

40 CFR Part 82**[FRL-5657-9]****Protection of Stratospheric Ozone****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of response to petition.

SUMMARY: This action notifies the public that the Agency received a petition pursuant to section 612(d) of the Clean Air Act, under the Significant New Alternatives Policy (SNAP) Program, and that EPA has responded to the petition. The petition requested that EPA take several specific actions. EPA had already implemented certain requests prior to receipt of the petition, and will not take the other requested actions. SNAP implements section 612 of the amended Clean Air Act of 1990, which requires EPA to evaluate substitutes for ozone-depleting Substances (ODS) and to regulate the use of substitutes where other alternatives exist that reduce overall risk to human health and the environment. Through these evaluations, EPA generates lists of acceptable and unacceptable substitutes for each of the major industrial use sectors.

EPA has listed several refrigerants as acceptable substitutes for CFC-12 in motor vehicle air conditioning (MVAC), provided they are used in accordance with several requirements. We have worked with the MVAC industry to minimize the mixing of refrigerants and to ensure that the recycled supply of CFC-12 is protected from contamination. Contaminated refrigerant poses numerous technical problems, and may damage both the vehicle's air conditioner and equipment in shops that service such vehicles.

The Association of International Automobile Manufacturers petitioned EPA to take additional steps to prevent the mixing of refrigerants. In general, AIAM believes that only HFC-134a should be used as a retrofit refrigerant. EPA has expressed the belief that HFC-134a is a good choice when a retrofit kit exists that is warranted by the manufacturer. However, some kits are quite expensive, and for many cars, they do not even exist. Therefore, EPA's position has been that other alternatives have an important role to play. Therefore, we will continue to review alternative refrigerants and impose conditions on their use to eliminate the mixing of refrigerants. The petition is file number VI-D-197, and the response is file number VI-C-18.

ADDRESSES: Information relevant to this notice is contained in Air Docket A-91-

42, Central Docket Section, South Conference Room 4, U.S. Environmental Agency, 401 M Street, S.W., Washington, D.C. 20460. Telephone: (202) 260-7548. The docket may be inspected between 8:00 a.m. and 5:30 p.m. weekdays. As provided in 40 CFR part 2, a reasonable fee may be charged for photocopying.

FOR FURTHER INFORMATION CONTACT: Rey Forte at (202) 233-9134 or fax (202) 233-9577, U.S. EPA, Stratospheric Protection Division, 401 M Street S.W., Mail Code 6205J, Washington, D.C. 20460.

SUPPLEMENTARY INFORMATION: Contact the Stratospheric Protection Hotline at 1-800-296-1996, Monday-Friday, between the hours of 10:00 a.m. and 4:00 p.m. (Eastern Standard Time) weekdays.

For more information on the Agency's process for administering the SNAP program or criteria for evaluation of substitutes, refer to the SNAP final rulemaking published in the Federal Register on March 18, 1994 (59 FR 13044). Federal Register notices can be ordered from the Government Printing Office Order Desk (202) 783-3238; the citation is the date of publication. This notice may also be obtained on the World Wide Web at <http://www.epa.gov/docs/ozone/title6/snap/>.

List of Subjects in 40 CFR Part 82

Environmental protection, Administrative practice and procedure, Air pollution control, Reporting and recordkeeping requirements.

Dated: November 22, 1996.

Mary D. Nichols,
Assistant Administrator for Air and Radiation.

[FR Doc. 96-30743 Filed 12-2-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR PART 1****[MM Docket No. 87-268, FCC 96-465]****Technical Standards for Digital Television****AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: This Public Notice provides an opportunity for public comment on the appended agreement submitted to the Commission on November 27, 1996, by a number of parties representing a diverse range of interests concerning technical standards for digital

Television (DTV). The agreement addresses issues raised in the Fifth Further Notice of Proposed Rule Making in this proceeding. Copies of this agreement are available for public inspection in the docket file in the Commission's Public Reference Room, room 239, 1919 M Street, NW., Washington, DC, and on the Commission's internet site accessed at "www.fcc.gov." Interested parties are invited to submit comments on this proposal by Friday, December 6, 1996. The Commission contemplates action on the issue by end of 1996.

DATES: Comments are due on or before December 6, 1996.

FOR FURTHER INFORMATION CONTACT: Roger Holberg, (202) 418-2130, Gordon Godfrey (202) 418-2900, or Saul Shapiro (202) 418-2600.

SUPPLEMENTARY INFORMATION:**[MM Docket No. 87-268]**

The Commission Seeks Comment on Digital TV Standards Agreement

Technical Standards for Digital Television

On November 27, 1996, a number of parties representing a diverse range of interests submitted to the Commission the attached agreement on the issue of technical standards for digital television (DTV). The agreement addresses issues raised in the Fifth Further Notice of Proposed Rule Making in MM Docket No. 87-268, 61 FR 26864 (May 29, 1996). Copies of the agreement are available for public inspection in the docket file in the Commission's Public Reference Room, room 239, 1919 M St. NW., Washington, DC, and on the Commission's internet site accessed at "www.fcc.gov." Interested parties are invited to submit comments on this proposal by Friday, December 6, 1996. This public notice elicits comment only on matters concerning the elements of the ATSC digital television standard. The Commission does not contemplate any extension on the comment period, and there will be no reply comment filing period. The Commission contemplates action on the issue of technical standards for DTV by the end of 1996.

Federal Communication Commission.

William F. Caton,

Acting Secretary.

November 27, 1996.

The Honorable Susan Ness,

Commissioner, Federal Communications Commission, 1919 M Street, N.W., Room 832, Washington, D.C. 20554.

Dear Commissioner Ness: As we reported to you yesterday, broadcasters, computer

industry representatives ("CICATS"), receiver manufacturers, and the Film Coalition have engaged in lengthy and numerous discussions over the past four weeks concerning the proposed DTV standard. The first three of these groups have reached the following agreement:

(1) The FCC should adopt no later than December 31, 1996, the voluntary ATSC DTV Standard (A/53), except for the video format constraints described in Table 3, including the aspect ratios ("the FCC standard"). The ATSC DTV Standard, including the Table 3 video format constraints, remains unchanged.

(2) The FCC's Report and Order adopting the FCC standard should include language clarifying that data broadcasting is a permitted use under the standard. Data broadcasting is defined as the transmission of any type of data other than real-time video and audio programming.

(3) The parties agree that the FCC standard provides for extensibility of services and that this extensibility feature can be used as long as such services comply with the FCC standard. Video and audio services may be enhanced by providing augmentation data in the manner described in ATSC "Guide to the Use of the ATSC Digital Television Standard," A/54, Section 8.1.1.3. See Attachment A hereto.

(4) Subject to applicable legal restrictions, if any, neither CICATS nor its member companies nor their representatives will directly or indirectly seek to oppose or delay—before the FCC, by judicial review, legislatively or otherwise—final adoption of the positions urged by broadcasters and consumer electronics manufacturers in MM Docket No. 87-268 to the extent such positions are not inconsistent with this letter. Nor will they support efforts in Congress or elsewhere for auctioning of spectrum allocated or to be allocated for digital television in MM Docket No. 87-268 or other proceedings related to the launch of digital television. After December 31, 1997, CICATS and its member companies may address other spectrum issues, provided that they do not support efforts for the auctioning of spectrum MM Docket NO. 87-268 or other proceedings related to the launch of digital television. The purpose of this understanding is to further the common goal of expeditious launch of digital television and is not intended to impose restrictions with respect to future regulatory or legislative issues.

In addition, consistent with the target date recognized in your letter to us, the parties will no longer be bound by this agreement if the FCC standard is not adopted by the FCC by December 31, 1996.

The parties agreed beforehand to maintain the confidentiality of the positions taken by them in the discussions, if not agreed to as part of a final resolution of the DTV standard issue. All parties continue to be bound by that agreement.

Respectfully submitted,

Broadcasters Caucus,
Michael J. Sherlock (NBC),
Chairman.

Consumer Electronics Manufacturers Association,
Gary J. Shapiro,

President.

Computer Industry Coalition on Advanced Television Service,

Paul E. Misener,

Intel Corporation.

cc: Chairman Reed E. Hundt

Commissioner James H. Quello

Commissioner Rachelle B. Chong

Honorable Larry Irving

Secretary, FCC (for filing in MM Docket No. 87-268)

Attachment A

Because there will be possibilities for future services that we cannot anticipate today, it is extremely important that the transport architecture provide open-ended extensibility of services. New elementary bit streams could be handled at the transport layer without hardware modification by assigning new packet IDs ("PIDs") at the transmitter and filtering out these new PIDs in the bit stream at the receiver. Backward compatibility is assured when new bit streams are introduced into the transport system as existing decoders will automatically ignore new PIDs.

[FR Doc. 96-30838 Filed 11-29-96; 10:54 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 111496C]

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Request for joint management; request for public comments.

SUMMARY: NMFS announces that the Secretary of Commerce (Secretary) has been asked by the New England Fishery Management Council (NEFMC) to allow the Atlantic mackerel, squid, and butterfish fisheries to be managed jointly by the NEFMC and the Mid-Atlantic Fishery Management Council (MAFMC). The MAFMC is currently responsible for the Fishery Management Plan for Atlantic Mackerel, Squid, and Butterfish (FMP). Public comments are solicited concerning the request for joint management.

DATES: Comments must be submitted by January 2, 1997.

ADDRESSES: Comments should be directed to Dr. Andrew A. Rosenberg, Regional Administrator, Northeast Region, NMFS, 1 Blackburn Drive, Gloucester, MA 01930. Please label the envelope "Joint SMB Management."

FOR FURTHER INFORMATION CONTACT: Myles Raizin, Fishery Policy Analyst, 508-281-9104.

SUPPLEMENTARY INFORMATION:

Background

Soon after the passage of the original Magnuson Fishery Conservation and Management Act in 1976, the Secretary, pursuant to his authority under section 304(f), designated species-specific management responsibilities to the Fishery Management Councils (Councils). The MAFMC was given the authority to manage the Atlantic mackerel, *Illex* and *Loligo* squids, and butterfish fisheries. In 1979, NMFS approved separate fishery management plans for the three species. In 1981, the three plans were merged into the present FMP.

At its June 1996 meeting, the NEFMC passed a motion to request the Secretary to make the FMP a joint plan between the NEFMC and the MAFMC and to designate the MAFMC as the lead Council. While recognizing the need to conserve these resources, the NEFMC believes that there are access issues concerning all of these fisheries that only can be resolved fairly through joint management. The NEFMC's main concern focused on a proposal for resubmission to the Secretary of a management measure that would implement a permit moratorium on the fishery for *Illex*. Additionally, the NEFMC believes that there is enough uncertainty about the stock structure of *Illex* to warrant a closer look at how the resource should be managed in different areas along the coast and how seasonal restrictions would substantially increase the overall yield and economic value of the fishery.

In conjunction with this request for joint management, the NEFMC requested NMFS to halt all rulemaking associated with the FMP. NMFS will not take such action, because it is inappropriate to interfere with the MAFMC's statutory mandate to develop fishery management plans and amendments to manage the fisheries for which they are responsible. Furthermore, there is no legal mechanism to bring rulemaking under the Magnuson-Stevens Fishery Conservation and Management Act, as amended, (Magnuson-Stevens Act) to a