Authority: 42 U.S.C. 7401–7671q.

Subpart U—Maine

2. Section 52.1020 is amended by adding paragraphs (c)(42) and (c)(43) to read as follows:

§ 52.1020 Identification of plan.

* * * * * *

(c) * * *

(42) Revisions to the State Implementation Plan submitted by the Maine Department of Environmental Protection on July 24, 1995.

(i) Incorporation by reference.

(A) Two letters from the Maine Department of Environmental Protection dated July 24, 1995 submitting revisions to the Maine State Implementation Plan.

(B) Chapter 100 of the Maine Department of Environmental Protection Regulations, ''Definitions Regulation,'' definition of ''volatile organic compounds (VOC)'' effective in the State of Maine on July 25, 1995.

(C) Chapter 112 of the Maine Department of Environmental Protection Regulations, ''Bulk Terminal Petroleum Liquid Transfer Requirements,'' effective in the State of Maine on July 25, 1995.

(ii) Additional materials

(A) Nonregulatory portions of the submittal.

(43) Revisions to the State Implementation Plan submitted by the Maine Department of Environmental Protection on July 24, 1995.

(i) Incorporation by reference.

(A) Letter from the Maine Department of Environmental Protection dated July 24, 1995 submitting a revision to the Maine State Implementation Plan.

(B) Chapter 118 of the Maine Department of Environmental Protection Regulations, ''Gasoline Dispensing Facilities Vapor Control,'' effective in the State of Maine on July 25, 1995.

(ii) Additional materials

(A) Letter from the Maine Department of Environmental Protection dated May 6, 1996.

(B) Nonregulatory portions of the submittal.

3. In § 52.1031, Table 52.1031 is amended by adding new entries to existing state citations for Chapters 100, 112, and 118 to read as follows:

§ 52.1031 EPA—Approved Maine Regulations.

* * * * *

TABLE 52.1031—EPA—APPROVED RULES AND REGULATIONS

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
*	*		*	*	*	*
100	Definitions	7/19/95	October 15, 1996.	[Insert *FR* citation from published date].	(c)(42)	Definition of ''VOC'' revised.
*	*		*	*	*	*
112	Gasoline Bulk Terminals.	7/19/95	October 15, 1996.	[Insert *FR* citation from published date].	(c)(42)	Emission limit lowered from 80 mg/l to 35 mg/l
*	*		*	*	*	*
118	Gasoline Dispensing Facilities.	7/19/95	October 15, 1996.	[Insert *FR* citation from published date].	(c)(43)	Stage II vapor recovery requirements added.

[FR Doc. 96–26197 Filed 10–11–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Parts 52 and 81

[LA–27–1–7166a, NM–30–1–7299a, FRL–5612–7]

Clean Air Act (Act) Approval and Promulgation of State Implementation Plans; Prevention of Significant Deterioration (PSD); Louisiana and New Mexico

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: In this document, EPA is approving revisions to the PSD permitting regulations which were submitted as revisions to the State Implementation Plans (SIP) for Louisiana and New Mexico. The revisions were submitted to address the replacement of the total suspended particulate (TSP) increments, with increments for PM–10 (particulate matter 10 micrometers or less in diameter). The EPA is approving the SIP revisions because they are consistent with the corresponding Federal regulations. The EPA is also removing the TSP area designation tables and revising and/or adding PM–10 area designation tables in 40 CFR part 81 for these States. With the PM–10 increments becoming effective in these areas, the TSP area designations no longer serve any useful purpose relative to PSD.

DATES: This action is effective on December 16, 1996, unless notice is postmarked by November 14, 1996 that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register (FR).

ADDRESSEES: Comments should be mailed to Jole C. Luehrs, Chief, Air Permits Section (6PD–R), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733. Copies of the State's submittal and other information relevant to this action are available for inspection during normal hours at the following locations:

Environmental Protection Agency, Region 6, Air Permits Section (6PD–R), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733

Air and Radiation Docket and Information Center, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460

New Mexico Environment Department, Air Monitoring and Control Strategy Bureau, 1190 St. Francis Drive, Room So. 2100, Santa Fe, New Mexico 87503

Louisiana Department of Environmental Quality, Office of Air Quality, 7290 Bluebonnet Boulevard, Baton Rouge, Louisiana 70810

Anyone wishing to review this information at the Region 6 EPA office

should contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Samuel R. Mitz, Air Permits Section (6PD–R), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–8370.

SUPPLEMENTARY INFORMATION:

Background

In this document, EPA is acting on revisions to the PSD permitting programs for the States of Louisiana and New Mexico. The revisions were generally made to address the following changes in the Federal PSD permitting requirements in 40 CFR 51.166:

A. The replacement of the TSP increments with increments for PM–10, which were promulgated by EPA on June 3, 1993 (58 FR 31622–31638); and

B. The promulgation of revisions to the Federal PSD permitting requirements regarding utility pollution control projects that States could voluntarily adopt into their PSD regulations, which were promulgated by EPA on July 21, 1992 (57 FR 32314–32339).

Specifically, the following submittals were made:

The Governor of Louisiana submitted revisions to Louisiana Administrative Code 33:III. Chapter 5, Section 509 on March 22, 1995, to incorporate changes in the Federal PSD permitting regulations for PM–10 increments.

The Governor of New Mexico submitted revisions to 20 New Mexico Administrative Code 2.74 on June 26, 1995, to incorporate changes in the Federal PSD permitting regulations for PM–10 increments.

This document evaluates the States' submittals for conformity with the corresponding Federal regulations and the requirements of the Act. In addition, this document provides justification regarding the removal of the TSP designation tables in 40 CFR part 81 for Louisiana and New Mexico.

This Action

A. Analysis of State Submissions

1. Procedural Background

The Act requires States to observe certain procedural requirements in developing implementation plans and plan revisions for submission to EPA. Section 110(a)(2) of the Act provides that each implementation plan submitted by a State must be adopted after reasonable notice and public hearing. Section 110(l) of the Act similarly provides that each revision to an implementation plan submitted by a State under the Act must be adopted by such State after reasonable notice and public hearing.

The EPA also must determine whether a submittal is complete and therefore warrants further EPA review and action (see section 110(k)(1) and 57 FR 13565, April 16, 1992). The EPA's completeness criteria for SIP submittals are set out at 40 CFR part 51, appendix V. The EPA attempts to make completeness determinations within 60 days of receiving a submission. However, a submittal is deemed complete by operation of law under section 110(k)(1)(B) if a completeness determination is not made by EPA within six months after receipt of the submission.

Public hearings to entertain public comment of the initial PSD SIP revisions were held by Louisiana on November 29, 1994, and by New Mexico on April 21, 1995. After these respective public hearings, the rule revisions were adopted by each State. The rule revisions were formally submitted to EPA for approval on March 8, 1995, from Louisiana and June 26, 1995, from New Mexico. Each SIP revision was reviewed by EPA to determine completeness shortly after its submittal, in accordance with the completeness criteria referenced above. The submittals were found to be complete, and letters dated July 20, 1995, were forwarded to Louisiana and New Mexico indicating the completeness of each submittal and the next steps to be taken in the processing of each SIP submittal.

2. Evaluation of States' Submittals

a. PM–10 Increment Revisions. As discussed above, EPA promulgated increments for PM–10 on June 3, 1993 (see 58 FR 31622–31638). The EPA promulgated revisions to the Federal PSD permitting regulations in 40 CFR 52.21, as well as the PSD permitting requirements that State programs must meet in order to be approved into the SIP in 40 CFR 51.166. The EPA or its delegated State programs were required to begin implementation of the increments by June 3, 1994, while the implementation date for States with SIP-approved PSD permitting programs (including Louisiana and New Mexico) will be the date on which EPA approves each revised State PSD program containing the PM–10 increments. In accordance with 40 CFR 51.166(a)(6)(i), each State with SIP-approved PSD programs was required to adopt the PM–10 increment requirements within nine months of the effective date (or by March 3, 1995). For further background regarding the PM–10 increments, see the June 3, 1993, FR document.

(1) Louisiana's Submittal. In order to address the PM–10 increments, the State of Louisiana revised the following sections of its PSD permitting regulations in the Regulation Louisiana Administrative Code: 33:III.Chapter 5, Section 509. The EPA has reviewed these revisions and has found that the revisions address all of the required regulatory revisions for PM–10 increments promulgated by EPA on June 3, 1993.

(2) New Mexico's Submittal. In order to address the PM–10 increments, the State of New Mexico revised the following sections of its PSD permitting regulations in the 20 New Mexico Administrative Code 2.74. The EPA has reviewed these revisions and has found that the revisions address all of the required regulatory revisions for PM–10 increments promulgated by EPA on June 3, 1993. Note that the State elected not to adopt 40 CFR 51.166(i)(12), which provides an exemption from addressing the new PM–10 increments for sources who have submitted a PSD permit application which the State has determined to be complete before the PM–10 increments take effect. New Mexico's rules do not contain this grandfathering clause, which is acceptable.

b. TSP Area Deletions. Section 107(d) of the 1977 Amendments to the Act authorized each State to submit to the Administrator a list identifying those areas which, (1) do not meet a national ambient air quality standard (NAAQS) (nonattainment areas), (2) cannot be classified on the basis of available ambient data (unclassifiable areas), and (3) have ambient air quality levels better than the NAAQS (attainment areas). In 1978, EPA published the original list of all area designations pursuant to section 107(d)(2) (commonly referred to as ''section 107 areas''), including those designations for TSP, in 40 CFR part 81.

One of the purposes stated in the Act for the section 107 areas is for implementation of the statutory requirements for PSD. The PSD provisions of part C of the Act generally apply in all section 107 areas that are designated attainment or unclassifiable (40 CFR 52.21(i)(3)). Under the PSD program, the air quality in an attainment or unclassifiable area is not allowed to deteriorate beyond prescribed maximum allowable increases in pollutant concentrations (i.e., increments).

The EPA revised the primary and secondary NAAQS for particulate matter on July 1, 1987 (52 FR 24634), eliminating TSP as the indicator for the NAAQS and replacing it with the PM–

10 indicator. However, EPA did not delete the section 107 areas for TSP listed in 40 CFR part 81 at that time because there were no increments for PM–10 promulgated at that time.[1] States were required to continue implementing the TSP increments in order to prevent significant deterioration of particulate matter air quality until the PM–10 increments replaced the TSP increments. With the State adoption and implementation of the PM–10 increments becoming effective, the TSP area designations generally serve no useful purpose relative to the PSD program. Instead, the PM–10 area designations now serve to properly identify those areas where air quality is better than the NAAQS, i.e., ''PSD areas,'' and to provide the geographic link necessary for implementation of the PM–10 increments.[2]

Thus, in the June 3, 1993, FR document in which EPA promulgated the PM–10 increments, EPA stated that, for States with SIP-approved PSD programs, EPA would delete the TSP area designations at the same time EPA approves the revision to a State's plan incorporating the PM–10 increments. For delegated PSD programs or in States where EPA administers the PSD program, the TSP area designations were to be deleted after the PM–10 increments became effective in those States (i.e., June 3, 1994). In deleting any State's TSP area designations, EPA must ensure that the deletion of those designations will not result in a relaxation of any control measures that ultimately protect the PM–10 NAAQS.

(1) Louisiana's TSP Areas. As stated above, Louisiana has adopted and submitted adequate PSD revisions for PM–10 increments. In addition, Louisiana had no TSP areas designated as nonattainment. Thus, deletion of the TSP area designations will not result in relaxation of any TSP controls that would impact the PM–10 NAAQS. Since Louisiana also has no PM–10 nonattainment areas designated in the State, there is no PM–10 designation table currently in 40 CFR part 81 for Louisiana. Therefore, EPA is deleting the TSP area designation table and is creating a PM–10 area designation table in 40 CFR 81.319. The EPA will retain for PM–10 the three section 107 areas listed in the current TSP table for Louisiana, consistent with the June 3, 1993, FR document which requires retention of the TSP baseline areas for PM–10 unless revised by the State in accordance with 40 CFR 51.166.

(2) New Mexico's TSP Areas. New Mexico has one area listed in 40 CFR part 81 as nonattainment for the TSP standards but which is not designated nonattainment for PM–10. Portions of the City of Albuquerque were designated nonattainment for the primary TSP standard. The City of Albuquerque is located in Bernalillo County, which is under the jurisdiction of the Albuquerque/ Bernalillo County Air Quality Board. Consequently, the TSP designations for areas in Bernalillo County will be retained until EPA has approved PM–10 increments for Bernalillo County. All remaining areas in New Mexico are in attainment status for TSP. Consequently, EPA believes it is appropriate at this time to delete the TSP designations for these areas. If the State subsequently revises any of the particulate matter control strategies currently in the SIP for these areas, it must submit a SIP revision to EPA for approval that must meet all applicable requirements of the Act. The EPA will retain for PM–10 this section 107 area listed in the current TSP table for New Mexico, consistent with the June 3, 1993, FR document which requires retention of the TSP baseline areas for PM–10 unless revised by the State in accordance with 40 CFR 51.166.

As stated above, the State has adopted adequate provisions in its PSD program for the implementation of the PM–10 increments. Therefore, EPA is deleting all parts of the State's existing TSP designation table in 40 CFR 81.332 except for those parts addressing areas in Bernalillo County.

Final Action

Based on the review and justification provided in this document, EPA is approving the SIP revisions regarding PSD permitting submitted by the States of Louisiana and New Mexico on March 22, 1995, and June 26, 1995, respectively.

In addition, EPA is deleting the TSP area designation tables and revising the PM–10 area designation tables in 40 part 81 as follows:

A. For Louisiana, EPA is deleting the TSP area designation table and is creating a PM–10 designation table listing the ''AQCR 019'' area, the ''AQCR 022'' area, and the ''AQCR 106'' area as unclassifiable for PM–10 in 40 CFR 81.319.[3]

B. For New Mexico, EPA is deleting all parts of the State's existing TSP designation table in 40 CFR 81.332 except for those parts addressing areas in Bernalillo County.

In these States' PM–10 area designation tables, EPA is clarifying that the ''Rest of State'' areas denote a single area designation for PSD baseline area purposes.

The EPA is publishing this action without prior proposal because EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this FR publication, EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective December 16, 1996, unless adverse or critical comments are postmarked by November 14, 1996. If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received on this action, the public is advised that this action will be effective December 16, 1996.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 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. 603 and 604). Alternatively, under 5 U.S.C. 605(b), EPA may certify that the rule will not have a significant impact on a substantial number of small entities (see 46 FR 8709). Small entities include small businesses, small not-for-profit enterprises, and governmental entities

[1] The EPA did not promulgate new PM–10 increments simultaneously with the promulgation of the PM–10 NAAQS. Under section 166(b) of the Act, EPA is authorized to promulgate new increments ''not more than 2 years after the date of promulgation of * * * standards.'' Consequently, EPA temporarily retained the TSP increments, as well as the section 107 areas for TSP.

[2] Note that 40 CFR part 81 does not presently list all section 107 areas for PM–10. Only those areas designated ''nonattainment'' appear in the State listings. This is because under the listing published by EPA in the Federal Register on November 6, 1991, EPA's primary objective was to identify nonattainment areas designated as such by operation of law upon enactment of the 1990 Amendments. For States having no PM–10 nonattainment areas designated by operation of law, EPA did not include a new PM–10 listing. Nevertheless, section 107(d)(4)(B)(iii) mandates that all areas, not designated nonattainment for PM–10 by operation of law, are designated unclassifiable. The PM–10 increments apply in any area designated unclassifiable for PM–10.

[3] At this time, the EPA is designating the PM–10 areas as unclassifiable, rather than attainment, to be consistent with section 107(d)(4)(B) of the Act which stated that any area which was not initially designated as nonattainment for PM–10 shall be designated unclassifiable. The EPA will consider redesignating these areas to ''attainment'' status at a later date. Both ''unclassifiable'' and ''attainment'' areas have the same status for PSD purposes.

with jurisdiction over populations of less than 50,000. The SIP approvals under section 110 and subchapter I, part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, I certify that it does not have a significant impact on small entities. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Act forbids EPA from basing its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. E.P.A.*, 427 U.S. 246, 256–66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 16, 1996. Filing a petition for reconsideration of this final rule by the Administrator does not affect the finality of this rule for purposes of judicial review; nor does it extend the time within which a petition for judicial review may be filed, or postpone the effectiveness of this rule. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

Nothing in this action shall be construed as permitting, allowing, or establishing a precedent for any future request for a revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Unfunded Mandates

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995, signed into law on March 22, 1995, 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 this SIP or plan revision approved in this action, the State and any affected local or tribal governments have elected to adopt the program provided for under section 110 of the Act. The rules and commitments approved in this action may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules and commitments being approved by this action will impose or lead to the imposition of any mandate upon the State, local, or tribal governments, either as the owner or operator of a source or as a regulator, or would impose or lead to the imposition of any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. Therefore, EPA has determined that this final 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.

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, EPA submitted a report containing this 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 the rule in today's Federal Register. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Office of Management and Budget (OMB) Review

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995, memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The OMB has exempted this regulatory action from Executive Order 12866 review.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: August 27, 1996.

Jerry Clifford,

Acting Regional Administrator (6RA–D).

40 CFR Parts 52 and 81 are amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart T—Louisiana

2. Section 52.970 is amended by adding paragraph (c)(69) to read as follows:

§ 52.970 Identification of plan.

* * * * *

(c) * * *

(69) The Governor of Louisiana submitted revisions to Regulation Louisiana Administrative Code on March 22, 1995 to incorporate changes in the Federal PSD permitting regulations for PM–10 increments.

(i) Incorporation by reference.

(A) Revisions to Regulation Louisiana Administrative Code 33:III.Chapter 5, Section 509, effective February 20, 1995: Section B. Definitions: Baseline Date; Section B. Definitions: Net Emissions Increase; Section D. Ambient Air Increments; Section E.8.a.; Section K.2.; and Section P.4.

* * * * *

Subpart GG—New Mexico

3. Section 52.1620 is amended by adding paragraph (c)(62) to read as follows:

§ 52.1620 Identification of plan.

* * * * *

(c) * * *

(62) The Governor of New Mexico submitted revisions to 20 New Mexico Administrative Code 2.74 on June 26, 1995, to incorporate changes in the Federal PSD permitting regulations for PM–10 increments.

(i) Incorporation by reference.

(A) Revisions to 20 New Mexico Administrative Code 2.74, effective July 20, 1995.

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

§§ 81.319, 81.332 [Amended]

2. Section 81.319 is amended by removing the TSP table.

3. Section 81.319 is further amended by adding a new table for PM–10 to read as follows:

§ 81.319 Louisiana.

* * * * *

LOUISIANA—PM–10

Designated area	Designation		Classification	
	Date	Type	Date	Type
AQCR 019	11/15/90	Unclassifiable		
AQCR 022	11/15/90	Unclassifiable		
AQCR 106	11/15/90	Unclassifiable		

4. Section 81.332 is amended by revising the TSP table to read as follows:

§ 81.332 New Mexico.

* * * * *

NEW MEXICO—TSP

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
AQCR 152:				
Bernalillo County:				
Portions of City of Albuquerque	X			
Remainder of County				X

[FR Doc. 96–26204 Filed 10–11–96; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96–75; RM–8781]

Radio Broadcasting Services; Reynoldsville, PA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Priority Communications, Inc., substitutes Channel 293A for Channel 258A at Reynoldsville, Pennsylvania, and modifies Station WDSN(FM)'s license accordingly. *See* 61 FR 18540, April 26, 1996. Channel 293A can be can be allotted to Reynoldsville in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction at petitioner's authorized site. The coordinates for Channel 293A at Reynoldsville are North Latitude 41–08–41 and West Longitude 78–52–41. With this action, this proceeding is terminated.

EFFECTIVE DATE: November 18, 1996.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 96–75, adopted September 27, 1996, and released October 4, 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, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Pennsylvania, is amended by removing Channel 258A and adding Channel 293A at Reynoldsville.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96–26364 Filed 10–11–96; 8:45 am]

BILLING CODE 6712–01–F

47 CFR Part 73

[MM Docket No. 95–163; RM–8715]

Radio Broadcasting Services; Wilson Creek, WA and Pendleton, OR

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Wilson Creek Communications, LLC, substitutes Channel 278C1 for Channel 277C3 at Wilson Creek, Washington, and modifies Station KVYF(FM)'s license accordingly. To accommodate the substitution, we also substitute Channel 279C1 for Channel 278C1 at Pendleton, Oregon, and modify Station KWHT(FM)'s license accordingly. *See* 60 FR 56034, November 6, 1995. Channel 278C1 can be allotted at Wilson Creek in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.1 kilometers (0.7 miles) south to avoid a short-spacing to the proposed allotment site for Channel 279B, Rock Creek, British Columbia. The coordinates for Channel 278C1 at Wilson Creek are North Latitude 47–24–49 and West Longitude 119–07–15. Additionally, Channel 279C1 can be allotted to Pendleton, Oregon, in compliance with the Commission's minimum distance separation requirements at Station KWHT(FM)'s presently licensed site. *See* Supplementary Information, *infra*.

EFFECTIVE DATE: November 12, 1996.