

EPA, therefore, requests comments on a number of options to modify or eliminate the motor vehicle exemption at 40 CFR 372.38(c)(4). These options include:

1. Making no change to the motor vehicle exemption.
2. Not allowing certain industries, such as the transportation industry, in which motor vehicle use is the industry's main activity, to take the motor vehicle exemption. The motor vehicle exemption would continue to apply to other covered industries.
3. For covered industries, narrowing the motor vehicle exemption so that it would only apply to incidental motor vehicle use. It would not apply to any activity that is process-related. For example: the motor vehicle exemption would not apply to toxic chemicals used in jet fuel while a jet is at an airport, deicing, and other vehicle maintenance activities. As a second example, for covered industries such as metal mining and bulk petroleum stations, the motor vehicle exemption would no longer apply to vehicles used in processing activities (e.g., earth-moving equipment or trucks and transport vehicles at petroleum facilities which are maintained on-site), or
4. Eliminating the motor vehicle exemption entirely.

B. Definition of Facility under EPCRA

1. *Definition of facility.* Under EPCRA section 329(4) and 40 CFR 372.1, a "facility" means all buildings, equipment, structures and other stationery items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with such person). A facility may contain more than one establishment.

2. *Application of definition of facility to airports.* Airports typically operate under a single management organization known as the airport "authority" which, in most cases is a public agency. Airline carriers that have contracts with the airport authority to conduct business on airport property are commonly known as "tenants" of the airport. In order to comply with various state and Federal environmental regulations, an airline may require (as part of a lease agreement) a tenant to report its aggregate releases of toxic or hazardous chemicals directly to the owners or operators of the airport authority.

On the other hand, the Agency recognizes that if airports were required to report under section 313 of EPCRA and section 6607 of the PPA, there could be unique reporting issues

associated with their ownership, operation, and control. Therefore, the Agency is interested in receiving comments or information concerning how airports operate and the practical impacts of requiring airports to report under section 313 of EPCRA and section 6607 of the PPA. Information gathered from commenters will be used by the agency to determine whether airports fall within the definition of facility.

IV. Public Record and Electronic Submissions

The official record for this document, as well as the public version, has been established for this rulemaking under docket control number "OPPTS-400122" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The official record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC.

Electronic comments can be sent directly to EPA at:
oppt.ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number "OPPTS-400122." Electronic comments on this document may be filed online at many Federal Depository Libraries.

List of Subjects in 40 CFR Part 372

Environmental protection, Community right-to-know, Reporting and recordkeeping requirements, and Toxic substances.

Dated: January 29, 1998.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 98-3316 Filed 2-9-98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-8, RM-9178]

Radio Broadcasting Services; Albion, Honeoye Falls, South Bristol Township, NY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Citicasters Co. requesting the reallocation of Channel 297A from Honeoye Falls, NY, to South Bristol Township, NY, the modification of Station WRCD's license to specify South Bristol Township as its community of license; the reallocation of Channel 236B from South Bristol Township to Honeoye Falls, NY, the modification of Station WNVE's license to specify Honeoye Falls as its community of license; and the substitution of Channel 271A for Channel 238A at Albion, NY. Channel 236B can be allotted to Honeoye Falls in compliance with the Commission's minimum distance separation requirements, with respect to domestic allotments, with a site restriction of 16.5 kilometers (10.3 miles) northeast, to accommodate petitioner's desired transmitter site. This site is short-spaced to Stations CKQT-FM, Channel 235B, Oshawa, Ontario, and CKDS-FM, Channel 237C1, Hamilton, Ontario, Canada. Channel 297A can be allotted to South Bristol Township in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.9 kilometers (1.8 miles) northwest, to accommodate petitioner's desired transmitter site. Channel 271A can be allotted to Albion in compliance with the Commission's minimum distance separation requirements, with respect to domestic allotments, without the imposition of a site restriction. This allotment would be short-spaced to Station CFNY-FM, Channel 271C1, Brampton, Ontario, Canada, and to the vacant Channel 272B at Belleville, Ontario, Canada. Honeoye Falls, South Bristol Township and Albion are all located within 320 kilometers (200 miles) of the U.S.-Canadian border. Therefore, concurrence by the Canadian Government in the allotments is required. Concurrence by the Canadian Government in the Honeoye Falls and Albion allotments will be requested as specially negotiated short-spaced allotments. The coordinates for Channel 236B at Honeoye Falls are 43-02-00;

77-25-17. The coordinates for Channel 297A at South Bristol Township are 42-44-47; 77-25-35. The coordinates for Channel 271A at Albion are 43-14-48; 78-11-36.

DATES: Comments must be filed on or before March 23, 1998, and reply comments on or before April 7, 1998.

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: Marissa G. Repp, Hogan & Hartson L.L.P., 555 Thirteenth Street, N.W., Washington, D.C. 20004-1109 (Counsel to 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. 98-8, adopted January 21, 1998, and released January 30, 1998. 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 Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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. 98-3220 Filed 2-9-98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-9, RM-9216]

Radio Broadcasting Services; Pleasanton, KS

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by the City of Pleasanton, Kansas, requesting the allotment of Channel 268C3 to Pleasanton as the community's first local aural transmission service. Channel 268C3 can be allotted to Pleasanton in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 268C3 at Pleasanton are 38-10-30 NL and 94-42-42 WL.

DATES: Comments must be filed on or before March 23, 1998, and reply comments on or before April 7, 1998.

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 S. Sutherland, 522 Main Street, P.O. Box 117, Mound City, Kansas 66056 (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. 98-9, adopted January 21, 1998, and released January 30, 1998. 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, 1231 20th Street, NW, Washington, DC 20036.

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. 98-3219 Filed 2-9-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 012898B]

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Reopening of Scoping Process for Hake

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

ACTION: Notice of intent to prepare a supplemental environmental impact statement (SEIS) and notice of reopening the scoping process for silver hake, offshore hake, and red hake; request for comments.

SUMMARY: The New England Fishery Management Council (Council) announces its intent to prepare an amendment to the Northeast Multispecies Fishery Management Plan (FMP) to conserve silver hake (whiting, *Merluccius bilinearis*), offshore hake (*Merluccius albidus*), and red hake (*Urophycis chuss*) stocks, and to prepare an SEIS to analyze the impacts of any proposed management measures. The Council also formally announces the reinitiation of a public process to determine the scope of issues to be addressed in the environmental impact analysis. The purpose of this notice is to alert the interested public of the reopening of the scoping process and to provide for public participation in compliance with environmental documentation requirements.

DATES: Written comments on the scope of the SEIS may be submitted until March 17, 1998. See **SUPPLEMENTARY INFORMATION** for specific dates and times of scheduled scoping meetings.

ADDRESSES: Written comments and requests for copies of the scoping document should be sent to Paul J. Howard, Executive Director, New