

**PART 73—RADIO BROADCAST SERVICES**

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 Alabama, is amended by removing Channel 270C and adding Channel 270C0 at Montgomery.

3. Section 73.202(b), the Table of FM Allotments under Alaska, is amended by removing Channel 273C and adding Channel 273C1 and by removing Channel 284C3 and adding Channel 284C1 at Fairbanks.

4. Section 73.202(b), the Table of FM Allotments under Colorado, is amended by removing Channel 243C1 and adding Channel 243A at Julesburg.

5. Section 73.202(b), the Table of FM Allotments under Iowa, is amended by removing Channel 292C3 and adding Channel 295C3 at Bloomfield.

6. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 293A and adding Channel 293C3 at Atlanta.

7. Section 73.202(b), the Table of FM Allotments under Nebraska, is amended by removing Channel 275C0 and adding Channel 275A at Imperial.

8. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 288A and adding Channel 287C3 at Levelland and by removing Channel 229A and adding Channel 230C3 at Uvalde.

9. Section 73.202(b), the Table of FM Allotments under Vermont, is amended by removing Channel 277C3 and adding Channel 277C2 at Waterbury.

10. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by removing Channel 247C1 and adding Channel 244C2 at Casper, by removing Channel 244C3 and adding Channel 244C2 at Laramie,<sup>1</sup> and by removing Channel 299C and adding Channel 300C at Midwest.<sup>2</sup>

11. Section 73.202(b), the Table of FM Allotments under Guam, is amended by removing Channel 262C2 and adding Channel 262C1 at Agana.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 01-24137 Filed 9-27-01; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

**[DA No. 01-2145; MM Docket No. 01-134; RM-10137]**

**Television Broadcasting Services; Elk City, OK and Borger, TX**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document reallots Channel 31 from Elk City, Oklahoma to Borger, Texas, and modifies the authorization for Station KBCA to specify operation on Channel 31 at Borger in response to a petition filed by TV 31, L.L.C. *See* 66 FR 35767, July 9, 2001. The coordinates for Channel 31 at Borger are 35-41-56 and 100-53-34.

**DATES:** Effective October 29, 2001.

**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, MM Docket No. 01-134, adopted September 5, 2001, and released September 14, 2001. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

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

Television broadcasting.

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

**PART 73—RADIO BROADCAST SERVICES**

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

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

**§ 73.606 [Amended]**

2. Section 73.606(b), the Table of TV Allotments under Oklahoma, is amended by removing Channel 31 at Elk City.

3. Section 73.606(b), the Table of TV Allotments under Texas, is amended by adding Borger, Channel 31.

Federal Communications Commission.

**John A. Karousos,**

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

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**BILLING CODE 6712-01-P**

**DEPARTMENT OF TRANSPORTATION****Research and Special Programs Administration****49 CFR Parts 173 and 179**

**[Docket No. RSPA-2001-9567 (HM-189R)]**

**RIN 2137-AD51**

**Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications; Correction**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** On Tuesday, August 28, 2001, RSPA published a final rule under Docket HM-189R which amended the Hazardous Materials Regulations (HMR) to correct inconsistencies in terminology and editorial errors to improve the clarity of the HMR. This final rule makes certain corrections to the August 28, 2001 final rule.

**EFFECTIVE DATE:** September 27, 2001.

**FOR FURTHER INFORMATION CONTACT:** Gigi Corbin, Office of Hazardous Materials Standards, (202) 366-8553, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001.

**SUPPLEMENTARY INFORMATION:****Background**

On August 28, 2001, RSPA published a final rule under Docket HM-189R (66 FR 45376) to correct inconsistencies in terminology and minor editorial errors to improve the clarity of the HMR. This final rule makes minor corrections to the August 28, 2001 final rule, which was effective September 27, 2001.

Because the amendments do not impose new requirements, notice and public procedure are unnecessary. The following is a summarization of the corrections made under this final rule.

**Summary of Changes****Part 173**

In amendatory instruction 55, for the entry for § 173.133, we are removing the reference for paragraph (b)(1)(ii). In addition, we are adding new amendatory instruction 71a. to correct the formula in § 173.133, paragraph

<sup>1</sup> Station KKRR, Laramie, Wyoming, was previously modified from Channel 244A to Channel 244C3. *See* 66 FR 20608, April 24, 2001.

<sup>2</sup> Station KRVK, Midwest, Wyoming, was previously modified from Channel 300A to Channel 299C. *See* 66 FR 20608, April 24, 2001.

(b)(1)(ii), by removing the acronym “ml” and adding the acronym “mL” in its place.

Part 179

In amendatory instruction 198, for the entry “§ 179.220–24” the word “heading” is removed.

Accordingly, in the final rule, FR Doc. 01–16660, published at 66 FR 45376, make the following corrections:

PART 173—[CORRECTED]

§ 173.133 [Corrected]

1. On page 45381, in column 1, in amendatory instruction 55, for the entry § 173.133, the paragraph reference “(b)(1)(ii),” is removed.

2. On page 45382, in column 1, a new amendatory instruction 71a. is added to read as follows:

71a. In § 173.133, in paragraph (b)(1)(ii), the formula is revised to read as follows:

§ 173.133 Assignment of packing group and hazard zones for Division 6.1 materials.

- (b) \* \* \*
- (1) \* \* \*
- (ii) \* \* \*

$$V_i = P_i \times \frac{10^6}{101.3} \text{ mL/m}^3$$

PART 179—[CORRECTED]

§ 179.220–24 [Corrected]

3. On page 45390, in column 2, in amendatory instruction 198, for the entry “179.220–24” remove the word “heading”.

Issued in Washington, DC, on September 21, 2001, under authority delegated in 49 CFR part 1.

Edward A. Brigham,  
Acting Deputy Administrator.  
[FR Doc. 01–24417 Filed 9–27–01; 8:45 am]  
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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Parts 233, 235 and 236

[FRA Docket No. RSSI–1; Notice No. 2]

RIN 2130—AB06; 2130—AB05

Signal and Train Control;  
Miscellaneous Amendments

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final Rule.

**SUMMARY:** On May 30, 1996, FRA, by issuing an Interim Final Rule, amended FRA’s signal system reporting requirements to reduce signal system reporting burdens on the rail industry. At that time FRA also amended its regulations governing applications for approval of discontinuance or material modification of a signal system and also consolidated certain pneumatic valve cleaning and testing intervals to eliminate overlapping and unnecessary test schedules. This document discusses comments received in response to the notice of Interim Final Rule and adopts the Interim Final Rule as a permanent final rule.

**EFFECTIVE DATE:** This regulation is effective September 28, 2001.

**FOR FURTHER INFORMATION CONTACT:** William Goodman, Staff Director, Signal and Train Control, Office of Safety, FRA, 400 Seventh Street, SW., Washington, DC 20590 (telephone 202–493–6325), or Mark Tessler, Office of Chief Counsel, FRA, 400 Seventh Street, SW., Washington, DC 20590 (telephone 202–493–6061).

SUPPLEMENTARY INFORMATION:

Background

On July 1, 1996, FRA published an Interim Final Rule (61 FR 33871) in which the agency made minor changes in reporting requirements. FRA solicited comments on the interim final rule and stated that those comments would be considered in determining whether there would be a need to take further action to improve these regulations.

FRA received comments from three parties: the Brotherhood of Railroad Signalmen (BRS), Association of American Railroads (AAR); and Consolidated Rail Corporation (Conrail). All commenters were in general agreement that the regulatory changes were beneficial, however they provided various comments regarding certain provisions.

Section By Section Analysis

Section 233.9 Signal System Reporting Requirements

The Signal Systems Annual Report has historically been used to monitor changes in the types of signal systems installed on the nation’s railroads. Based on its regulatory review, FRA concluded that the signal system information base could be maintained while at the same time the reporting burden imposed on railroads could be reduced. FRA concluded that the information provided by this report does not need to be updated annually. FRA therefore amended this section to provide for filing of signal system

reports every five years rather than on an annual basis, as was previously required. This more realistic time frame will reduce the reporting burden to the industry while maintaining an adequate information base. FRA also revised the information to be reported in order to reflect technological changes and FRA information needs. There was no opposition to this section.

Section 235.7 Changes Not Requiring Filing of Application

Section 235.7 specifies those modifications to railroad signal systems that can be made by a railroad without the necessity of filing an application for FRA approval. Section 235.7(c)(24) provides that it is not necessary to file an application for approval for the installation, relocation, or removal of signals, interlocked switches, derails, movable-point frogs, or electric locks in an existing system directly associated with the installation of new track; the elimination of existing track other than a second main track; the extension or shortening of a passing siding; elimination of second main track in certain stated circumstances or a line relocation. FRA added to this list of changes not requiring pre-approval from FRA the conversion of pole line circuits to electronic (coded) track circuits provided that the railroad gives notice and a profile plan of the change to the FRA regional office having jurisdiction over that territory at least 60 days in advance of the change. In addition, the amendment requires the railroad to also provide a copy of the notice and profile plan to representatives of employees responsible for maintenance, inspection and testing of the signal system under 49 CFR part 236.

The AAR, while it “appreciates any efforts by government to reduce reporting burdens on railroads,” questioned the wisdom of being required to provide a copy of the advance notice to representatives of employees responsible for maintenance, inspection and testing of the signal system. The industry trade association stated, “since the union is only one of the several stakeholders in the signal system partnership, AAR questions the appropriateness of its being singled out for special treatment by FRA in the rule.”

FRA notes that no other stakeholder objected to this provision, nor did the AAR suggest that any specific stakeholder receive such notices. Signal maintainers on the line of railroad planning such work are in a perhaps unique position, with a valuable perspective to offer regarding the signal changes. Their involvement in signal