

does not need to consider the use of voluntary consensus standards in developing this proposed rule. EPA invites public comment on this analysis.

VIII. Executive Order 13045

What Is Executive Order 13045?

On April 21, 1997, the President issued Executive Order 13045 entitled Protection of Children From Environmental Health Risks and Safety Risks (62 FR 19883). Under section 5 of the Order, a federal agency submitting a "covered regulatory action" to OMB for review under Executive Order 12866 must provide information regarding the environmental health or safety effects of the planned regulation on children. A "covered regulatory action" is defined in section 2-202 as a substantive action in a rulemaking, initiated after the date of this order or for which a Notice of Proposed Rulemaking is published 1 year after the date of this order, that is likely to result in a rule that may be "economically significant" under Executive Order 12866 and concern an

environmental health risk or safety risk that an agency has reason to believe may disproportionately affect children.

Does Executive Order 13045 Apply to This Proposed Rule?

This proposed rule is not a "covered regulatory action" as defined in the Order and accordingly is not subject to section 5 of the Order. As discussed above this proposed rule does not constitute economically significant action (i.e., it is not expected to have an annual adverse impact of \$100 million or more) under Executive Order 12866. Further, this rule does not concern an environmental health risk or safety risk that disproportionately affects children.

IX. Paperwork Reduction Act

What Is the Paperwork Reduction Act?

According to the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information that requires OMB approval under the PRA, unless it has been approved by

OMB and displays a currently valid OMB control number. The OMB control numbers for EPA's regulations, after initial display in the preamble of the final rules, are listed in 40 CFR part 9. The information collection requirements related to this action have already been approved by OMB pursuant to the PRA under OMB control number 2070-0012 (EPA ICR No. 574).

Does the Paperwork Reduction Act Apply to This Proposed Rule?

This action does not impose any burden requiring OMB approval under the Paperwork Reduction Act.

X. Executive Order 12875

What is Executive Order 12875 and is it Applicable to This Proposed Rule?

Enhancing the Intergovernmental Partnership—This proposed rule does not impose any enforceable duty or contain any unfunded mandate that would require any prior consultation with State, local or tribal officials under Executive Order 12875.

TABLE 1.—NATIONAL PRIORITIES LIST PROPOSED RULE NO. 25, GENERAL SUPERFUND SECTION

State	Site name	City/county	Group
CA	Pemaco Maywood	Maywood	12
IL	Evergreen Manor Ground Water Contamination	Winnebago County	5/6
IL	Indian Refinery-Texaco Lawrenceville	Lawrenceville	2
LA	Delatte Metals	Ponchatoula	5/6
NC	Davis Park Road TCE	Gastonia	20
NJ	Federal Creosote	Manville Borough	5/6
NJ	Route 561 Dump	Gibbsboro	5/6
NM	North Railroad Avenue Plume	Espanola	5/6
NY	Computer Circuits	Hauppauge	5/6
NY	Lehigh Valley Railroad	Le Roy	5/6
WI	Fox River NRDA/PCB Releases	Green Bay	5/6

Number of Sites Proposed to General Superfund Section: 11.

TABLE 2.—NATIONAL PRIORITIES LIST PROPOSED RULE NO. 25, FEDERAL FACILITIES SECTION

State	Site name	City/county	Group
MD	Andrews Air Force Base	Camp Springs	5/6
MD	Brandywine DRMO	Brandywine	5
VA	Little Creek Naval Amphibious Base	Virginia Beach	5/6

Number of Sites Proposed to Federal Facilities Section: 3.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous materials, Intergovernmental relations, Natural resources, Oil pollution, Reporting and recordkeeping requirements, Superfund, Waste treatment and disposal, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: July 20, 1998.

Timothy Fields, Jr.,

Acting Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 98-20155 Filed 7-27-98; 8:45 am]

BILLING CODE 6560-50-U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-123, RM-9291]

Radio Broadcasting Services; Marysville and Hilliard, OH

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Citicasters Co., licensee of Station WKFX, Channel 289A, Marysville, OH, seeking the reallocation of Channel 289A from Marysville to Hilliard, OH, as the community's first local aural service, and the modification of Station WKFX's license accordingly. Channel 289A can be allotted to Hilliard in compliance with the Commission's minimum distance separation requirements with a site restriction of 12.1 kilometers (7.5 miles) northeast, at coordinates 40-07-47 North Latitude and 83-05-20 West Longitude, to avoid a short-spacing to the licensed site of Station WCHO-FM, Channel 288A, Washington Court House, Ohio, and to the pending application of Station WMXG, Channel 292A, London, Ohio (BPH-971202IE). Canadian concurrence in this allotment is required since Hilliard is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

DATES: Comments must be filed on or before September 8, 1998, and reply comments on or before September 23, 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: Marissa G. Repp, F. William LeBeau, Hogan & Hartson L.L.P., Columbia Square, 555 Thirteenth Street, NW, Washington, DC 20004-1109 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-123, adopted July 8, 1998, and released July 17, 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 Services, 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. 98-20034 Filed 7-27-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-128, RM-9308]

Radio Broadcasting Services; Crystal Falls, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Results Broadcasting Of Iron Mountain, Inc. proposing the allotment of Channel 244A at Crystal Falls, Michigan. Channel 244A can be allotted to Crystal Falls, Michigan, without a site restriction at coordinates 46-05-18 and 88-20-06. Canadian concurrence will be requested for this allotment.

DATES: Comments must be filed on or before September 8, 1998, and reply comments on or before September 23, 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: John F. Garziglia, Patricia M. Chuh, Pepper & Corazzini, L.L.P., 1776 K Street, NW, Suite 200, Washington, DC 20006.

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. 98-128, adopted July 7, 1998, and released July 17, 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.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 980715175-8175-01; I.D. 070198B]

RIN 0648-AL35

Fisheries of the Northeastern United States; Vessel Tracking System Power Down Exemption

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes this rule to amend the regulations implementing the Atlantic Sea Scallop and Northeast Multispecies Fishery Management Plans (FMP). This action would change the name Vessel Tracking System (VTS) to Vessel Monitoring System (VMS) and would change the VMS operating requirements for vessels to allow the VMS unit to be turned off if the vessel is out of the water continuously for more than 72 consecutive hours, provided the vessel obtains and complies with a letter of exemption. The change in VMS operating requirements is necessary to address the problem of