

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA105-4066b; FRL-5897-9]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania: General Conformity Rule

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania, for the purpose of establishing the requirements for determining conformity of general Federal actions to applicable air quality implementation plans (General Conformity). In the Final Rules section of this **Federal Register**, EPA is approving Pennsylvania's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. 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.

**DATES:** Comments must be received in writing by October 29, 1997.

**ADDRESSES:** Comments may be mailed to David L. Arnold, Chief, Ozone/CO & Mobile Sources Section, Mailcode 3AT21, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public

inspection during normal business hours at the EPA office listed above; and Pennsylvania Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Rose Quinto, (215) 566-2182, at the EPA Region III address.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title (Pennsylvania General Conformity Rule) which is located in the Rules and Regulations Section of this **Federal Register**.

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

Environmental protection, Incorporation by reference, Air pollution control.

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

Dated: September 16, 1997.

**W. Michael McCabe,**

*Regional Administrator, Region III.*

[FR Doc. 97-25655 Filed 9-26-97; 8:45 am]

**BILLING CODE** 6560-50-F

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA 103-21b; FRL-5898-4]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of NO<sub>x</sub> RACT Determination for Panther Creek Energy Facility

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the purpose of establishing nitrogen oxides (NO<sub>x</sub>) reasonably available control technology (RACT) for Panther Creek Energy Facility located in Carbon County, Pennsylvania. In the Final Rules section of this **Federal Register**, EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical

support document. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If 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. 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 adverse comments are received that do not pertain to all documents subject to this rulemaking action, those documents not affected by the adverse comments will be finalized in the manner described here. Only those documents that receive adverse comments will be withdrawn in the manner described here.

**DATES:** Comments must be received in writing by October 29, 1997.

**ADDRESSES:** Written comments on this action should be addressed to David Campbell, Air, Radiation, and Toxics Division, Mailcode 3AT22, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Kelly L. Bunker, (215) 566-2177, at the EPA Region III office or via e-mail at Bunker.Kelly@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the Region III address.

**SUPPLEMENTARY INFORMATION:** See the information pertaining to this action, NO<sub>x</sub> RACT determination for one individual source located in Pennsylvania, provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

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

Dated: September 16, 1997.

**W. Michael McCabe,**

*Regional Administrator, Region III.*

[FR Doc. 97-25756 Filed 9-26-97; 8:45 am]

BILLING CODE 6560-50-F

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-8; RM-8957]

#### Radio Broadcasting Services; Amelia, LA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; denial of petition for rulemaking.

**SUMMARY:** The Commission denies the petition for rule making filed by Amelia Broadcasting of Louisiana, proposing the allotment of Channel 249C3 to Amelia, Louisiana. See 62 FR 3851, January 27, 1997. The proposal is denied because of the lack of a suitable transmitter site. With this action, this proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 97-8, adopted September 10, 1997, and released September 19, 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, ITS, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

#### 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. 97-25589 Filed 9-26-97; 8:45 am]

BILLING CODE 6712-01-U

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 96-264; RM-8977]

#### Radio Broadcasting Services; Roxton, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; denial of petition for rulemaking.

**SUMMARY:** This action dismisses a petition for rule making filed by Northeast Texas Broadcasters requesting the allotment of Channel 257A to Roxton, Texas, because of a short-spacing conflict with a one step application filed by OARA for Channel 257C2 at Linden, Texas. See 62 FR 2639, January 17, 1997. With this action, this proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 96-264, adopted September 10, 1997, and released September 19, 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, ITS, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

#### 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. 97-25594 Filed 9-26-97; 8:45 am]

BILLING CODE 6712-01-U

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-204, RM-9143; RM-9158]

#### Radio Broadcasting Services; McFarland and Coalinga, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on two separately-filed,

mutually-exclusive petitions for rule making seeking the allotment of Channel 247A. The first, filed on behalf of Kerner Broadcasting Company, requests the allotment of Channel 247A to McFarland, California, as that community's second local FM transmission service (RM-9143). The second proponent, James K. Zahn, seeks the allotment of Channel 247A to Coalinga, California, as that community's second local commercial FM service (RM-9158). Reference coordinates used for the McFarland proposal are 35-40-16 and 119-20-30. Those used for Coalinga are 36-08-30 and 120-21-18.

**DATES:** Comments must be filed on or before November 10, 1997, and reply comments on or before November 25, 1997.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners' counsel, as follows: Henry E. Crawford, Esq., Law Offices of Henry E. Crawford, Esq., 1150 Connecticut Avenue, NW., Suite 900, Washington, DC 20036 (counsel for Kerner Broadcasting Company); Gary S. Smithwick, Esq., Smithwick & Belendiuk, P.C., 1990 M Street, NW., Suite 510, Washington, DC 20036 (counsel for James K. Zahn).

**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. 97-204, adopted September 10, 1997, and released September 19, 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 Service, Inc., 1231 20th Street, NW, Washington, DC 20036, (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.