

G. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedures Act (APA), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the 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 of the rule in today's **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 63

Environmental protection, air pollution control, Hazardous substances, Reporting and recordkeeping requirements, Wood furniture manufacturing.

Dated: May 30, 1997.

Carol M. Browner,
Administrator.

For the reasons set out in the preamble, Title 40, Chapter I of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

1. The authority citation for Part 63 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart JJ—National Emissions Standards for Wood Furniture Manufacturing Operations

2. § 63.801 is amended by revising the definition for "wood furniture component" to read as follows:

§ 63.801 Definitions.

* * * * *

Wood furniture component means any part that is used in the manufacture of wood furniture. Examples include, but are not limited to, drawer sides, cabinet doors, seat cushions, and laminated tops. However, foam seat cushions manufactured and fabricated at a facility that does not engage in any other wood furniture or wood furniture component manufacturing operation are excluded from this definition.

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[FR Doc. 97-14988 Filed 6-6-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 171

[Docket No. RSPA-97-2133 (HM-225)]

Petitions for Reconsideration of Interim Final Rule: Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service

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

ACTION: Deferral of decision on petitions for reconsideration of interim final rule; notice of meeting.

SUMMARY: RSPA is deferring action on a decision with respect to two petitions for reconsideration of the interim final rule issued in RSPA Docket HM-225 on February 19, 1997, regarding cargo tank motor vehicles in liquefied compressed gas service, until the agency issues a final rule in that docket. Specifically, the petitions for reconsideration raise issues identical to those raised by commenters to the interim final rule. RSPA is deferring action on the petitions for reconsideration in order to avoid prejudging issues that are more appropriate for resolution in the final rule. RSPA will address the issues raised by petitioners and commenters in a final rule, which it intends to issue prior to August 15, 1997, the expiration date of the interim final rule.

RSPA is also holding a public meeting on June 23, 1997, in Washington, DC, at the request of several interested parties, to discuss the interim final rule requirements and long-term solutions to the cargo tank emergency discharge control system issue.

DATES: The public meeting will be held on June 23, 1997, from 9 a.m. to 4 p.m.

ADDRESSES: The meeting will be held at the U.S. Department of Transportation (Room 2230, Nassif Building), 400 7th Street, S.W., Washington, D.C. 20590-0001.

FOR FURTHER INFORMATION CONTACT: Nancy E. Machado, Office of the Chief Counsel, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, S.W., Washington D.C. 20590-0001, telephone 202-366-4400.

SUPPLEMENTARY INFORMATION: On February 19, 1997, RSPA published an emergency interim final rule (IFR) in RSPA Docket HM-225 (62 FR 7638, Feb. 19, 1997). The IFR amended the Hazardous Materials Regulations (HMR), 49 CFR parts 171-180, to specify the conditions under which certain cargo tank motor vehicles may continue to be used on an interim basis, even if not equipped with emergency discharge control systems required by the HMR. The IFR specifically addresses MC 330, MC 331 and certain non-specification cargo tank motor vehicles used to deliver propane and other liquefied compressed gases.

The IFR was issued after the discovery of a safety deficiency affecting many of the cargo tank motor vehicles at issue and RSPA's denial of two emergency petitions for exemption from the HMR's emergency discharge control requirements. The IFR was intended as an alternative means of compliance with the HMR requirements. The intended effect of the IFR was to ensure, on an interim basis, an acceptable level of safety for delivery of liquefied compressed gases while a permanent solution to the problem was developed and implemented.

In the IFR, RSPA gave notice of a public meeting and two public workshops scheduled to gather information and allow comment on the IFR requirements. In the IFR, RSPA also solicited comments and data on the costs and effectiveness of alternative means of achieving a level of safety for the long term comparable to that provided by the current HMR requirements. Also, RSPA solicited comments on the costs and benefits of the interim measures adopted under the IFR. During the comment period, which closed on April 21, 1997, RSPA received over 40 comments from industry.

Also, on March 21, 1997, RSPA received a petition for reconsideration of the IFR from the National Propane Gas Association, on behalf of its members, and a petition for reconsideration jointly filed by Ferrellgas, L.P., Suburban Propane, L.P., AmeriGas Propane, L.P., Agway Petroleum Corporation and Cornerstone Propane Partners, L.P. Petitioners specifically request that RSPA reconsider the additional attendance requirement, which they believe effectively mandates that two or more attendants travel to and be present during the unloading of propane gas from a cargo tank motor vehicle. They assert that the high cost of compliance with the additional requirement is not supported by the safety record for

propane gas delivery, and they provided some cost and safety data to support their views. A significant number of commenters to the IFR also raised identical issues, and several provided cost and safety data. These same issues were among the topics raised by participants in the public meeting and the two public workshops.

RSPA did not respond to the petitions for reconsideration prior to the close of the comment period in order not to prejudge the additional attendance requirement issue before all interested parties had an opportunity to comment on the IFR requirements. Because of the fast-approaching expiration date of the IFR, the need to take further regulatory action to ensure an acceptable level of safety is maintained during the delivery of liquefied compressed gases, and the identical nature of the issues raised by petitioners and commenters alike, RSPA finds that it is impracticable to issue a decision on the petitions for reconsideration prior to issuance of a final rule in RSPA docket HM-225. Consequently, RSPA will address the issues raised by petitioners and commenters regarding the IFR requirements in a final rule that it intends to issue prior to the expiration date of the IFR. Shortly thereafter, RSPA intends to issue a notice of proposed rulemaking to address broader issues raised during the course of this rulemaking, including the "unobstructed view" requirement in 49 CFR 177.834(I) and the need for hose maintenance requirements.

RSPA is issuing this document in accordance with 49 CFR 106.37(b).

Issued in Washington, DC on June 3, 1997.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 97-14900 Filed 6-6-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by

licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

EFFECTIVE DATE: June 9, 1997.

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, adopted May 21, 1997, and released May 30, 1997. 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., 2100 M Street, NW., Suite 140, Washington, DC. 20037, (202) 857-3800.

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: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Colorado, is amended by removing Channel 295A and adding Channel 293C1 at La Junta, and by removing Channel 276C2 and adding Channel 276C1 at Limon.

3. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by removing Channel 226C3 and adding Channel 226A at Warrenton.

4. Section 73.202(b), the Table of FM Allotments under Iowa, is amended by removing Channel 249A and adding Channel 249C3 at Ottumwa.

5. Section 73.202(b), the Table of FM Allotments under Nebraska, is amended by removing Channel 224A and adding Channel 224C2 at Albion.

6. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Channel 265C2 and adding Channel 265C3 at Sulphur.

7. Section 73.202(b), the Table of FM Allotments under South Dakota, is

amended by removing Channel 244C1 and adding Channel 244C2 at Hot Springs.

8. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 232A and adding Channel 232C2 at Comanche, and by removing Channel 257C3 and adding Channel 257C2 at Linden.

9. Section 73.202(b), the Table of FM Allotments under Washington, is amended by removing Channel 271A and adding Channel 271C3 at Elma, and by removing Channel 270C3 and adding Channel 270C2 at Medical Lake.

10. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by removing Channel 288A and adding Channel 288C3 at Laramie.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 97-14800 Filed 6-6-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. PS-117; Amdt. 195-57]

RIN 2137-AC87

Low-Stress Hazardous Liquid Pipelines Serving Plants and Terminals

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

ACTION: Direct final rule.

SUMMARY: This final rule excludes from RSPA's safety regulations for hazardous liquid¹ pipelines (1) low-stress pipelines² regulated for safety by the U.S. Coast Guard; and (2) low-stress pipelines less than 1 mile long that serve certain plants and transportation terminals without crossing an offshore area or a waterway currently used for commercial navigation. RSPA previously stayed enforcement of the regulations against these pipelines to mitigate compliance difficulties that did not appear warranted by risk. The rule change conforms the regulations with this enforcement policy.

DATES: This direct final rule is effective October 7, 1997. If RSPA does not receive any adverse comment or notice

¹ "Hazardous liquid" means petroleum, petroleum products, or anhydrous ammonia.

² "Low-stress pipeline" means a hazardous liquid pipeline that is operated in its entirety at a stress level of 20 percent or less of the specified minimum yield strength (SMYS) of the line pipe.