

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 372**

[OPPTS-400111A; FRL-5727-2]

Addition of Dioxin and Dioxin-Like Compounds; Modification of Polychlorinated Biphenyls (PCBs) Listing; Toxic Chemical Release Reporting; Community Right-to-Know; Extension of Comment Period and Docket Control Number Correction**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule; extension of comment period and docket control number correction.

SUMMARY: In the **Federal Register** of May 7, 1997, EPA issued a proposed rule to add a chemical category that includes dioxin and 27 dioxin-like compounds to the list of toxic chemicals subject to the reporting requirements under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 and section 6607 of the Pollution Prevention Act of 1990. In response to a request, EPA is extending the comment period by 60 days until September 5, 1997. The comment period for the proposed rule was scheduled to close on July 7, 1997. In addition, EPA is correcting the docket control number for the proposed rule, which was incorrectly identified in two places in the May 7, 1997 proposal as "OPPTS-400109." The correct docket control number is "OPPTS-400111."

DATES: Written comments must be received by September 5, 1997.

ADDRESSES: Written comments should be submitted in triplicate to: OPPT Docket Clerk, TSCA Document Receipt Office (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. G-099, Washington, DC 20460, Attention: Docket Control Number OPPTS-400111.

Comments and data may also be submitted electronically by following the instructions under Unit IV. of this document. No confidential business information (CBI) should be submitted through e-mail.

Comments containing information claimed as confidential must be clearly marked as CBI. If CBI is claimed, three additional sanitized copies must also be submitted. Nonconfidential versions of comments on the proposed rule will be placed in the rulemaking record and will be available for public inspection. Comments should include the docket control number for the proposal,

OPPTS-400111, and the name of the EPA contact for the proposal.

FOR FURTHER INFORMATION CONTACT:

Daniel R. Bushman, Petitions Coordinator, 202-260-3882, e-mail: bushman.daniel@epamail.epa.gov, for specific information on this document, or for more information on EPCRA section 313, the Emergency Planning and Community Right-to-Know Hotline, Environmental Protection Agency, Mail Code 5101, 401 M St., SW., Washington, DC 20460, Toll free: 1-800-535-0202, in Virginia and Alaska: 703-412-9877 or Toll free TDD: 1-800-553-7672.

SUPPLEMENTARY INFORMATION:**I. Introduction**

In response to a petition from Communities For A Better Environment to add dioxin and 27 dioxin-like compounds to the list of chemicals subject to the reporting requirements of section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act of 1990 (PPA), EPA proposed to add a category of dioxin and dioxin-like compounds to the list. In conjunction with that proposed addition, EPA proposed to modify the current listing for polychlorinated biphenyls (PCBs). EPA requested comment on, but did not at that time propose, the establishment of lower reporting thresholds for the dioxin and dioxin-like compounds category. EPA stated that any final action to add a dioxin and dioxin-like compounds category will not be taken until EPA is ready to take final action on a rule setting lower reporting thresholds for chemicals that, like dioxin and dioxin-like compounds, persist in the environment and bioaccumulate. The proposal was issued in the **Federal Register** of May 7, 1997 (62 FR 24887) (FRL-5727-2), with a comment response deadline of July 7, 1997.

II. Extension of Comment Period

On June 4, 1997, EPA received a request from the Chlorine Chemistry Council (CCC), a business council of the Chemical Manufacturers Association, to extend the comment period on the proposed rule for 60 days. The CCC requested the extension because they believe that the original comment period was too short. Specifically, the CCC believes that 60 days is insufficient to analyze and comment thoroughly on the proposed category addition and that additional time is needed to study the impact of potential lower reporting thresholds for the category. The CCC also stated that additional time should be provided to allow the seven new

industry groups recently added to the facilities that must report under EPCRA section 313 to evaluate their reporting obligations under EPCRA and the possible impact of the proposed category addition. In addition, the CCC states that since EPA has stated that the proposed rule would not be finalized until a rule lowering the reporting thresholds is ready to be finalized, extending the comment period for the proposed addition will not delay the submission of any data on the category.

EPA has considered these comments and has determined that extending the comment period is an appropriate action that will not cause a significant delay in the evaluation of the proposed category addition. Therefore, EPA is extending the comment period on the proposed rule until September 5, 1997. All comments should be submitted to the address listed under the ADDRESSES unit at the front of this document. All comments must be received by September 5, 1997.

III. Docket Number Correction

In the May 7, 1997 proposed rule (62 FR 24887), the docket established for the proposed rulemaking was incorrectly identified as "OPPTS-400109" in 2 of 3 places under the ADDRESSES unit on page 24887, column 3, lines 11 and 40. The correct docket control number is OPPTS-400111. EPA wants to eliminate any confusion and make it clear that the correct docket control number to use for submitting comments on the proposed rule is OPPTS-400111.

IV. Rulemaking Record

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket control number "OPPTS-400111" (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 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., Washington, DC.

Electronic comments can be sent directly to EPA at:
oppt.ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in

WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket control number OPPTS-400111. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

Dated: June 17, 1997.

Susan H. Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 21, 73, and 76

[MM Docket Nos. 94-150, 92-51, 87-154, DA 97-1246]

Television LMAs

AGENCY: Federal Communications Commission.

ACTION: Notice. Request for comments.

SUMMARY: By this public notice, the Commission requests parties to all existing television local marketing agreements ("LMA") to provide certain factual information regarding the terms and characteristics of these agreements. This information will supplement the record in rulemaking proceedings currently pending before the Commission that relate to the treatment of television LMAs under the broadcast attribution and ownership rules.

DATES: Parties to any existing television LMAs should file an original and four copies of the requested information by July 8, 1997.

ADDRESSES: The requested submissions should be addressed to: Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION: Alan Baughcum, Mass Media Bureau, Policy and Rules Division, (202) 418-2170 or Kim Matthews, Mass Media Bureau, Policy and Rules Division, (202) 418-2130.

SUPPLEMENTARY INFORMATION: This is a synopsis of the public notice adopted June 12, 1997, and released June 17, 1997. The complete text of this public notice is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC, and may also be purchased from the Commission's copy contractor, International Transcription Service (ITS), (202) 857-3800, 1919 M Street, NW, Room 246, Washington, DC 20554.

Synopsis of Public Notice Seeking Further Information Regarding Television LMAs

1. By this public notice, the Commission requests parties to all existing television local marketing agreements ("LMA") to provide certain factual information regarding the terms and characteristics of these agreements. This information will supplement the record in rulemaking proceedings currently pending before the Commission that relate to the treatment of television LMAs under the broadcast attribution and ownership rules.

2. An LMA, or time brokerage agreement, is a type of contract in which the licensee of a broadcast station makes available blocks of broadcast time to a broker, who then supplies the programming to fill that time and sells the commercial spot announcements to support the programming. Currently, the Commission does not attribute television LMAs; they consequently are not subject to the broadcast ownership rules. See 47 CFR 73.3555. The Commission, however, has proposed to treat time brokerage of another television station in the same market for more than 15 percent of the brokered station's weekly broadcast hours as being attributable, and therefore as counting toward the brokering licensee's multiple ownership limits. See Further Notice of Proposed Rule Making in MM Docket Nos. 94-150, 92-51, 87-154, FCC 96-436, at ¶¶26-31 (released November 7, 1996) 61 FR 67275 (published December 20, 1996) (Attribution Notice). The Commission has also sought comment on how to treat existing television LMAs, including to what extent such LMAs should be grandfathered, under any guidelines that are adopted that would attribute LMAs to the brokering station. See Second Further Notice of Proposed Rule Making in MM Docket Nos. 91-221, 87-8, FCC 96-438, at ¶¶80-91 (released November 7, 1996) 61 FR 66978 (published December 19, 1996) (Local TV Ownership Notice).

3. In seeking comment on these proposals, the Commission requested information on the terms and characteristics of existing television LMAs. Attribution Notice at ¶31; Local TV Ownership Notice at ¶87. The commenters, however, have not provided us sufficient information on a range of important factual issues. For example, we do not have complete information about the number of existing television LMAs, the date of origination, the duration of these contractual arrangements, or the location of stations subject to LMAs.

4. To provide a more complete record, the Commission consequently requests parties to any existing television LMA, whether it involves stations in the same local market or in different markets, to submit the following information:

(1) For both the brokering and brokered stations, the name of the licensee, call letters, channel number, and community of license.

(2) The name and rank of the Nielsen Designated Market Area(s) in which the brokering and brokered stations are located.

(3) Whether the brokering and brokered stations have overlapping signal contours and, if so, specify the degree of city grade, grade A or grade B overlap.

(4) The date on which the parties entered into the LMA.

(5) Information regarding the term of the LMA—specifically, the start and end dates of the initial term of the LMA, whether the LMA includes renewal provisions, and, if so, the specific terms of such renewal provisions, e.g., length, at which party's option the renewal may be exercised, whether renewal is automatic, notice for exercising renewal option, etc.

(6) The percentage of the brokered station's weekly broadcast hours that is brokered to the brokering station.

(7) Whether the brokering or brokered stations are owned by or affiliated with the ABC, CBS, Fox, NBC, UPN, or WB broadcast television networks. If so, please specify the identity of the network and whether the relationship between network and station is that of ownership or affiliation.

(8) The reported Nielsen all-day audience share (measuring 9 a.m. through midnight) for both the brokering and brokered station during the last three most recent rating periods.

(9) A brief summary of any other information that parties to an LMA, at their option, may wish to bring to the Commission's attention, such as any efficiencies or public interest benefits they believe have resulted from the LMA, whether the station was off the air prior to the LMA being entered into, whether the station has been or is for sale, or whether the station was constructed while under the LMA.

5. This factual information will greatly assist the Commission in considering the proposals in the Attribution Notice regarding the attribution of television LMAs. It is also particularly relevant to the Commission's assessment of the need to grandfather existing television LMAs in the event they are deemed attributable, and the form this grandfathering should take. Parties to existing LMAs are the