.*).

3. Sections 1552.235-72 and 1552.235-74 are removed and reserved.

4. Section 1552.235-77 is amended by revising the heading and paragraph (a)(3) to read as follows:

#### 1552.235-77 Data Security for Federal Insecticide, Fungicide and Rodenticide Act Confidential Business Information (Sept. 1966)

(a) \* \* \*

(3) Prior to receipt of FIFRA CBI by the Contractor, the Contractor shall ensure that all employees who will be cleared for access to FIFRA CBI have been briefed on the handling, control, and security requirements set forth in the FIFRA Information Security Manual.

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