

OMB suggestions or recommendations will be documented in the public record.

*D. Enhancing the Intergovernmental Partnership Under Executive Order 12875*

In compliance with Executive Order 12875 we have involved State, local, and tribal Governments in the development of this rule. These governments are not directly impacted by the rule; i.e., they are not required to purchase control systems to meet the requirements of the rule. However, they will be required to implement the rule; e.g., incorporate the rule into permits and enforce the rule. They will collect permit fees that will be used to offset the resource burden of implementing the rule. Two representatives of the State governments have been members of the EPA Work Group developing the rule. The Work Group has met numerous times, and comments have been solicited from the Work Group members, including the State representatives; and their comments have been carefully considered in the rule development. In addition, all States are encouraged to comment on this proposed rule during the public comment period, and the EPA intends to fully consider these comments in the final rulemaking.

*E. Paperwork Reduction Act*

The information collection requirements in this proposed rule have been submitted for approval to OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* An information collection request (ICR) document has been prepared by the EPA, and a copy may be obtained from Sandy Farmer, Information Policy Branch, EPA, 401 M Street SW. (2136), Washington, DC 20460, or by calling (202) 260-2740. The public reporting burden for this collection of information is estimated to average 587 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, 2136, U. S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20503, marked "Attention: Desk Officer for EPA." The final rule will respond to any OMB or public comments on the information collection requirements contained in this proposal.

*F. Regulatory Flexibility Act*

The Regulatory Flexibility Act (or RFA, Public Law 96-354, September 19, 1980) requires Federal agencies to give special consideration to the impact of regulation on small businesses. The RFA specifies that a final regulatory flexibility analysis must be prepared if a proposed regulation will have a significant economic impact on a substantial number of small entities. To determine whether a final RFA is required, a screening analysis, otherwise known as an initial RFA, is necessary.

Regulatory impacts are considered significant if:

- (1) Annual compliance costs increase total costs of production by more than 5 percent, or
- (2) Annual compliance costs as a percent of sales are at least 20 percent (percentage points) higher for small entities, or
- (3) Capital cost of compliance represents a significant portion of capital available to small entities, or
- (4) The requirements of the regulation are likely to result in closures of small entities.

A "substantial number" of small entities is generally considered to be more than 20 percent of the small entities in the affected industry.

Consistent with Small Business Administration (SBA) size standards, a resin producing firm is classified as a small entity if it has less than 1,000 employees, and is unaffiliated with a larger entity. Based upon this, 5 of the 18 firms affected are classified as small.

Data were not readily available to compare compliance costs to production costs (criterion 1) or to capital available to small firms (criterion 3), because the needed data were considered proprietary by those firms. Data were available to examine the remaining two criteria: the potential for closure, and a comparison of compliance costs as a percentage of sales.

No facilities are expected to close; therefore, the fourth criteria was not met. The final criteria was not met either, because the increase in annual compliance costs as a percentage of sales ranged from 0.04 percent to 1.11 percent, and therefore, the increases were not considered significant.

In conclusion, and pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities. The basis for the certification is that the economic impacts for small entities do not meet or exceed the criteria in the Guidelines to the Regulatory Flexibility

Act of 1980, as shown above. Further information on the initial RFA is available in the background information package (see **SUPPLEMENTARY INFORMATION** section near the beginning of this preamble).

*G. Miscellaneous*

In accordance with section 117 of the Act, publication of this proposal was preceded by consultation with appropriate advisory committees, independent experts, and Federal departments and agencies. The Administrator will welcome comments on all aspects of the proposed regulation, including health, economic and technical issues, and on the proposed test methods.

This regulation will be reviewed 8 years from the date of promulgation. This review will include an assessment of such factors as evaluation of the residual health and environmental risks, any overlap with other programs, the existence of alternative methods, enforceability, improvements in emission control technology and health data, and the recordkeeping and reporting requirements.

**List of Subjects in 40 CFR Part 63**

Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Dated: May 30, 1995.

**Carol M. Browner,**  
*Administrator.*

[FR Doc. 95-13924 Filed 6-9-95; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 63**

[FRL-5217-5]

**Methods for the Polymers and Resins I Rule; Appendix A, Test Methods 310, 312, 313**

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

**ACTION:** Proposed rule.

**SUMMARY:** Methods 310, 312, and 313 are being proposed in conjunction with the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Manufacture of Major Elastomers, commonly referred to as the Polymers and Resins I Rule. The proposed methods were adapted from industrial methods submitted by the facilities in the polymers and resins industry and reviewed by the EPA. After consideration of public comments, the methods will be promulgated, in conjunction with the Polymers and Resins I rule, as EPA methods 310, 312, and 313, 40 CFR part 63, appendix A.

Method 310 is applicable for determining the residual amount of solvent (hexane being the most commonly used solvent) and diene monomer in ethylene-propylene terpolymer (EPDM) as produced in the solution polymerization process. Method 312 is applicable for determining the residual amount of styrene in styrene-butadiene rubber (SBR) as produced in the emulsion polymerization process. Method 313 is applicable for determining the residual amount of toluene, dimer, and styrene in polybutadiene rubber (PBR) and SBR crumb as produced in the solution polymerization process. All three-method analysis is through the use of gas chromatography.

**DATES:** *Comments.* Comments must be received on or before August 11, 1995.

*Public Hearing.* If anyone contacts the EPA requesting to speak at a public hearing by July 3, 1995, a public hearing will be held on July 12, 1995 beginning at 10 a.m. Persons interested in attending the hearing should call Ms. Marguerite Thweatt at (919) 541-5607 to verify that a hearing will be held.

*Request to Speak at Hearing.* Persons wishing to present oral testimony must contact the EPA by July 3, 1995 by contacting Ms. Marguerite Thweatt, Organic Chemicals Group (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5607.

**ADDRESSES:** *Comments.* Comments should be submitted (in duplicate, if possible) to: Air Docket Section (LE-131), Attention: Docket No. A-92-44, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. The EPA requests that a separate copy also be sent to the contact person listed below. The public hearing, if required, will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina.

The docket is located at the above address in room M-1500, Waterside Mall (ground floor), and may be inspected from 8 a.m. to 4 p.m., Monday through Friday; telephone number (202) 382-7548. A reasonable fee may be charged for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** For information concerning the methods, contact Mr. Solomon Ricks at (919) 541-5242, Emission Measurement Center, Emission Monitoring and Analysis Division (MD-19), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

**SUPPLEMENTARY INFORMATION:** The proposed regulatory text of the proposed rule is not included in this **Federal**

**Register** document. The regulatory text is available in Docket No. A-92-44; or a limited number of copies of the regulatory text are available from the EPA contact person designated in this document. This document with the proposed regulatory language is also available on the Technology Transfer Network (TTN) on the EPA's electronic bulletin boards. The TTN provides information and technology exchange in various areas of air pollution control. The service is free, except for the cost of a telephone call. Dial (919) 541-5742 for up to a 14,400 bps modem. If more information on TTN is needed, call the HELP line at (919) 541-5384.

Other materials related to this rulemaking are available for review in the docket.

## I. Introduction

These methods will apply to ethylene-propylene elastomers production, polybutadiene rubber production, and styrene-butadiene rubber and latex production, using stripping technology as the method of compliance. As stated in the Polymers and Resins I rule, if compliance is to be demonstrated by sampling, samples of the stripped wet crumb or stripped latex must be taken immediately after the stripper and analyzed to determine the residual HAP content.

## II. Summary of Proposed Methods

### A. Method 310

The proposed method is adapted from a test method submitted to the EPA by the Exxon Chemical Company. The basic principle of the method is dissolving an EPDM crumb rubber sample in a polymer dissolving stock solution with an internal heptane standard. The solution is then analyzed for hexane and diene using a gas chromatograph (GC) with a flame ionization detector (FID). The solvent actually used in the production of the rubber is determined by the manufacturer. The particular solvent used by Exxon is hexane, therefore the proposed method is aimed towards the determination of residual hexane in the crumb rubber.

### B. Method 312

The proposed method is adapted from a test method submitted to the EPA by the Goodyear Tire and Rubber Company. The basic principle of the method is coagulating the SBR latex sample with an internal standard and analyzing the extract to determine styrene concentration using a GC with a FID. The internal standard is prepared by mixing alpha-methylstyrene with

either ethyl alcohol or isopropyl alcohol.

### C. Method 313

The proposed method is adapted from a test method submitted to the EPA by the American Synthetic Rubber Corporation (ASRC). The basic principle of the method involves the use of a headspace analyzer in determining the residual amount of toluene, dimer, and styrene in PBR and SBR samples. As is the case with Method 310, the solvent used in the production of the rubber is determined by the manufacturer. ASRC uses toluene as its manufacturing solvent, therefore this proposed method highlights the determination of residual toluene as the solvent.

## III. Administrative Requirements

### A. Public Hearing

In accordance with section 307(d)(5) of the Clean Air Act as amended by Pub. L. 101-549, the Clean Air Act Amendments of 1990, a public hearing will be held, if requested, to discuss the proposed methods. Persons wishing to make oral presentations should contact EPA at the address given in the **ADDRESSES** section of the preamble in the Polymers and Resins I rule. Oral presentations will be limited to 15 minutes each. Any member of the public may file a written statement with the EPA before, during, or within 30 days after the hearing. Written statements should be addressed to the Air Docket Section address given in the **ADDRESSES** section of the Polymers and Resins I rule.

A verbatim transcript of the hearing and written statements will be available for public inspection and copying during normal working hours at EPA's Air Docket Section in Washington, D.C.

### B. Docket

The docket is an organized and complete file for all information submitted or otherwise considered by EPA in the development of this proposed rulemaking. The principal purposes of the docket are: (1) To allow interested parties to identify and locate documents so that they can effectively participate in the rulemaking process, and (2) to serve as the record in case of judicial review (except for interagency review materials) (Clean Air Act section 307(d)(7)(A)).

### C. Office of Management and Budget Review

Under Executive Order 12866 (58 FR 51735 October 4, 1993), the EPA is required to judge whether a regulation is "significant" and therefore subject to Office of Management and Budget

(OMB) review and the requirements of this Executive Order to prepare a regulatory impact analysis (RIA). The Order defines "significant regulatory action" as one that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligation of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

#### D. Regulatory Flexibility Act Compliance

The Regulatory Flexibility Act (RFA) of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The RFA specifically requires the completion of an analysis in those instances where small business impacts are possible. This rulemaking does not impose emission measurement requirements beyond those specified in the current regulations, nor does it change any emission standard. Because this rulemaking imposes no adverse economic impacts, an analysis has not been conducted.

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Administrator certifies that this rule will not have a significant impact on a substantial number of small entities because no additional cost will be incurred by such entities.

#### E. Paperwork Reduction Act

The rule does not change any information collection requirements subject of Office of Management and Budget review under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

#### F. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of

\$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for significantly or uniquely impacted by the rule.

EPA has determined that the action proposed today does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. Therefore, the requirements of the Unfunded Mandates Act do not apply to this action.

#### G. Statutory Authority

The statutory authority for this proposal is provided by section 112 of the Clean Air Act, as amended, 42 U.S.C., 7412.

Dated: May 30, 1995.

**Carol M. Browner,**  
Administrator.

[FR Doc. 95-13923 Filed 6-9-95; 8:45 am]

BILLING CODE 6560-50-P

---

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 95-75, RM-8615]

#### Radio Broadcasting Services; Blossom, TX, and DeQueen, AR

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition by Red River Wireless Communications proposing the allotment of Channel 224C2 to Blossom, Texas, as the community's first local aural transmission service. In order to accommodate the allotment of Channel 224C2 to Blossom, we also propose to substitute Channel 227A for Channel 224A at DeQueen, Arkansas, and to modify the license of Station KDQN(FM) accordingly. The licensees of Station KDQN(FM), DeQueen, Arkansas, has been ordered to show cause as to why their license should not be modified as described above. See Supplemental Information, *infra*.

**DATES:** Comments must be filed on or before July 28, 1995, and reply comments on or before August 14, 1995.

**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: William J. Pennington, III, 5519 Rockingham Road-East, Greensboro, North Carolina 27407 (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. 95-75, adopted May 25, 1995, and released June 6, 1995. 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, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Channel 224C2 and Channel 227A can be allotted to Blossom, Texas, and DeQueen, Arkansas, respectively, in compliance with the Commission's minimum distance separation requirements. Channel 224C2 can be allotted to Blossom with a site restriction of 11.0 kilometers (6.8 miles) east in order to avoid a short-spacing conflict with a pending proposal to allot Channel 225A at Bells, Texas. The coordinates for Channel 224C2 at Blossom are 33-40-07 and 95-16-13. Channel 227A can be allotted to DeQueen, Arkansas, and can be used at Station KDQN(FM)'s licensed site. The coordinates for Channel 227A at DeQueen are 34-01-57 and 94-19-43.

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. 95-14275 Filed 6-9-95; 8:45 am]

BILLING CODE 6712-01-F