

State regulation	State effective date	EPA approved date	Comments
* Subchapter 26, "Ozone Transport Commission Low Emission Vehicles Program".	* 12/18/95	* Nov. 10, 1998, 63 FR 62955.	* Approves Subchapter 26 "OTC-LEV program" which as adopted states that New Jersey will not implement its California LEV program in the event that EPA finds National LEV to be "in-effect." EPA's March 2, 1998 National LEV in-effect finding thus makes National LEV the effective program contained in Subchapter 26. Subchapter 26 is approved here as an effective enforceable back-stop to voluntary New Jersey Clean Fleets program.

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[FR Doc. 98-29968 Filed 11-9-98; 8:45 am]  
BILLING CODE 6560-50-U

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 721

[OPPTS-50632A; FRL-6042-2]

RIN 2070-AB27

### Significant New Uses of Certain Chemical Substances; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** EPA issued a document (FR Doc. 98-22441) in the **Federal Register** of August 20, 1998 issuing significant new use rules (SNURs) for 73 substances. This document inadvertently did not assign an exemption to notification requirements for a substance subject to one of these SNURs. EPA did not intend to omit this exemption to notification requirements. This action is necessary in order to issue the correct notification requirements.

**DATES:** This document is effective on November 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-531, 401 M St., SW., Washington, DC 20460, telephone: (202) 554-1404, TDD: (202) 554-0551; e-mail: TSCA-Hotline@epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA issued a document (FR Doc. 98-22441) in the **Federal Register** of August 20, 1998 (63 FR 44562) (FRL-5788-7) which inadvertently did not assign an exemption to notification requirements for a substance for which a SNUR was issued. This correction adds the exemption to notification requirements for § 721.9719.

## I. Regulatory Assessment Requirements

### A. Certain Acts and Executive Orders

This final rule does not impose any requirements. It only implements a correction to the Code of Federal Regulations. As such, this action does not require review by the Office of Management and Budget (OMB) under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). For the same reason, it does not require any action under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4) or Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994). In addition, since this type of action does not require any proposal, no action is needed under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*).

### B. Executive Order 12875

Under Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local, or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to OMB a description of the extent of EPA's prior consultation with representatives of affected State, local, and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other

representatives of State, local, and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's rule does not create an unfunded Federal mandate on State, local, or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

### C. Executive Order 13084

Under Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide to OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. This rule does not involve or impose any requirements that affect Indian tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

## II. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit 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 United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: October 28, 1998.

#### Ward Penberthy,

*Acting Director, Chemical Control Division,  
Office of Pollution Prevention and Toxics.*

In FR Doc. 98-22441 published on August 20, 1998 (63 FR 44562) make the following correction:

#### § 721.9719 [Corrected]

On page 44583, in the first column, in § 721.9719(a)(2)(i), beginning in the third line, "(a), (b), (c), (d), (f), (g)(3)(i), (g)(3)(ii), (g)(4)(i), and (g)(5)." is corrected to read "(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(3)(i), (g)(3)(ii), (g)(4)(i), and (g)(5)."

[FR Doc. 98-29813 Filed 11-9-98; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 98-57; RM-9251]

#### Radio Broadcasting Services; Center & Jacksonville, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This document substitutes Channel 272C2 for Channel 272A at Jacksonville, Texas, and modifies the license for Station KLJT at Jacksonville, to specify operation on Channel 272C2, in response to a petition filed by Robert W. Shivey. See 63 FR 24158, May 4, 1998. The coordinates for Channel

272C2 at Jacksonville are 31-52-52 and 95-09-30. To accommodate the substitution at Jacksonville, we shall also substitute Channel 263A for Channel 272A at Center, Texas, and modify the license for Station KDET accordingly. The coordinates for Channel 263A are 31-42-13 and 94-06-05. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** December 14, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 98-57, adopted October 21, 1998, and released October 30, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission'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., 1231 20th Street, NW, Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

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

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 272A and adding Channel 272C2 at Jacksonville and by removing Channel 272A and adding Channel 263A at Center.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 98-30074 Filed 11-9-98; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 98-7; RM-9211 & RM-9261]

#### Radio Broadcasting Services; Roxton, TX and Soper, OK

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This document allots Channel 243A to Soper, Oklahoma, in response to a counterproposal filed by Soper Broadcasting Company. Lake Broadcasting, Inc. originally proposed the allotment of Channel 274A at Roxton, Texas, but withdrew its interest in response to the *Notice*. See 63 FR 6144, February 6, 1998. The coordinates for Channel 243A at Soper are 34-01-56 and 94-45-55. There is a site restriction 6.5 kilometers (4.0 miles) west of the community. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** December 14, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 98-7, adopted October 21, 1998, and released October 30, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission'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., 1231 20th Street, NW, Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

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

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by adding Soper, Channel 243A.