

a significant economic impact on a substantial number of small entities, because this rule imposes no additional regulatory requirements, but merely expands the types of flares that may be used to meet the requirements of 40 CFR parts 60 and 63. The Administrator certifies that this rule will not have a significant economic impact on small entities.

#### *D. Unfunded Mandates Reform Act*

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

The EPA has determined that the final standards do not include a Federal mandate that may result in estimated costs of, in the aggregate, \$100 million or more to either State, local, or tribal governments, or to the private sector, nor do the standards significantly or uniquely impact small governments, because they contain no requirements that apply to such governments or impose obligations upon them. Therefore, the requirements of the Unfunded Mandates Act do not apply to this proposed rule.

#### **List of Subjects**

##### **40 CFR Part 60**

Environmental protection, and Air pollution control.

##### **40 CFR Part 63**

Environmental protection, Air pollution control, and Hazardous substances.

Dated: April 17, 1998.

**Carol M. Browner,**

*Administrator.*

[FR Doc. 98-11261 Filed 5-1-98; 8:45 am]

BILLING CODE 6560-50-P

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[MM Docket No. 98-58, RM-9252]

#### **Radio Broadcasting Services; Brewster, MA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Brewster Broadcasting Company proposing the allotment of Channel 232A to Brewster, Massachusetts, as that community's first local broadcast service. The channel can be allotted to Brewster with a site restriction 6.3 kilometers (3.9 miles) west of the community at coordinates 41-46-31 and 70-00-38..

**DATES:** Comments must be filed on or before June 15, 1998, and reply comments on or before June 30, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Gary S. Smithwick, Smithwick & Belendiuk, P.C., 1990 M Street, NW., Suite 510, Washington, D.C. 20036.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-58, adopted April 15, 1998, and released April 24, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission'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 contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

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* contact.

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.*

[FR Doc. 98-11737 Filed 5-1-98; 8:45 am]

BILLING CODE 6712-01-F

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[MM Docket No. 98-59; RM-9256]

#### **Radio Broadcasting Services; Casper, Wyoming**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Citicasters Co. proposing the allotment of Channels 228C1, 243C1, and 263C1 at Casper, Wyoming, as the community's eighth, ninth, and tenth local commercial FM transmission services. Channel 228C1 can be allotted to Casper in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.9 kilometers southwest to avoid a short-spacing to the allotment reference site for Channel 228A, Moorcroft, Wyoming. The coordinates for Channel 228C1 at Casper are North Latitude 42-47-45 and West Longitude 106-22-53. Additionally, Channel 243C1 can be allotted at Casper with a site restriction of 3.5 kilometers (2.2 miles) southeast to avoid a short-spacing to the construction permit site of Station KYTI(FM), Channel 243C3, Sheridan, Wyoming; and Channel 263C1 can be allotted to Casper with site restriction of 9.7 kilometers (6.0 miles) southwest to avoid a short-spacing to the licensed site of Station KGWY(FM), Channel 264C1, Gillette, Wyoming. *See* Supplementary Information, *infra*.

**DATES:** Comments must be filed on or before June 15, 1998, and reply comments on or before June 30, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Cindy D. Jackson, Hogan & Hartson, L.L.P., 555 13th Street, NW., Washington, DC 20004-1009 (Counsel for Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-59, adopted April 15, 1998, and released April 24, 1998. 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, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

The coordinates for Channel 243C1 at Casper are North Latitude 42-49-13 and West Longitude 106-17-22; and the coordinates for Channel 263C1 at Casper are North Latitude 42-46-05 and West Longitude 106-21-56.

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.*

[FR Doc. 98-11736 Filed 5-1-98; 8:45 am]

BILLING CODE 6712-01-F

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[MM Docket No. 98-57, RM-9251]

##### Radio Broadcasting Services; Jacksonville and Center, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Robert W. Shivery requesting the substitution

of Channel 272C2 for Channel 272A at Jacksonville, Texas, and the modification of Station KLJT(FM)'s license to reflect the higher powered channel. To accommodate the upgrade at Jacksonville, Shivery also requests the substitution of Channel 272A for Channel 263A and the change of transmitter site for Station KDET(FM) at Center, Texas, and the modification of Station KDET(FM)'s license accordingly. Channel 272C2 and Channel 263A can be allotted to Jacksonville and Center, respectively, in compliance with the Commission's minimum distance separation requirements. Channel 272C2 can be allotted to Jacksonville with a site restriction of 14.4 kilometers (9.0 miles) southeast at coordinates 31-52-52 NL and 95-09-30 WL. Channel 263A can be allotted to Center with a site restriction of 12.6 kilometers (7.8 miles) southeast at coordinates 31-42-13 NL and 94-06-05 WL. As requested, we also propose to modify the license for Station KLJT(FM) to specify operation on Channel 272C2. In accordance with Section 1.420(g) of the Commission's Rules, we will not accept competing expressions of interest for the use of Channel 272C2 at Jacksonville or require petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

**DATES:** Comments must be filed on or before June 15, 1998, and reply comments on or before June 30, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: David Tillotson, 4606 Charleston Terrace, NW, Washington, DC 20007 (Counsel for petitioner).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-57, adopted April 15, 1998, and released April 24, 1998. 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, ITS, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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.*

[FR Doc. 98-11735 Filed 5-1-98; 8:45 am]

BILLING CODE 6712-01-F

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[MM Docket No. 98-53, RM-9253]

##### Radio Broadcasting Services; Malvern and Bryant, AR

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Malvern Entertainment Corporation, licensee of Station KBOK-FM, Channel 227A, Malvern, Arkansas, requesting the reallocation of Channel 227A from Malvern to Bryant, Arkansas, and modification of the license for Station KBOK-FM to specify Bryant as its community of license, pursuant to the provisions of Section 1.420(i) of the Commission's Rules. Coordinates used for Channel 227A at Bryant are 34-30-30 NL and 92-32-42 WL.

**DATES:** Comments must be filed on or before June 15, 1998, and reply comments on or before June 30, 1998.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Jerrold Miller, Esq., Miller & Miller, P.C., P.O. Box 33003, Washington, DC 20033.

**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. 98-53, adopted April 8, 1998, and