

determined that this rule is not a significant regulatory action as defined by the Executive Order, so is not subject to review under the Executive Order.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because the rule would clarify FDA policy, the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Therefore, under the Regulatory Flexibility Act, no further analysis is required.

Section 202 of the Unfunded Mandates Reform Act requires that agencies prepare an assessment of anticipated costs and benefits before proposing any expenditure by State, local, and tribal governments, in the aggregate, or by the private sector of \$100 million (adjusted annually for inflation) in any one year. The final rule allowing greater flexibility in the labeling of new animal drugs for use in milk-producing animals is estimated to result in insignificant expenditures of funds by the private sector, and none by State, local, and tribal governments. Because the expenditures are estimated to be insignificant, FDA is not required to perform a cost/benefit analysis according to the Unfunded Mandates Reform Act.

#### IV. Paperwork Reduction Act of 1995

FDA has determined that this rule contains no collections of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). FDA concludes that the labeling requirements described in this document are not subject to review by the Office of Management and Budget (OMB) because they do not constitute a "collection of information" but rather constitute warning statements that are a "public disclosure of information originally supplied by the Federal Government to the recipient for the purpose of disclosure to the public" (5 CFR 1320.3(c)(2)). For that portion of the labeling statement required by § 510.105(c)(2) that is not supplied to the manufacturer (the number of hours necessary to avoid residue in milk used for food), the necessary information is already required under a separate regulation (§ 514.1(b)(7)(i)). This information has already been cleared by OMB (OMB Control number 0910–0032).

#### V. Federalism

FDA has analyzed the final rule in accordance with the principles set forth in Executive Order 12612 and has determined that this final rule does not

warrant the preparation of a Federalism Assessment.

#### List of Subjects in 21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 510 is amended as follows:

#### PART 510—NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 510 continues to read as follows:

**Authority:** 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

2. Section 510.105 is amended by revising paragraph (c)(2) to read as follows:

##### § 510.105 Labeling of drugs for use in milk-producing animals.

\* \* \* \* \*

(c) \* \* \*

(2) The label should bear the following statement: "Warning: Milk that has been taken from animals during treatment and for \_\_\_\_\_ hours after the latest treatment must not be used for food", the blank being filled in with the figure that the manufacturer has determined by appropriate investigation is needed to insure that the milk will not carry violative residues resulting from use of the preparation. If the use of the preparation as recommended does not result in contamination of the milk, neither of the above warning statements is required.

3. Section 510.106 is revised to read as follows:

##### § 510.106 Labeling of antibiotic and antibiotic-containing drugs intended for use in milk-producing animals.

Whenever the labeling of an antibiotic drug included in the regulations in this chapter suggests or recommends its use in milk-producing animals, the label of such drugs shall bear either the statement "Warning: Not for use in animals producing milk, since this use will result in contamination of the milk" or the statement "Warning: Milk that has been taken from animals during treatment and for \_\_\_\_\_ hours after the latest treatment must not be used for food", the blank being filled in with the figure that the Commissioner has authorized the manufacturer of the drug to use. The Commissioner shall determine what such figures shall be from information submitted by the manufacturer and which the Commissioner considers is adequate to

prove that period of time after the latest treatment that the milk from treated animals will contain no violative residues from use of the preparation. If the Commissioner determines from the information submitted that the use of the antibiotic drug as recommended does not result in its appearance in the milk, the Commissioner may exempt the drug from bearing either of the above warning statements.

Dated: June 9, 1998.

**William K. Hubbard**

*Associate Commissioner for Policy Coordination.*

[FR Doc. 98–16063 Filed 6–16–98; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[AR–2–1–7393; FRL–6111–3]

##### Approval and Promulgation of State Implementation Plans; Arkansas; Recodification of Air Quality Control Regulations and Correction of Sulfur Dioxide Enforceability Deficiencies

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

**ACTION:** Removal of direct final rule amendments.

**SUMMARY:** On April 10, 1998 (63 FR 17680), EPA published a direct final approval and a proposed approval (63 FR 17793), of a revision to the Arkansas State Implementation Plan (SIP) which added Arkansas Department of Pollution Control and Ecology Regulation #19, "Compilation of Regulations of the Arkansas State Implementation Plan for Air Pollution Control," as adopted by the Arkansas Commission on Pollution Control and Ecology on July 24, 1992, and submitted to EPA on September 14, 1992. The direct final action was published without prior proposal because the Agency anticipated no adverse comments. The EPA received adverse comments on the two April 10, 1998, actions. The commenters asked EPA not to consider the regulation as a revision to the Arkansas SIP. In addition, EPA also received a letter from the Governor of Arkansas dated May 8, 1998, requesting that the **Federal Register** approval of the 1992 Regulation #19 be withdrawn and that the 1992 submittal be returned to the State. Therefore, Region 6 is withdrawing its direct final approval action by removing the amendments made by the direct final rule and restoring the regulatory text

that existed prior to the direct final rule, and returning the 1992 Regulation #19 submittal to the State, thereby mooted the proposed approval action. No further action will be taken by EPA on this September 14, 1992, SIP revision submittal. The Arkansas regulations approved by EPA in 1975 and last approved by EPA at 40 CFR 52.170(c)(27) in 1991 will continue to be the Arkansas SIP-approved regulations.

**EFFECTIVE DATE:** June 17, 1998.

**FOR FURTHER INFORMATION CONTACT:** Bill Deese, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202, Telephone (214) 665-7253.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule located in the final rules section and the short informational document located in the proposed rules section of the April 10, 1998, **Federal Register**.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides, Volatile organic compounds.

Dated: June 8, 1998.

**Gregg A. Cooke,**  
Regional Administrator, Region 6.

For the reasons set out in the preamble 40 CFR part 52 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 et seq.

#### § 52.170 [Amended]

2. Section 52.170 is amended by removing paragraph (c)(29).

3. Section 52.181 is amended by revising paragraph (a) to read as follows:

#### § 52.181 Significant deterioration of air quality.

(a) The plan submitted by the Governor of Arkansas on April 23, 1981 [as adopted by the Arkansas Commission on Pollution Control and Ecology (ACPCE) on April 10, 1981], June 3, 1988 (as revised and adopted by the ACPCE on March 25, 1988), and June 19, 1990 (as revised and adopted by the ACPCE on May 25, 1990), Prevention of Significant Deterioration (PSD) Supplement Arkansas Plan of Implementation For Air Pollution Control, is approved as meeting the requirements of Part C, Clean Air Act for

preventing significant deterioration of air quality.

\* \* \* \* \*

[FR Doc. 98-16080 Filed 6-16-98; 8:45 am]

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

#### Radio Broadcasting Services; Various Locations

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

**EFFECTIVE DATE:** June 17, 1998.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, adopted May 29, 1998, and released June 5, 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 Service, Inc., 1231 20th Street, NW, Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by removing Channel 285C3 and adding Channel 285C2 at Willcox.

3. Section 73.202(b), the Table of FM Allotments under Iowa, is amended by removing Channel 298A and adding Channel 298C3 at Castana.

4. Section 73.202(b), the Table of FM Allotments under Missouri, is amended by removing Channel 260A and adding Channel 260C3 at Macon.

5. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Channel 295C1 and adding Channel 294C1 at Clinton.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 98-16068 Filed 6-16-98; 8:45 am]

BILLING CODE 6712-01-P

### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; Notice of Determination To Retain Endangered Status for the Bruneau Hot Springsnail in Southwestern Idaho Under the Endangered Species Act

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of determination.

**SUMMARY:** The U.S. Fish and Wildlife Service, in a court-ordered reconsideration of the 1993 final listing decision, affirms its earlier determination that listing the Bruneau Hot Springsnail (*Pyrgulopsis bruneauensis*) as endangered is appropriate. Federal protection pursuant to the Endangered Species Act of 1973 (Act), as amended, for the Bruneau Hot Springsnail is thus continued. This species occurs only in a complex of flowing thermal springs arising from a single source aquifer along the Bruneau River in Owyhee County, Idaho. Bruneau Hot Springsnails are not known to occur elsewhere and have not been located outside of the thermal plumes of hot springs entering the Bruneau River. The primary threat to this species is the reduction of thermal spring habitats from agricultural-related ground water withdrawal/pumping.

**DATES:** The effective date of this notice is June 17, 1998.