

request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors, and in relation to relevant statutory and regulatory requirements.

### III. Administrative Requirements

#### A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

#### B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, Part D, of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of State action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. EPA*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

#### C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for

informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

#### D. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, 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).

#### E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 6, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2), 42 U.S.C. 7607(b)(2).)

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

Environmental protection, Air pollution control, Fees, Incorporation by reference, Reporting and recordkeeping requirements.

Dated: July 17, 1997.

**Chuck Findley**,  
*Acting Regional Administrator.*

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

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

#### Subpart WW—Washington

2. Section 52.2470 is amended by adding paragraph (c)(73) to read as follows:

#### § 52.2470 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(73) On November 26, 1996 and April 7, 1997, the Director of the Washington State Department of Ecology (Washington) submitted to the Regional Administration of EPA revisions to the State Implementation Plan consisting of minor amendments to Puget Sound Air Pollution Control Agency (PSAPCA) Regulations I and III.

(i) Incorporation by reference.

(A) PSAPCA Regulations approved—Regulation I, Sections 3.11, 3.23, 5.02, 5.05, 5.07, 6.03, 7.09—State-adopted 9/12/96. Regulation III, Section 4.03—State-adopted 9/12/96. Regulation I, Sections 5.03 and 6.04—State-adopted 12/12/96. Regulation III, Sections 1.11, 2.01, and 2.05—State-adopted 12/12/96.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 61

[CC Docket Nos. 94-1; FCC 96-488]

#### Price Cap Performance Review for Local Exchange Carriers

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; Correction.

**SUMMARY:** This document contains corrections to the summary of the Commission's Report and Order reforming access charges published in the **Federal Register** of January 31, 1997 (62 FR 4657).

**EFFECTIVE DATE:** June 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Richard Lerner, Attorney, Common Carrier Bureau, Competitive Pricing Division, (202) 418-1520, email: rlerner@fcc.gov.

**SUPPLEMENTARY INFORMATION:** The Commission published a summary of the Price Cap Performance Review for Local Exchange Carriers Third Report and Order (released December 24, 1996) in the **Federal Register** issue of January 31, 1997, in FR Doc. 97-2143 (62 FR 4657). The summary outlines an order that adopts rules that are intended to make it easier for local exchange carriers to introduce new services and to lower rates. This summary was published with

a clerical mistake, which this document corrects. The publication on January 31, 1997 of the Price Cap Performance Review for Local Exchange Carriers Third Report and Order summary (62 FR 4657), which was the subject of FR Doc. 97-2143, is corrected as follows:

1. On page 4659, in the third column, § 61.49, lines 3 and 4, replace "paragraphs (e) through (k) as paragraphs (d) through (j)" with "paragraphs (e) through (l) as paragraphs (d) through (k).

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 97-20598 Filed 8-5-97; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-59; RM-8976]

#### Radio Broadcasting Services; Clayton and Jena, LA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Clayton FM Partnership, substitutes Channel 257A for Channel 300A at Clayton, Louisiana, and modifies Station KFGA-FM's construction permit accordingly; substitutes Channel 274A for Channel 257A at Jena, Louisiana, and modifies Station KJNA-FM's license to reflect the alternate Class A channel. See 62 FR 07983, February 21, 1997. The coordinates for Channel 257A at Clayton are 31-46-05 and 91-34-39. The coordinates for Channel 274A at Jena are 31-41-51 and 92-05-43. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** September 15, 1997.

**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. 97-59, adopted July 23, 1997, and released August 1, 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, 2100 M Street, NW, Suite 140, Washington, DC 20037.

### 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 Louisiana, is amended by removing Channel 300A and adding Channel 257A at Clayton, by removing Channel 257A and adding 274A at Jena.

Federal Communications Commission.

**John A. Karousos,**

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

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-69; RM-9007]

#### Radio Broadcasting Services; Idalou, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Fred R. Morton, allots Channel 299A to Idalou, Texas, as the community's second local FM service. See 62 FR 09410, March 3, 1997. Channel 299A can be allotted to Idalou in compliance with the Commission's

minimum distance separation requirements with a site restriction of 1.5 kilometers (0.9 miles) north in order to avoid a short-spacing conflict with the licensed operation of Station KPOS-FM, Channel 297C2, Post, Texas. The coordinates for Channel 299A at Idalou are 33-40-34 NL and 101-41-01 WL. With this action, this proceeding is terminated.

**DATES:** Effective September 15, 1997. The window period for filing applications will open on September 15, 1997, and close on October 16, 1997.

**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. 97-69, adopted July 23, 1997, and released August 1, 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, 2100 M Street, NW, Suite 140, Washington, DC 20037.

### 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 Texas, is amended by adding Channel 299A at Idalou.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 97-20661 Filed 8-5-97; 8:45 am]

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