

Polymers and Resins NESHAP "significant regulatory actions" within the meaning of the Executive Order. The EPA submitted those actions to the OMB for review. Changes made in response to suggestions or recommendations from the OMB were documented and included in the public record.

These proposed amendments to those NESHAP provide affected sources more time in which to comply with the equipment leaks provisions of those rules. These proposed revisions do not add any additional control requirements. Therefore, these amendments were classified "non-significant" under Executive Order 12866 and were not required to be reviewed by OMB.

C. Regulatory Flexibility

The EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this proposed rule. The EPA has also determined that this proposed rule will not have a significant economic impact on a substantial number of small entities. See the September 5, 1996 Federal Register (61 FR 46906) and the September 12, 1996 Federal Register (61 FR 48208) for the basis for this determination. The compliance date changes to the two rules do not impose any economic burden for any regulated entity.

D. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), 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 these proposed amendments do 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. Therefore, the requirements of the Unfunded Mandates Act do not apply to this action.

E. Submission to Congress and the General Accounting Office

Under 5 U.S.C. §801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the EPA submitted a report containing this proposed rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this proposed rule in the Federal Register. This is not a "major rule" as defined by 5 U.S.C. §804(2).

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Dated: January 9, 1997.

Carol M. Browner,
Administrator.

[FR Doc. 97-987 Filed 1-13-97; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 87-268; DA 97-23]

Advanced Television Systems and Their Impact on the Existing Television Service

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of time.

SUMMARY: The Commission is extending the time for filing reply comments relating to the *Sixth Further Notice of Proposed Rule Making* in this proceeding until January 24, 1997. This action will allow the development of a complete record on the matter of channel allotments for operation of digital TV service.

DATES: Reply comments are due on or before January 24, 1997.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Bruce Franca (202-418-2470), Alan Stillwell (202-418-2470) or Robert Eckert (202-428-2470), Office of Engineering and Technology.

SUPPLEMENTARY INFORMATION: 1. On July 25, 1996, the Commission adopted a *Sixth Further Notice of Proposed Rule Making (Sixth FNPRM)* in MM Docket No. 87-268, 61 FR 43209, August 21, 1996, that proposed policies for

developing the initial channel allotments for digital TV (DTV) service, proposed procedures for assigning DTV allotments, and plans for spectrum recovery. The *Sixth FNPRM* also contains a draft DTV Table of Allotments. Comments responding to the *Sixth FNPRM* initially were due November 22, 1996. On November 20, 1996, we issued an *Order*, 61 FR 63811, December 2, 1996, extending the date for filing reply comments in response to the *Sixth FNPRM* to January 10, 1997.

2. On January 2, 1997, Sinclair Broadcast Group and Sullivan Broadcasting Company, Inc. (Group Owners) requested that we extend the date for filing reply comments in response to the *Sixth FNPRM* an additional 60 days. The Group Owners submit that this additional time is needed for themselves and other UHF station licensees to finalize and present to the Commission a technically and commercially reasonable solution that creates better coverage parity between UHF and VHF stations and also ameliorates certain seriously adverse effects on UHF television stations inherent in the primary allotment plans now under consideration by the Commission. They argue that any delay in adopting the DTV Table of Allotments that is occasioned by the requested extension would be outweighed by the need for the Commission to have a full record on the effects that its actions in this proceeding have on UHF broadcasters.

3. The Association for Maximum Service Television (MSTV) opposes the Group Owners' request for an extension of the time for filing reply comments. MSTV states that while it is sympathetic with the concerns expressed in the Group Owners request, it believes that those concerns may be addressed without further delaying the DTV allotment proceeding. It argues that it is critical that the Commission conclude this proceeding as promptly as possible so that the transition to DTV may begin. MSTV argues that an across-the-board 60-day extension would delay our rule making action, and that the submission of any proposal could require still another round of comments that would cause further delay. MSTV therefore urges that we deny the Group Owners extension request. As an alternative, it suggests that we state that we will accept late-filed reply comments for four weeks after the current January 10, 1997, due date for reply comments to afford broadcasters the opportunity to evaluate and respond to questions concerning this issue.

4. In comments responding to the Group Owners' request, Motorola

submits that we have already provided interested parties sufficient time to prepare responses to the comments on the *Sixth FNPRM* and that an additional 60 days would constitute an unwarranted delay. It states that expedited decision making on the initial DTV Table of Allotments will facilitate the introduction of DTV services to the public and clarify the status of the broadcast television spectrum and its availability for reallocation. Motorola also submits that while it can appreciate the Group Owners' concerns regarding the permissible transmitting powers provided for their DTV stations, the ramifications of "service replication" have been apparent since the release of the *Sixth FNPRM* in mid-August. It therefore argues that a further delay of two months to address DTV planning factors is unnecessary. Motorola further states that it would not, however, be adverse to a more modest extension of perhaps 15 days, given the intervening holiday season and the large number of comments received in this proceeding.

5. On January 7, 1997, the Association of Federal Communications Consulting Engineers (AFCCE) requested that we extend the date for filing reply comments for at least six weeks. The AFCCE expressed a similar request for extension of time in its comments responding to the *Sixth FNPRM*. The AFCCE states that its objective is not to unduly delay this proceeding, but to request that sufficient time be allotted to the study of major technical issues prior to the adoption of technical standards for the allotment of DTV channels by the Commission. It also submits that it is reviewing the filings of other entities and plans to respond to technical comments where it deems appropriate.

6. In its comments responding to the *Sixth FNPRM*, the engineering consulting firm of du Treil, Lundin and Rackley (DLR) also expresses concerns regarding the significantly higher power that would be authorized for the DTV operations of existing VHF stations that would operate in the UHF band. DLR submits that it is not practical to try to replicate superior VHF propagation characteristics with brute force UHF power. To address this concern, it submits an alternative transition plan that would provide existing stations with DTV facilities that would replicate their existing Grade A contours and would return stations to their existing channels for permanent DTV operation after the transition. DLR requests that we consider a further extension of the date for filing reply comments of not less than 45 days in view of the complexity of these issues and the intervening holiday season. It further

states that, due to the extraordinary nature of this proceeding, we should designate a formal period in which to file comments responding to reply comments.

7. We agree with MSTV and Motorola that it is in the public interest to complete this proceeding and license DTV stations without unnecessary delay. At the same time, we believe that it is desirable to provide some additional time for the Group Owners, the AFCCE, DLR, and other interested parties to address in more detail the issues they have raised. We do not believe the approach suggested by MSTV that we accept late-filed comments for up to four weeks beyond the current date for filing reply comments is advisable. Rather, we believe that a two-week additional extension of the date for filing reply comments would provide an adequate period of time for broadcasters to submit additional information addressing the issues discussed in the Group Owners' and AFCCE's extension requests and DLR's comments without delaying our decision in this matter. This two week period will allow the development of a complete record on the matter of channel allotments for operation of digital TV service. We therefore are extending the date for filing reply comments to January 24, 1997. We also agree with MSTV that providing an additional period for parties to respond to reply comments would create unnecessary delay and therefore will not provide for acceptance of replies to reply comments, as requested by DLR.

8. Accordingly, it is ordered that the requests for extension of the time for filing reply comments submitted by the Group Owners, the AFCCE, and DLR ARE GRANTED to the extent indicated herein and that the date for filing reply comments relating to the *Sixth FNPRM* IS EXTENDED to January 24, 1997. This action is taken pursuant to authority provided in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§154(i) and 303(r), and Sections 0.31, 0.241 and 1.46 of the Commission's rules, 47 CFR §§0.31, 0.241 and 1.46.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97-832 Filed 1-13-97; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 678

[I.D. 010897B]

Atlantic Shark Fisheries

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

ACTION: Public hearings; extension of comment period.

SUMMARY: NMFS will hold public hearings to receive comments from fishery participants and other members of the public on a proposed rule that was published in the Federal Register on December 20, 1996. NMFS is also extending the comment period for the proposed rule.

DATES: Written comments must be received on or before January 24, 1997. All hearings will begin at 7 p.m., as follows:

1. January 22, 1997, in Tampa, FL.
2. January 22, 1997, in Fort Lauderdale, FL.
3. January 23, 1997, in Manteo, NC.
4. January 23, 1997, in Key West, FL.

ADDRESSES: Written comments and requests for special accommodation should be sent to William T. Hogarth, Chief, Highly Migratory Species Management Division (F/SF1), Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East-West Highway, Room 14853, Silver Spring, MD 20910.

The hearings will be held at the following locations:

1. Tampa—Radisson Bay Harbor Inn (Chart Room), 7700 Courtenay Campbell Causeway, Tampa, FL 33607.
2. Fort Lauderdale—Holiday Inn Beach Galleria (Coral Ballroom), 999 North Atlantic Blvd., Fort Lauderdale, FL 33304.
3. Manteo—North Carolina Aquarium (Auditorium), Airport Road, Manteo, NC 27954.
4. Key West—Holiday Inn La Concha (The Top Room), 430 Duval Street, Key West, FL 33040.

FOR FURTHER INFORMATION CONTACT: C. Michael Bailey or John Kelly, 301-713-2347; fax 301-713-1917.

SUPPLEMENTARY INFORMATION: NMFS has determined that it is necessary to conduct public hearings and that commenters have additional time to submit their comments on the proposed rule (61 FR 67295, December 20, 1996). Therefore, NMFS is extending the