

**Correction to Final Rule**

Accordingly, pursuant to the authority delegated to me, the legal airspace description for the Class E airspace area at Frostburg, PA, as published in the **Federal Register** on May 23, 1997 (62 FR 28337) (Federal Register Document 97-13579; page 28337, column 3), is corrected to read as follows:

**§ 71.1 [Corrected]**

\* \* \* \* \*

**AEA PA E5 Frostburg, PA [Corrected]**

Punxsutawney Area Hospital Heliport, PA  
Point In Space coordinates

(Lat 40°57'04" N., long. 79°01'24")

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Point In Space serving Punxsutawney Area Hospital Heliport, excluding that portion that coincides with the Punxsutawney, PA, Class E airspace area.

\* \* \* \* \*

Issued in Jamaica, New York, on August 20, 1997.

**Franklin D. Hatfield,**

*Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 97-24095 Filed 9-10-97; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration**

**21 CFR Parts 10, 20, 25, 71, 101, 170, 171, 312, 314, 511, 514, 570, 571, 601, 812, and 814**

[Docket No. 96N-0057]

**National Environmental Policy Act; Revision of Policies and Procedures; Correction**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of July 29, 1997 (62 FR 40570). The document amended the regulations governing compliance with the National Environmental Policy Act of 1969 (NEPA) as implemented by the regulations of the Council on Environmental Quality (CEQ). The document was published with an error. This document corrects that error.

**EFFECTIVE DATE:** The regulations are effective on August 28, 1997.

**FOR FURTHER INFORMATION CONTACT:** Denver Presley, Office of Information Resources Management (HFA-250), Food and Drug Administration, 5600

Fishers Lane, Rockville, MD 20857, 301-827-1472.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 97-19566, appearing on page 40570 in the **Federal Register** of Tuesday, July 29, 1997, the following correction is made:

1. On page 40591, in the first column, in the last paragraph, in line three, "OMB Control No. 0910-0332" is corrected to read "OMB Control No. 0910-0322".

Dated: August 25, 1997.

**William B. Schultz,**

*Deputy Commissioner for Policy.*

[FR Doc. 97-24121 Filed 9-10-97; 8:45 am]

BILLING CODE 4160-01-F

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[SC31-1-9646a: FRL-5874-9]

**Approval and Promulgation of State Implementation Plan, South Carolina: Listing of Exempt Volatile Organic Compounds**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** On May 6, 1996, the South Carolina Department of Health and Environmental Control submitted revisions to the South Carolina State Implementation Plan (SIP) involving the addition of several compounds to the list of compounds exempt from regulation as Volatile Organic Compounds (VOC). Since these exempt compounds are on the EPA list of such compounds, these revisions are being incorporated into the Federally approved South Carolina SIP.

**DATES:** This action is effective November 10, 1997 unless adverse or critical comments are received by October 14, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Randy Terry at the EPA Regional Office listed below.

Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Air and Radiation Docket and

Information Center (Air Docket 6102),

U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303.

South Carolina Department of Health, and Environmental Control 2600 Bull Street, Columbia, South Carolina 29201-1708.

**FOR FURTHER INFORMATION CONTACT:**

Randy Terry, Regulatory Planning Section, Air Planning Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 61 Forsyth Street SW, Atlanta, Georgia, 30303. The telephone number is (404) 562-9032.

**SUPPLEMENTARY INFORMATION:** On May 6, 1996, the State of South Carolina Department of Health and Environmental Control submitted a notice to amend Chapter 61-62.1. Definitions, Permit Requirements, and Emission Inventory. The Department's Bureau of Air Quality has revised rule 61-62.1. Definition #80, Volatile Organic Compounds to add acetone, parachlorobenzotrifluoride (PCBTf), volatile methyl siloxanes (VMS), and perfluorocarbons (PFCs) to the list of exempted compounds. The U.S. EPA published a final rule on June 16, 1995, [60 FR 31633], to revise 40 CFR 51.100(s) to exempt acetone from regulation as a VOC. EPA published earlier revisions on October 5, 1994 (59 FR 50639, 40 CFR 51.100(s)) to exempt parachlorobenzotrifluoride and volatile methyl siloxanes, and on March 18, 1991, to remove perfluorocarbons (56 FR 11389, 40 CFR 51.100(s)) from the definition of VOC's. Two errors in nomenclature are also being corrected by changing CFC-22 to HCFC-22 and FC-23 to HFC-23.

**Final Action**

EPA is approving South Carolina's notice submitted on May 6, 1996, for incorporation into the South Carolina SIP. The EPA is publishing this action without prior proposal because the EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective November 10, 1997 unless, by October 14, 1997 adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a

subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective November 10, 1997.

The EPA has reviewed this request for revision of the Federally-approved SIP for conformance with the provisions of the 1990 Amendments enacted on November 15, 1990. The EPA has determined that this action conforms with those requirements.

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

## I. Administrative Requirements

### A. Executive Order 12866

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995, memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. 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 Clean Air Act 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 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. U.S.E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2) and 7410(k)(3).

### 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 final rules that include 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 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 federal 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. section 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 November 10, 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 the proceedings to enforce its requirements. (See section 307(b)(2).)

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: May 22, 1997.

**R. F. McGhee,**

*Acting Regional Administrator.*

Part 52 of chapter I, title 40, 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 PP—South Carolina

2. In § 52.2120 (c), the table is amended by revising the entry "Section I" under Regulation No. 62.1 to read as follows:

#### § 52.2120 Identification of plan.

*	*	*	*	*
(c)	*	*	*	*

## AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA

State citation	Title/Subject	State effective date	EPA approval date	Federal Register notice
Regulation No. 62.1 .....	Definitions, Permits Requirements, and Emissions Inventory			
Section I .....	Definitions .....	1/26/96	9/11/97	9/11/97; p. 47760

## AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/Subject	State effective date	EPA approval date	Federal Register notice
[FR Doc. 97-24147 Filed 9-10-97; 8:45 am] BILLING CODE 6560-50-P	<b>PART 73—[AMENDED]</b>  1. The authority citation for Part 73 continues to read as follows:  <b>Authority:</b> Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.  <b>§ 73.202 [Amended]</b> 2. Section 73.202(b), the Table of FM Allotments under Tennessee, is amended by removing Channel 235C3 at Waynesboro and adding Collinwood, Channel 235C3.  Federal Communications Commission. <b>John A. Karousos,</b> <i>Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.</i> [FR Doc. 97-24007 Filed 9-10-97; 8:45 am] BILLING CODE 6712-01-P			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, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.  <b>List of Subjects in 47 CFR Part 73</b>  Radio broadcasting. Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:
<b>FEDERAL COMMUNICATIONS COMMISSION</b>  <b>47 CFR Part 73</b>  [MM Docket No. 97-60; RM-8982]  <b>Radio Broadcasting Services; Waynesboro and Collinwood, TN</b>  <b>AGENCY:</b> Federal Communications Commission.  <b>ACTION:</b> Final rule.  <b>SUMMARY:</b> The Commission, at the request of Ohio Broadcast Associates, reallocates Channel 235C3 from Waynesboro to Collinwood, Tennessee, and modifies Station WFRQ-FM's license to specify Collinwood as its community of license. See 62 FR 07984, February 21, 1997. Channel 235C3 can be allotted to Collinwood in compliance with the Commission's minimum distance separation requirements at the site specified in Station WFRQ-FM's license. The coordinates for Channel 235C3 at Collinwood are 35-08-16 NL and 87-49-43 WL. With this action, this proceeding is terminated.  <b>EFFECTIVE DATE:</b> October 20, 1997.  <b>FOR FURTHER INFORMATION CONTACT:</b> Pam Blumenthal, Mass Media Bureau, (202) 418-2180.  <b>SUPPLEMENTARY INFORMATION:</b> This is a synopsis of the Commission's Report and Order, MM Docket No. 97-60, adopted August 27, 1997, and released September 5, 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, 1231 20th Street, NW, Washington, DC 20036.  <b>List of Subjects in 47 CFR Part 73</b>  Radio broadcasting. Part 73 of title 47 of the Code of Federal Regulations is amended as follows:	<b>FEDERAL COMMUNICATIONS COMMISSION</b>  <b>47 CFR Part 73</b>  [MM Docket No. 96-253; RM-8962]  <b>Radio Broadcasting Services; Bainbridge, GA</b>  <b>AGENCY:</b> Federal Communications Commission.  <b>ACTION:</b> Final rule.  <b>SUMMARY:</b> The Commission, at the request of Chattahoochee Broadcast Associates, allots Channel 270A to Bainbridge, GA, as the community's second local FM service. See 61 FR 67765, December 24, 1996. Channel 270A can be allotted to Bainbridge in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 30-54-30 North Latitude and 84-34-30 West Longitude. With this action, this proceeding is terminated.  <b>DATES:</b> Effective October 20, 1997. The window period for filing applications will open on October 20, 1997, and close on November 20, 1997.  <b>FOR FURTHER INFORMATION CONTACT:</b> Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.  <b>SUPPLEMENTARY INFORMATION:</b> This is a synopsis of the Commission's Report and Order, MM Docket No. 96-253, adopted August 27, 1997, and released September 5, 1997. The full text of this			<b>PART 73—[AMENDED]</b>  1. The authority citation for Part 73 continues to read as follows:  <b>Authority:</b> Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.  <b>§ 73.202 [Amended]</b> 2. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by adding Channel 270A at Bainbridge.  Federal Communications Commission. <b>John A. Karousos,</b> <i>Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.</i> [FR Doc. 97-24005 Filed 9-10-97; 8:45 am] BILLING CODE 6712-01-P  <b>FEDERAL COMMUNICATIONS COMMISSION</b>  <b>47 CFR Part 73</b>  [MM Docket No. 96-196, RM-8878]  <b>Radio Broadcasting Services; Georgetown and Garden City, SC</b>  <b>AGENCY:</b> Federal Communications Commission.  <b>ACTION:</b> Final rule.  <b>SUMMARY:</b> The Commission, at the request of Coastline Communications of Carolina, Inc., reallocates Channel 249C1 from Georgetown to Garden City, South Carolina, and modifies Station WWXM(FM)'s license accordingly. See 61 FR 51075, September 30, 1996. Channel 249C1 can be allotted to Garden City in compliance with the Commission's minimum distance separation requirements with a site restriction of 3 kilometers (1.9 miles)