

408(e)(1). The public comment period is to be for 60 days unless the Administrator for good cause finds that it is in the public interest to reduce that comment period. Based on several factors, EPA believes there is good cause for reducing the comment period on these exemptions. First, notice was already provided, in accordance with the FFDCA prior to its recent amendment, for the exemption for sodium bicarbonate. No comments were received in response to that notice. Second, there is no question here regarding the safety of these compounds. Sodium bicarbonate and potassium bicarbonate are substances needed for normal homeostatic mechanisms and are now widely used in pharmaceuticals and foods. Residues of these substances in foods from their use as pesticides will be insignificant in comparison. Third, the low toxicity of sodium bicarbonate and potassium bicarbonate represents a safer alternative to traditional chemical fungicides currently available to the public. In the FQPA, Congress urged EPA to give priority to tolerance or exemption petitions for such safer pesticides. See section 408 (d)(4)(B). Therefore, the Agency is allowing a 30 day instead of a 60 day public comment period for these proposed tolerance exemptions.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [OPP-300440]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch at the address given above from 8 a.m. to 4:30 p.m. Monday through Friday, except legal holidays.

IV. Public Docket

A record has been established for this rulemaking under docket number [OPP-300440] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Electronic comments can be sent directly to EPA at:

opp-Docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

V. Regulatory Assessment Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and, since this action does not impose any information collection requirements as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., it is not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement explaining the factual basis for this determination was published in the Federal Register of May 4, 1981 (46 FR 24950).

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), 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 in today's Federal Register. This rule is

not a "major rule" as defined by 5 U.S.C. 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural Commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 28, 1996.

Penelope A. Fenner-Crisp,
Acting Director, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR Chapter I be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 is revised to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By adding new §§ 180.1176 and 180.1177 to subpart D to read as follows:

§ 180.1176 Sodium bicarbonate; exemption from the requirement of a tolerance.

The biochemical pesticide sodium bicarbonate is exempted from the requirement of a tolerance in or on all raw agricultural commodities when applied as a fungicide or post-harvest fungicide in accordance with good agricultural practices.

§ 180.1177 Potassium bicarbonate; exemption from the requirement of a tolerance.

The biochemical pesticide potassium bicarbonate is exempted from the requirement of a tolerance in or on all raw agricultural commodities when applied as a fungicide or post-harvest fungicide in accordance with good agricultural practices.

[FR Doc. 96-28421 Filed 11-5-96; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96-217, RM-8880]

Radio Broadcasting Services; Humboldt, Kansas

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Michael Sutcliffe proposing the allotment of Channel 232C3 to Humboldt, Kansas, as the community's first local FM service. Channel 232C3 can be allotted to Humboldt in compliance with the

Commission's minimum distance separation requirements with a site restriction of 19.5 kilometers (12.1 miles) southwest to avoid a short-spacing conflict with the licensed site of Station KFKF(FM), Channel 231C, Kansas City, Kansas. The coordinates for Channel 232C3 at Humboldt are 37-39-50 and 95-33-31.

DATES: Comments must be filed on or before December 16, 1996, and reply comments on or before December 31, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Michael Sutcliffe, 127 South Grant, Chanute, Kansas 66720 (Petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-217, adopted October 18, 1996, and released October 25, 1996. 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 contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

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.

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 broadcasting.

Federal Communications Commission

John A. Karousos,

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

[FR Doc. 96-28442 Filed 11-5-96; 8:45 am]

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47 CFR Part 73

[MM Docket No. 96-216, RM-8895]

Radio Broadcasting Services; Portsmouth, OH

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Peter L. Cea seeking the allotment of Channel 298A to Portsmouth, OH, as the community's third local commercial FM transmission service. Channel 298A can be allotted to Portsmouth in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 38-44-00 North Latitude; 82-59-56 West Longitude.

DATES: Comments must be filed on or before December 16, 1996, and reply comments on or before December 31, 1996.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Peter L. Cea, 707 Green Cook Road, Sunbury, OH 43074 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rulemaking, MM Docket No. 96-216, adopted October 18, 1996, and released October 25, 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, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

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 Rulemaking 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.

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 broadcasting.

Federal Communications Commission

John A. Karousos,

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

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BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 96-215, RM-8898]

Radio Broadcasting Services; Anamosa, IA.

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Susan I. Coloff proposing the allotment of Channel 239A to Anamosa, Iowa, as the community's first local FM service. Channel 239A can be allotted to Anamosa in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 239A are 42-06-30 and 91-17-06.

DATES: Comments must be filed on or before December 16, 1996, and reply comments on or before December 31, 1996.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Susan I. Coloff, 506 North Clark, Forest City, Iowa 50436 (petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rulemaking, MM Docket No. 96-215, adopted October 18, 1996, and released October 25, 1996. 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, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, D.C. 20037.