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Summary of Today's Action

EPA published a direct final rule on January 24, 2003, clarifying the interim standard for all appropriate inquiry established in the Small Business Liability Relief and Brownfields Revitalization Act for *bona fide* prospective purchasers, contiguous property owners, and those parties wishing to establish an innocent landowner defense under CERCLA. The direct final rule stated that such property owners or prospective purchasers could use the current version of ASTM standard E1527 (*i.e.*, E1527-00) for conducting all appropriate inquiry as provided in CERCLA section 101(35)(B) for properties purchased on or after May 31, 1997. In addition, the direct final rule stated that ASTM's previous standard, E1527-97, could be used for conducting all appropriate inquiry. ASTM's E1527-97 standard, entitled "Standard Practice for Environmental Site Assessment: Phase I Environmental Site Assessment Process," is the interim standard included by Congress in the Small Business Liability Relief and Brownfields Revitalization Act.

The companion proposed rule, also published on January 24, 2003, invited comment on the direct final rule and stated that if adverse comment was received by February 24, 2003, the direct final rule would not become effective and a notice would be published in the **Federal Register** to withdraw the direct final rule before the March 25, 2003, effective date. EPA subsequently received adverse comment on the direct final rule. EPA plans to address those comments in a subsequent action. Today's action withdraws the direct final rule "Clarification to Interim Standards and Practices for All Appropriate Inquiry Under CERCLA and Notice of Future Rulemaking Action."

List of Subjects in 40 CFR Part 312

Environmental protection, Administrative practice and procedure, Hazardous substances.

Dated: March 18, 2003.

Christine Todd Whitman,
Administrator.

[FR Doc. 03-7050 Filed 3-24-03; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 00-2; FCC 02-287]

Implementation of the Satellite Home Viewer Improvement Act of 1999: Application of Network Non-Duplication, Syndicated Exclusivity, and Sports Blackout Rules to Satellite Retransmissions of Broadcast Signals

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: This document announces the effective date of certain sections of the Commission's network non-duplication protection, syndicated exclusivity and sports blackout protection rules. Certain sections of the rule contained information collection requirements that required the approval of the Office of Management and Budget ("OMB") before they could become effective. Those sections of the network non-duplication protection, syndicated exclusivity and sports blackout protection rules have been approved by OMB.

DATES: The amendments to 47 CFR 76.122(c)(2) and 76.127(c), published at 67 FR 68944, November 14, 2002, will become effective on March 25, 2003.

FOR FURTHER INFORMATION CONTACT: Peter Corea of the Policy Division, Media Bureau at (202) 418-7200, TTY (202) 418-7172, or via Internet at pcorea@fcc.gov.

SUPPLEMENTARY INFORMATION: On October 17, 2002, the Commission released an Order on Reconsideration in CS Docket No. 00-2, pertaining to the Commission's network non-duplication, syndicated exclusivity and sports blackout rules as applied to satellite retransmission of broadcast signals. A summary of the Order on Reconsideration was published in the **Federal Register** at 67 FR 68944, November 14, 2002. The Order on Reconsideration made revisions to conform the satellite rules to the cable rules and amended a rule to permit sports rights holders with a discernable season to submit blackout notifications for an entire season, but also to establish a date certain by when those notifications must be received by satellite carriers. Sections 76.122(c)(2) and 76.127(c) of the rules contained new or modified information collection requirements that required OMB approval before they could become effective. The Commission received

OMB approval for the information collection requirements on March 10, 2003. See OMB No. 3060-0960, 67 FR 5291, February 3, 2003. Accordingly, §§ 76.122(c)(2) and 76.127(c) of the rules will become effective on March 25, 2003. This document constitutes publication of the effective date of those sections.

Pursuant to the Paperwork Reduction Act of 1995, Pub. L. 96-511, an agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Questions concerning the OMB control numbers and expiration dates should be directed to Les Smith, Federal Communications Commission, (202) 418-0217.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-6969 Filed 3-24-03; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 00-2; FCC 02-287]

Implementation of the Satellite Home Viewer Improvement Act of 1999: Application of Network Non-Duplication, Syndicated Exclusivity, and Sports Blackout Rules to Satellite Retransmissions of Broadcast Signals; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Communications Commission published in the **Federal Register** of November 14, 2002, a document concerning application of network non-duplication, syndicated exclusivity, and sports blackout rules to satellite retransmissions of broadcast signals. Inadvertently, the instruction that notifications given pursuant to § 76.127 must be received by the satellite carrier was inserted incorrectly. This document corrects that error.

DATES: Effective March 25, 2003. An announcement of effective date is published elsewhere in this issue of the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Peter Corea of the Policy Division,

Media Bureau at (202) 418-7200, TTY (202) 418-7172, or via Internet at pcorea@fcc.gov.

SUPPLEMENTARY INFORMATION:

Correction

In rule FR Doc. 02-28894 published on November 14, 2002 (67 FR 68944), make the following corrections. On page 68951 in the second column, in the amendment to § 76.127, revise paragraph (c) as follows:

* * * * *

(c) Notifications given pursuant to this section must be received by the satellite carrier:

(1) With respect to regularly scheduled events, within forty-eight (48) hours after the time of the telecast to be deleted is known; or, for events that comprise a season or pre-season period, fifteen (15) days prior to the first event of the season or pre-season, respectively; and no later than the Monday preceding the calendar week (Sunday-Saturday) during which the program deletion is to be made.

(2) As to events not regularly scheduled and revisions of notices previously submitted, within twenty-four (24) hours after the time of the telecast to be deleted is known, but in any event no later than twenty-four (24) hours from the time the subject telecast is to take place.

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List of Subjects in 47 CFR Part 76

Cable television, Satellite carriers, Television broadcast stations.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-6970 Filed 3-24-03; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171 and 175

[Docket No. RSPA-00-7762 (HM-206C)]

RIN 2137-AD29

Hazardous Materials: Availability of Information for Hazardous Materials Transported by Aircraft

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: RSPA is amending the Hazardous Materials Regulations to require an aircraft operator transporting

a hazardous material to: Place a telephone number, on the notification of pilot-in-command or in the cockpit of the aircraft, that can be contacted during an in-flight emergency to obtain information about any hazardous materials aboard the aircraft; retain and provide upon request a copy of the notification of pilot-in-command, or the information contained in it, at the aircraft operator's principal place of business, or the airport of departure, for 90 days, and at the airport of departure until the flight leg is completed; and make readily accessible, and provide upon request, a copy of the notification of pilot-in-command, or the information contained in it, at the planned airport of arrival until the flight leg is completed. The intent of these amendments is to increase the level of safety associated with the transportation of hazardous materials aboard aircraft.

DATES: Effective Date: The effective date of these amendments is October 1, 2003.

Delayed Compliance Date: Compliance with the amendments adopted in this final rule is required beginning on October 1, 2004.

FOR FURTHER INFORMATION CONTACT: John A. Gale or Gigi Corbin, Office of Hazardous Materials Standards, telephone (202) 366-8553, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

I. Background

Under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180), an offeror of a hazardous material must prepare a signed shipping paper containing the quantity and a basic shipping description of the material being offered for transportation (*i.e.*, proper shipping name, hazard class, UN or NA identification number, and packing group); certain emergency response information; and a 24-hour emergency response telephone number. (49 CFR part 172, Subparts C and G). Additional information may be required depending on the specific hazardous material being shipped. (49 CFR 172.203).

When hazardous material is transported by air, a copy of the shipping paper must accompany the shipment during transportation, and the aircraft operator must provide the pilot-in-command of the aircraft written information relative to the hazardous materials on board the aircraft. (49 CFR 175.33 and 175.35). For each hazardous materials shipment, the information in

the notification of pilot-in-command (NOPC) must include:

- (1) Proper shipping name, hazard class, and identification number;
- (2) technical and chemical group name, if applicable;
- (3) any additional shipping description requirements applicable to specific types or shipments of hazardous materials or to materials shipped under International Civil Aviation Organization (ICAO) requirements;
- (4) total number of packages;
- (5) net quantity or gross weight, as appropriate, for each package;
- (6) the location of each package on the aircraft;
- (7) for Class 7 (radioactive) materials, the number of packages, overpacks or freight containers, their transport index, and their location on the aircraft; and
- (8) an indication, if applicable, that a hazardous material is being transported under terms of an exemption.

This information must be readily available to the pilot-in-command during flight. In essence, the NOPC provides the same information to emergency response personnel as a shipping paper for transportation by public highway. In addition, emergency response information applicable to the specific hazardous materials being transported by aircraft must be available for use at all times the materials are present on the aircraft, and must be maintained on board in the same manner as the NOPC. (*See* Subpart G of part 172 for requirements relating to emergency response information.) In an emergency situation, the flight crew may be able to transmit information concerning the hazardous materials aboard the aircraft to air traffic control, or emergency responders may be able to retrieve the information from the aircraft after it lands. However, retrieval of the information from the flight crew may not be practical during an in-flight emergency because the flight crew may be attending to more pressing tasks. Also, in many emergencies the aircraft is damaged or destroyed, making retrieval of this information from the aircraft difficult or impossible.

On February 13, 2002, RSPA issued a notice of proposed rulemaking (NPRM) to amend the HMR to assure that information on the hazardous materials carried aboard the aircraft is available to emergency responders through sources other than the flight crew (67 FR 6669). The NPRM proposed to amend the HMR to require an aircraft operator to: Place a telephone number on the notification of pilot-in-command that can be contacted during an in-flight emergency to obtain information about any