

**DEPARTMENT OF DEFENSE****Office of the Secretary****32 CFR Part 254****Teacher and Teacher's Aide Placement Assistance Program****AGENCY:** Department of Defense.**ACTION:** Final rule.

**SUMMARY:** This document removes information in Title 32 of the Code of Federal Regulations concerning the Teacher and Teacher's Aide Placement Assistance Program. This part has served the purpose for which it was intended in the CFR and is no longer necessary.

**EFFECTIVE DATE:** February 6, 2003.**FOR FURTHER INFORMATION CONTACT:** L. Bynum or P. Toppings, 703-601-4722.**SUPPLEMENTARY INFORMATION:****List of Subjects in 32 CFR Part 254**

Elementary and secondary education; Government contracts; Government employees; Grant programs-education; Military personnel; Teachers.

**PART 254—[REMOVED]**

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR part 254 is removed.

Dated: January 29, 2003.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 03-2821 Filed 2-5-03; 8:45 am]

**BILLING CODE 5001-08-M****ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 61****[FRL-7448-6]****RIN 2060-AJ87****National Emission Standards for Benzene Waste Operations****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Partial withdrawal of direct final rule.

**SUMMARY:** On November 12, 2002, the EPA promulgated amendments to the national emission standards for benzene waste operations as a direct final rule, along with a parallel proposal to be used as a basis for final action in the event that we received any adverse comments on the direct final amendments. Because an adverse comment was received on one provision, we are withdrawing the

corresponding parts of the direct final rule. We will address the adverse comments in a subsequent final rule based on the parallel proposal published on November 12, 2002.

**DATES:** As of February 6, 2003, the EPA withdraws 40 CFR 61.343(e), introductory text, and withdraws and reserves paragraph (e)(2) published on November 12, 2002 at 67 FR 68526. The remaining provisions published on November 12, 2002, will be effective on February 10, 2003.

**ADDRESSES:** Docket number A-2001-23, containing supporting information used in the development of this notice, is available for public inspection and copying between 8 a.m. and 5:30 p.m., Monday through Friday (except for Federal holidays) at the following address: U.S. Environmental Protection Agency, Air and Radiation Docket and Information Center (6102T), 1301 Constitution Avenue, NW., Room B108, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert B. Lucas, Waste and Chemical Process Group (C439-03), Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, NC 27711, telephone number (919) 541-0884, facsimile number (919) 541-0426, electronic mail address, [lucas.bob@epa.gov](mailto:lucas.bob@epa.gov).

**SUPPLEMENTARY INFORMATION:** On November 12, 2002, we published a direct final rule (67 FR 68526) and a parallel proposed rule (67 FR 68546) amending the national emission standards for benzene waste operations (40 CFR part 61, subpart FF). The amendments clarified the applicability of the standards with respect to fuel gas recovery systems and added new compliance options for tanks and containers based on the requirements in other similar EPA rules for hazardous waste treatment, storage, and disposal facilities (40 CFR parts 264 and 265, subparts CC).

We stated in the preamble to the direct final rule and parallel proposal that if we received significant adverse comment by December 12, 2002 (or by February 18, 2003, if a public hearing was requested), we would publish a timely notice in the **Federal Register** specifying which provisions will become effective and which provisions will be withdrawn due to adverse comment. We subsequently received an adverse comment from one commenter on the provisions related to control devices in the new compliance option for tanks equipped with an enclosure in 40 CFR 61.343(e).

Accordingly, we are withdrawing 40 CFR 61.343(e), introductory text, and withdrawing and reserving paragraph (e)(2). These amendments are withdrawn as of February 6, 2003. We will take final action on the proposed rule after considering the comments received. We will not institute a second comment period on this action. The provisions for which we did not receive adverse comment will become effective on February 10, 2003, as provided in the preamble to the direct final rule.

**List of Subjects in 40 CFR Part 61**

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

Dated: January 30, 2003.

**Robert Brenner,**

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. 03-2936 Filed 2-5-03; 8:45 am]

**BILLING CODE 6560-50-P****FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73****[DA 03-143; MB Docket No. 02-321, RM-10583]****Radio Broadcasting Services; Oak Grove, LA****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** The Audio Division, at the request of Charles Crawford, allots Channel 289A to Oak Grove, Louisiana, as the community's second local FM transmission service. See 67 FR 66377, October 31, 2002. Channel 289A can be allotted to Oak Grove in compliance with the Commission's minimum distance separation requirements with a site restriction 11.3 kilometers (7 miles) east to avoid short-spacing to the license site of Station KVVP, Channel 289C3, Leesville, Louisiana. The reference coordinates for Channel 289A at Oak Grove are 29-43-41 North Latitude and 93-00-05 West Longitude. A filing window for Channel 289A at Oak Grove, Louisiana, will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

**DATES:** Effective March 3, 2003.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC. 20554.

**FOR FURTHER INFORMATION CONTACT:**

Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket Nos. 02-321, adopted January 15, 2003, and released January 17, 2003. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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* contact.

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, Radio broadcasting.

**PART 73—RADIO BROADCAST SERVICES**

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

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by adding Channel 289A at Oak Grove.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 03-2838 Filed 2-5-03; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF TRANSPORTATION****Transportation Security Administration****49 CFR Parts 1570 and 1572**

[Docket No. TSA-2003-14421]

RIN 2110-AA18

**Transportation of Explosives From Canada to the United States Via Commercial Motor Vehicle and Railroad Carrier**

**AGENCY:** Transportation Security Administration (TSA), DOT.

**ACTION:** Interim final rule; request for comments.

**SUMMARY:** This interim final rule addresses security issues regarding transportation of explosives by commercial motor vehicles and railroads. It establishes temporary requirements that all motor carriers, motor private carriers, and railroad carriers not using United States citizens or lawful permanent resident aliens as drivers or railroad crews to transport explosives to the United States must meet during the period while DOT develops the standards that will apply on a more permanent basis.

**DATES:** Effective on February 3, 2003. Submit comments by March 10, 2003.

**ADDRESSES:** Address your comments to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number TSA-2003-14421 at the beginning of your comments, and you should submit two copies of your comments. If you wish to receive confirmation that TSA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing comments to these regulations in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Benjamin Klein, Office of the Chief Counsel, Transportation Security Administration, 400 Seventh Street, SW., Washington, DC 20590-0001; telephone 202-385-1262; e-mail: [Benjamin.Klein@tsa.dot.gov](mailto:Benjamin.Klein@tsa.dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

This final rule is being adopted without prior notice and prior public comment. However, the Regulatory Policies and Procedures of the Department of Transportation (DOT) (44 FR 1134; February 26, 1979) provide that, to the maximum extent possible, operating administrations within DOT should provide an opportunity for public comment on regulations issued without prior notice. Accordingly, interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting this amendment. The most helpful comments reference a specific portion of the rule, explain the reason for any recommended change, and include supporting data. See **ADDRESSES** above for information on how to submit comments.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with TSA personnel concerning this rulemaking. The docket is available for public inspection before and after the comment closing date.

We will consider all comments we receive on or before the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change these rules in light of the comments we receive.

**Electronic Access**

You can get an electronic copy using the Internet by:

(1) Searching the Department of Transportation's electronic Docket Management System (DMS) web page (<http://dms.dot.gov/search>);

(2) Accessing the Government Printing Office's web page at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html); or

(3) Visiting the TSA's Laws and Regulations web page at <http://www.tsa.dot.gov/public/index.jsp>.

In addition, copies are available by writing or calling the individual in the **FOR FURTHER INFORMATION CONTACT**.

**Background**

The Safe Explosives Act, Public Law 107-296 (116 Stat. 2280, 11/25/2002), sections 1121-1123, amended section 842(i) of Title 18, United States Code (U.S.C.) by adding several categories to the list of persons who may not lawfully "ship or transport any explosive in interstate or foreign commerce" or "receive or possess any explosive which