

state of Maine, except any sources of air pollution over which an Indian Tribe has jurisdiction. *See, e.g.*, 59 FR 55813, 55815-18 (Nov. 9, 1994). The term "Indian Tribe" is defined under the Act as "any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, which is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians." *See* section 302(r) of the CAA; *see also* 59 FR 43956, 43962 (Aug. 25, 1994); 58 FR 54364 (Oct. 21, 1993). EPA is not taking any position in this action on whether any Federally recognized tribe in Maine has jurisdiction over sources of air pollution.

The EPA is proposing to add a sixth condition to Maine's source category-limited interim approval of the operating permits program submitted by Maine on October 24, 1995. If promulgated, the State must make, in addition to the five conditions stated in the final rules section of today's Federal Register, the following change in its rule to receive full approval:

1. Maine must remove the following activities from Appendix B of Chapter 140 of the State's rules: (1) Paper forming; (2) vacuum system exhaust; (3) liquor clarifier and storage tanks and associated pumping, piping, and handling; (4) stock cleaning and pressurized pulp washing; (5) broke beaters, repulpers, pulp and repulping tanks, stock chests and bulk pulp handling; and (6) sewer manholes, junction boxes, sumps and lift stations associated with wastewater treatment systems.

III. Administrative Requirements

A. Request for Public Comments

The EPA is requesting comments on this additional proposed interim approval condition. Copies of the State's submittal and other information relied upon for the proposed interim approval are contained in a docket maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed interim approval. The principal purposes of the docket are:

(1) To allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and

(2) To serve as the administrative record in the event of judicial review. The EPA will consider any comments received by March 24, 1997.

B. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

C. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

D. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, 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, 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 EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the action promulgated today does 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. This Federal action approves preexisting requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. Additionally, it will not cost \$100 million to operate or comply with this program.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

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

Dated: February 5, 1997.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 97-4328 Filed 2-20-97; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-63, RM-9000]

Radio Broadcasting Services; Greenwood, AR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by Fred R. Morton, Jr. requesting the allotment of Channel 268A to Greenwood, Arkansas, as its second local FM transmission service. Coordinates used for Channel 268A at Greenwood are 35-12-54 and 94-15-30.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Secretary, Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Fred R. Morton, Jr., 5103 North Cherry, Lawton, OK 73505.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-63, adopted February 7, 1997, and released February 14, 1997. 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 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* 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. 97-4301 Filed 2-20-97; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 97-66; RM-8997]

Radio Broadcasting Services; Fredonia, KY**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by JoeMyers Productions, Inc., proposing the allotment of Channel 221A at Fredonia, Kentucky, as the community's first local aural transmission service. Channel 221A can be allotted to Fredonia in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.2 kilometers (3.8 miles) northeast to avoid short-spacings to the licensed sites of Station WYNU(FM), Channel 222C, Milan, Tennessee, Station WBKR(FM), Channel 223C, Owensboro, Kentucky, and Station WMJL-FM, Channel 274A, Marion, Kentucky. The coordinates for Channel 221A at Fredonia are North Latitude 37-15-22 and West Longitude 88-01-49.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

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: John F. Garziglia, Esq., Pepper & Corazzini, L.L.P., 1776 K Street, NW., Suite 200, Washington, DC 20006 (Counsel for Petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-66, adopted February 7, 1997, and released February 14, 1997. 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 contractor, International Transcription Service, 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. 97-4300 Filed 2-20-97; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 97-64; RM-9001]

Radio Broadcasting Services; Lexington, IL**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Atlantis Broadcasting Co., L.L.C., proposing the allotment of Channel 258A at Lexington, Illinois, as the community's first local aural transmission service. Channel 258A can be allotted to Lexington in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.1 kilometers (5.1 miles) southwest to avoid short-spacings to the licensed sites of Station WAJK(FM), Channel 257B1, LaSalle, Illinois, and Station WUSN(FM), Channel 258B, Chicago, Illinois. The coordinates for Channel 258A at Lexington are North Latitude 40-35-15 and West Longitude 88-50-39.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

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: James K. Edmundson, Esq., Gardner, Carton & Douglas, 1301 K Street, NW., Suite 900, East Tower, Washington, DC 20005 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-64, adopted February 7, 1997, and released February 14, 1997. 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 contractor, International Transcription Service, 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. 97-4299 Filed 2-20-97; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 97-65; RM-9002]

Radio Broadcasting Services; Chewelah, WA**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by LifeTalk Broadcasting Association proposing the allotment of Channel *283C3 at Chewelah, Washington, and its reservation for noncommercial educational use. Channel *283C3 can be