

**§ 1308.14 Schedule IV.**

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(2) Butorphanol (including its optical isomers).

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Dated: July 2, 1997.

**James S. Milford,***Acting Deputy Administrator, Drug Enforcement Administration.*

[FR Doc. 97-17961 Filed 7-9-97; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[WI53-03-7301; FRL-5855-9]

**Public Hearing and Comment Period on the Proposed Redesignation of the Forest County Potawatomi Community to a PSD Class I area; State of Wisconsin****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Environmental Protection Agency (EPA) under its Prevention of Significant Deterioration (PSD) Program proposed to redesignate a portion of the Forest County Potawatomi (FCP) Community's lands to Class I for PSD purposes on June 29, 1995, (60 FR 33779). EPA is now holding two informational meetings and public hearings on the FCP redesignation request, and is establishing a new close of the public comment period on its proposed approval of the FCP's redesignation request.

**DATES:** A general informational meeting and public hearing on the redesignation will be held in Carter, Wisconsin, starting at 4:00 pm CDT on August 12, 1997. The second meeting and public hearing will be held in Rhinelander, Wisconsin, starting at 1:00 pm CDT on August 13, 1997.

All written comments on the FCP redesignation must be received by September 15, 1997 to be considered by EPA in making its final decision on the redesignation request.

**ADDRESSES:** The August 12, 1997 meeting and public hearing will be held at the Indian Springs Lodge on Highway 32 in Carter, Wisconsin, and the August 13, 1997, meeting and public hearing will be held at the Holiday Inn Rhinelander, 668 West Kemp Street, Highway 8 and 47, Rhinelander, Wisconsin.

All written comments on this redesignation request and proposed

approval should be addressed to: Carlton Nash, Chief, Regulation Development Section, EPA (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

Additional information used in developing the proposal is available during normal business hours for public inspection and copying at the Air Programs Branch, Region 5, EPA (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of these documents is also available for inspection at the Crandon Public Library, 104 South Lake Avenue, Crandon, Wisconsin 54520-1458, (715) 478-3784.

**FOR FURTHER INFORMATION CONTACT:**

Constantine Blathras, EPA Region 5 (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-0671.

**SUPPLEMENTARY INFORMATION:** The EPA under its PSD Program (Part C of the Clean Air Act) proposed to redesignate a portion of the FCP Community's lands to Class I for PSD purposes in the June 29, 1995, **Federal Register** (60 FR 33779). The intent of the PSD program is to prevent deterioration of existing air quality. The Act provides for three basic classifications, with Class I being the designation which allows the least amount of degradation. States and Indian governing bodies may request reclassification of areas under their jurisdiction to accommodate the social, economic, and environmental needs and desires of the local population.

On February 14, 1995 the FCP Tribal Council submitted to EPA a proposal to redesignate certain FCP Reservation lands from Class II to Class I. These lands are limited to parcels over 80 acres, only in Forest County, and held in trust for the Tribe by the Federal government. EPA evaluated the FCP request in relationship to the requirements of the Act and proposed for public comment to approve it. EPA scheduled in its June 29, 1995 proposal a public hearing and established a public comment period. Based on a request by the Governors of Wisconsin and Michigan to enter into negotiations on the proposed redesignation, EPA subsequently canceled the public hearing and left open the public comment period until further notice (60 FR 40139).

EPA is now scheduling two informational meetings on Class I PSD redesignations in general, each immediately followed by a public hearing on the FCP redesignation request in particular. The first meeting and public hearing will be held at the Indian Springs Lodge on Highway 32 in Carter, Wisconsin, starting at 4:00 pm

CDT, on August 12, 1997; and the second meeting and public hearing will be held at the Holiday Inn Rhinelander, 668 West Kemp Street, Highway 8 and 47, Rhinelander Wisconsin, starting at 1:00 pm CDT on August 13, 1997.

EPA is also establishing a new close of the public comment period. All written comments on the proposed FCP redesignation must now be received by September 15, 1997 to be considered by EPA in making its final decision on the redesignation request. For additional information on the EPA's proposed approval of the FCP redesignation request, please see EPA's proposal in the June 29, 1995 **Federal Register** and/or the additional material available at both the Region 5 offices and the Crandon Public Library.

**Administrative Review**

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993 memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for a PSD Class I redesignation. Each request for redesignation shall be considered separately and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. Section 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. sections 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. The proposed action does not have a significant direct impact on small entities and may only prospectively affect the amount of air quality deterioration that is allowed from major stationary sources and major modifications, as defined by 40 CFR 52.21, and will not result in any significant additional requirements for small entities. Therefore, I certify that this action does not have a significant impact on a substantial number of small entities.

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995, the EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local, or Tribal governments in the aggregate.

Through submission of the request for redesignation, the Tribal government has elected to adopt an option allowed them under Section 164 of the Act. The redesignation being proposed for approval in this action may bind State, local, and Tribal governments to perform certain actions and also may ultimately lead to the private sector being required to perform certain duties. However, EPA has also determined that this action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or Tribal governments in the aggregate or to the private sector.

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

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

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

Date: June 30, 1997.

**David A. Ullrich,**

*Acting Regional Administrator.*

[FR Doc. 97-18093 Filed 7-9-97; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 62

[Docket #OR-1-0001; FRL-5853-6]

#### Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Oregon

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the Section 111(d)/129 State Plan submitted by Oregon on December 31, 1996. The State Plan was submitted by Oregon to satisfy certain Federal Clean Air Act requirements. In the Final Rules Section of this **Federal Register**, the EPA is approving the State's Plan submittal as a direct final rule without prior proposal because the Agency

views this as a noncontroversial submittal and anticipates that it will not receive any significant, material, and adverse comments. A detailed rationale for the approval is set forth in the direct final rule and incorporated by reference herein. If no significant, material, and adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this proposed rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action.

**DATE:** Comments on this proposed rule must be received in writing by August 11, 1997.

**ADDRESSES:** Written comments should be addressed to Catherine Woo, Environmental Protection Specialist, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the day of the visit.

Environmental Protection Agency,  
Region 10, Office of Air Quality, 1200  
6th Avenue, Seattle, WA 98101.

The State of Oregon, Department of  
Environmental Quality, 811 SW Sixth  
Avenue, Portland, Oregon 97204.

**FOR FURTHER INFORMATION CONTACT:**  
Catherine Woo, Office of Air Quality  
(OAQ-107), EPA, 1200 6th Avenue,  
Seattle, WA 98101, (206) 553-1814.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register** and incorporated by reference herein.

Dated: June 24, 1997.

**Chuck Clarke,**

*Regional Administrator.*

[FR Doc. 97-18081 Filed 7-9-97; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[MM Docket No. 97-51; RM-8983]

#### Radio Broadcasting Services; Alberton, Montana

**AGENCY:** Federal Communications Commission.

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** Action in this document denies the proposed allotment of FM Channel 284A at Alberton, Montana. The Notice of Proposed Rule Making was issued in response to a petition filed by Vixon Valley Broadcasting. See 62 FR 6927, February 14, 1997. 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. 97-51, adopted June 18, 1997, and released June 27, 1997. 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. 97-17882 Filed 7-9-97; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

#### Research and Special Programs Administration

#### 49 CFR Parts 192 and 195

[Docket No. PS-137, Notice 2]

#### Underground Storage of Natural Gas or Hazardous Liquids

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Proposed rule proceeding; termination.