

predict the effects of inhalation exposure, as an alternative to testing proposed under the HAPs rule.

On October 18, 1996, EPA extended the public comment period on the proposed rule from December 23, 1996, to January 31, 1997 (61 FR 54383) (FRL-5571-3). This extension was for the purpose of allowing more time for the submission of PK proposals and adequate time for comments on the proposed rule to be submitted after the Agency had responded to the proposals. EPA has received eight PK proposals for diethanolamine, ethylene dichloride, ethylene glycol, hydrogen fluoride, maleic anhydride, phthalic anhydride, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane. In addition, the Agency has received another proposal to develop an ECA for an alternative testing program for methyl isobutyl ketone. EPA has agreed to review the contents of this proposal and to provide comments on its technical merit and relevance to the proposed HAPs testing requirements.

Due to the complexity of the issues raised by the PK proposals and other issues related to test guidelines, EPA successively extended the public comment period (61 FR 67516, December 23, 1996 (FRL-5580-6); 62 FR 9142, February 28, 1997 (FRL-5592-1); 62 FR 14850, March 28, 1997 (FRL-5598-4); 62 FR 29318, May 30, 1997 (FRL-5722-1); 62 FR 37833, July 15, 1997 (FRL-5732-2)) to allow the Agency more time to respond to the PK proposals and to finalize the test guidelines to be referenced in the proposed HAPs test rule. This extension of the comment period is needed to allow the Agency more time to complete work on amending the proposed HAPs test rule.

EPA has completed seven preliminary technical analyses for the PK proposals that were submitted in response to the Agency's solicitation on June 26, 1996. These include HAPs chemicals: hydrogen fluoride, 1,1,2-trichloroethane, ethylene dichloride, maleic anhydride, phthalic anhydride, 1,2,4-trichlorobenzene, and ethylene glycol. Copies of these preliminary technical analyses have been sent to the submitters and placed in the public record for this action (OPPTS-42187B; FRL-4869-1). The Agency intends to provide comments to the submitter of the other PK proposal as soon as possible but in any event prior to the close of the comment period. EPA also recognizes that submitters may need to revise their proposals based on EPA comments. If the Agency decides to proceed with the ECA process, EPA will announce, in the **Federal Register**, one

or more public meetings to discuss the proposals and to negotiate ECAs. In that document, the Agency will solicit persons interested in participating in or monitoring negotiations to develop ECAs based on: the PK testing proposals or revisions thereof, EPA's preliminary technical analyses, and additional comments on EPA's preliminary technical analyses provided by the submitters. The procedures for ECA negotiations are described at 40 CFR 790.22(b).

The Agency emphasizes that the submission of proposals to develop ECAs to conduct alternative testing using PK is no guarantee that EPA and the submitters will, in fact, conclude such agreements. Therefore, EPA urges all submitters of PK proposals to comment on the HAPs proposed rule as an activity separate from the PK proposal/ECA process.

On August 15, 1997, EPA promulgated eleven new TSCA test guidelines (62 FR 43820) (FRL-5719-5), codified at 40 CFR part 799, subpart H. These TSCA part 799 test guidelines were developed based on the OPPTS harmonized guidelines that were developed from the OPPTS guideline harmonization process. In the original HAPs proposal and subsequent notices extending the comment period on the rule, EPA indicated that, for the purposes of this rulemaking and testing under TSCA section 4(a), the Office of Pollution Prevention and Toxics (OPPT) intends to reference final TSCA test guidelines developed from the OPPTS harmonized guidelines. The eleven TSCA test guidelines are included in the record for this rulemaking.

EPA is amending the proposed HAPs test rule to reference the eleven new TSCA part 799 test guidelines and to seek comment on the guidelines as referenced in enforceable test standards in the forthcoming amended HAPs proposal. In addition, the amendment will provide a revised economic assessment and describe other changes and clarifications to the proposed test rule. This amendment to the proposed HAPs test rule will be published in the **Federal Register** as soon as possible but in any event no later than December 1, 1997.

II. Public Record

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket control number (OPPTS-42187A; FRL-4869-1) (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 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located in the TSCA Nonconfidential Information Center, Rm NE-B607, 401 M St., SW., 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-42187A; FRL-4869-1). Electronic comments on the proposed rule may be filed online at many Federal Depository Libraries.

List of Subjects in 40 CFR Part 799

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: September 22, 1997.

Charles M. Auer,

Chemical Control Division, Office of Pollution Prevention and Toxics.

Accordingly, EPA is extending the comment period on the proposed rule to December 1, 1997.

[FR Doc. 97-25657 Filed 9-25-97; 8:45 am]

BILLING CODE 6560-50-F

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

41 CFR Parts 51-2, 51-4, and 51-6

Miscellaneous Amendments to Committee Regulations

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed rule.

SUMMARY: The Committee is proposing to make changes to five sections of its regulations to clarify them and improve the efficiency of operation of the Committee's Javits-Wagner-O'Day (JWOD) Program. The changes are necessary to clarify and expand earlier regulation changes and to eliminate unnecessary regulatory language.

DATES: Submit comments on or before November 25, 1997.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely

Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

FOR FURTHER INFORMATION CONTACT: G. John Heyer (703) 603-7740. Copies of this notice will be made available on request in computer diskette format.

SUPPLEMENTARY INFORMATION: The Committee is proposing to amend § 51-2.4 of its regulations to clarify further that its authorizing statute, the JWOD Act, 41 U.S.C. 46-48c, treats addition of commodities and services to the Procurement List and the establishment by the Committee of a fair market price as two separate functions and applies the requirement for notice and comment rulemaking only to the addition function. This area was first addressed in 1994 (59 FR 59338, Nov. 16, 1994) with the removal of fair market price from the list of suitability criteria for Procurement List additions, in accordance with a 1992 court decision, *McGregor Printing Corporation v. Kemp*, 802 F. Supp. 519, 527 (D.D.C.), *rev'd on other grounds*, 20 F.3d 1188 (D.C. Cir. 1994). The proposed amendment states that the Committee does not consider comments on proposed fair market prices for commodities and services proposed for addition to the Procurement List to be pertinent to a suitability determination. Accordingly, they will not be addressed when the Committee makes an addition decision. This amendment will not affect the ability of Government and other appropriate parties to comment on proposed fair market prices and price changes in connection with the Committee's fair market pricing process. The Committee also proposes to remove paragraph 51-2.4(a)(4)(C) of its regulations to eliminate one of two essentially redundant statements in § 51-2.4 to the effect that the Committee considers pertinent comments when making its addition decisions.

The Committee also amended paragraphs (b)(6) and (c)(1) of § 51-4.3 of its regulations in 1994 (59 FR 59343) to allow the acceptance of State certifications of blindness or other severe disabilities as documentation of disability, in additions to reports by individual health professionals. Many of these certifications, however, are done by health professionals at local governmental bodies, such as public schools. The proposed amendment would allow acceptance of these certifications.

Paragraph (c) of § 51-4.4 of the Committee's regulations permits nonprofit agencies participating in the JWOD Program to subcontract a portion of the process for providing a

commodity on the Procurement List. The proposed amendment would extend this permission to services on the Procurement List, and would specify how the Committee will oversee routine subcontracting of a part of the production process.

Paragraph (c) of § 51-6.12 of the Committee's regulations requires Government contracting activities to provide a 90-day notice when changing the scope of work of a service on the Procurement List. The proposed amendment would make it clear that this notice requirement also applies to situations where the contracting activity converts a service to performance by Government personnel.

Prior to the 1991 revision of the Committee's regulations (56 FR 48974, Sept. 26, 1991), the matters contained in current parts 51-5 and 51-6 were in a single part 51-5, which had a disputes provision applicable to the entire part of the Committee's regulations. The proposed amendment clarifies the disputes provision, § 51-6.14, to state its applicability to both parts 51-5 and 51-6.

Regulatory Flexibility Act

I certify that this proposed revision of the Committee regulations will not have a significant economic impact on a substantial number of small entities because the revision clarifies program policies and does not essentially change the impact of the regulations on small entities.

Paperwork Reduction Act

The Paperwork Reduction Act does not apply to this proposed rule because it contains no new information collection or recordkeeping requirements as defined in that Act and its regulations.

Executive Order No. 12866

The Committee has been exempted from the regulatory review requirements of the Executive Order by the Office of Information and Regulatory Affairs. Additionally, the proposed rule is not a significant regulatory action as defined in the Executive Order.

List of Subjects in 41 CFR Parts 51-2, 51-4, and 51-6

41 CFR Part 51-2

Organization and functions
(Government agencies)

41 CFR Part 51-4

Reporting and recordkeeping requirements.

41 CFR Part 51-6

Government procurement,
Handicapped.

For the reasons set out in the preamble, Parts 51-2, 51-4, and 51-6 of Title 41, Chapter 51 of the Code of Federal Regulations are proposed to be amended as follows:

1. The authority citation for Parts 51-2, 51-4, and 51-6 continues to read as follows:

Authority: 41 U.S.C. 46-48c.

PART 51-2—COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

2. Section 51-2.4 is amended by removing paragraph (a)(4)(C) and adding a sentence to paragraph (b), to read as follows:

§ 51-2.4 Determination of suitability.

* * * * *

(b) * * * Because the Committee's authority to establish fair market prices is separate from its authority to determine the suitability of a commodity or service for addition to the Procurement List, the Committee does not consider comments on proposed fair market prices for commodities and services proposed for addition to the Procurement List to be pertinent to a suitability determination.

PART 51-4—NONPROFIT AGENCIES

3. Section 51-4.3 is amended by revising paragraphs (b)(6) and (c)(1), to read as follows:

§ 51-4.3 Maintaining qualification.

* * * * *

(b) * * *
(6) Maintain a file for each blind individual performing direct labor which contains a written report reflecting visual acuity and field of vision of each eye, with best correction, signed by a person licensed to make such an evaluation, or a certification of blindness by a State or local governmental entity.

* * * * *

(c) * * *
(1) A written report signed by a licensed physician, psychiatrist, or qualified psychologist, reflecting the nature and extent of the disability or disabilities that cause such person to qualify as a person with a severe disability, or a certification of the disability or disabilities by a State or local governmental entity.

* * * * *

4. Section 51-4.4 is amended by revising paragraph (c), to read as follows:

§ 51-4.4 Subcontracting.

* * * * *

(c) Nonprofit agencies may subcontract a portion of the process for producing a commodity or providing a service on the Procurement List provided that the portion of the process retained by the prime nonprofit agency generates employment for persons who are blind or have other severe disabilities. Subcontracting intended to be a routine part of the production of a commodity or provision of a service shall be identified to the Committee at the time the commodity or service is proposed for addition to the Procurement List and any significant changes in the extent of subcontracting must be approved in advance by the Committee.

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PART 51-6—PROCUREMENT PROCEDURES

5. Section 51-6.12 is amended by revising paragraph (c), to read as follows:

§ 51-6.12 Specification changes and similar actions.

* * * * *

(c) For services on the Procurement List, the contracting activity shall notify the nonprofit agency furnishing the service and the central nonprofit agency concerned at least 90 days prior to the date that any changes in the statement of work or other conditions of performance will be required, including assumption of performance of the service by the contracting activity.

* * * * *

6. Section 51-6.14 is revised to read as follows:

§ 51-6.14 Disputes.

Disputes between a nonprofit agency and a contracting activity arising out of matters covered by parts 51-5 and 51-6 of this chapter shall be resolved, where possible, by the contracting activity and the nonprofit agency, with assistance from the appropriate central nonprofit agency. Disputes which cannot be resolved by these parties shall be referred to the Committee for resolution.

Dated: September 23, 1997.

Beverly L. Milkman,

Executive Director

[FR Doc. 97-25610 Filed 9-25-97; 8:45 am]

BILLING CODE 6353-01-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[MM Docket No. 97-203, RM-9132]

Radio Broadcasting Services; Wallace, ID and Lolo, MT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by Hawkeye Radio Properties, Inc., permittee of Station KQWK(FM), Channel 248C2, Wallace, Idaho, requesting the reallocation of Channel 248C2 to Lolo, Montana, as a Class C3 channel, and modification of its authorization accordingly, pursuant to the provisions of § 1.420(i) of the Commission's Rules. Coordinates used for Channel 248C3 at Lolo, Montana, are 46-53-07 and 114-06-30. As Lolo, Montana, is located within 320 kilometers (199 miles) of the Canadian border, the Commission must obtain concurrence of the Canadian government to this proposal.

The petitioner's modification proposal complies with the provisions of § 1.420(i) of the Commission's Rules, and therefore, we will not accept competing expressions of interest in the use of Channel 248C3 at Lolo, Montana, or require the petitioner to demonstrate the availability of an additional equivalent class channel.

DATES: Comments must be filed on or before November 10, 1997, and reply comments on or before November 25, 1997.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Dale A. Ganske, President, Hawkeye Radio Properties, Inc., 5546-3 Century Avenue, Middleton, WI 53562.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-203, adopted September 10, 1997, and released September 19, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC'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 contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

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

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BILLING CODE 6712-01-F

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[MM Docket No. 97-194; RM-9128]

Radio Broadcasting Services; Shelley and Island Park, ID

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Woodcom, Inc. seeking the substitution of Channel 292C1 for Channel 300C at Shelley, Idaho, and modification of its authorization (File No. BPH950123MH) to specify operation on the lower class channel. Additionally, to accommodate the requested substitution at Shelley, petitioner requests the substitution of Channel 300C for Channel 293C at Island Park, Idaho, for which an application is pending. Coordinates designated for Channel 292C1 at Shelley are 43-06-45 and 112-29-34. Coordinates specified for Channel 300C at Island Park are those set forth in the pending application at Island Park at 44-10-31 and 111-25-47.

Additionally, petitioner's modification proposal is consistent with the provisions of § 1.420(g)(2) of the Commission's Rules as an additional