

tow traffic from inbound large-vessel traffic in the eastern approach. The two-way traffic route should be bounded on the west and south by a line connecting the following geographical positions:

Latitude	Longitude
38°50'45" N	75°03'24" W
38°47'30" N	75°01'48" W
38°48'19" N	74°55'18" W
38°50'12" N	74°49'44" W
39°00'00" N	74°40'14" W

and, bounded on the east and north by a line connecting the following geographical positions:

Latitude	Longitude
30°00'00" N	74°41'00" W
38°50'29" N	74°50'18" W
38°48'48" N	74°55'15" W
38°48'20" N	74°59'18" W
38°49'06" N	75°01'39" W
38°51'16" N	75°02'50" W

(5) The sound signals on all buoys marking the TSS should be removed. Datum: NAD 83.

The Coast Guard will initiate rulemaking and seek IMO approval to reconfigure the eastern approach and the precautionary area and establish a two-way traffic route recommended for use by tug and tow traffic available to all vessels with a draft that enables them to operate safely.

Dated: September 15, 1995.

Rudy K. Peschel,

*Rear Admiral, U.S. Coast Guard Chief, Office of Navigation Safety and Waterway Services.*

[FR Doc. 95-23519 Filed 9-21-95; 8:45 am]

BILLING CODE 4910-14-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 260, 264, and 265

[FRL-5301-3]

#### Hazardous Waste Management System; Testing and Monitoring Activities; Extension of Comment Period

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Environmental Protection Agency (EPA or Agency) is extending the comment period for the proposed rule (Update III of SW-846) that adds, revises, and deletes testing methods from SW-846 and from certain regulations for complying with the requirements of subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976. The Proposed rule

appeared in the Federal Register on July 25, 1995 (see 60 FR 37974). The extension of the comment period is needed because of packaging and shipping problems with the Proposed Update III document. The Government Printing Office plans to distribute new packages to those subscribers whose packages were damaged or lost. This extension will allow commenters an opportunity to review the Proposed Update III package and supply their comments to the Agency.

**DATES:** EPA will accept public comments on this proposed decision must be submitted on or before December 21, 1995.

**ADDRESSES:** The public should submit an original and two copies of their comments on this proposed rule to the Docket Clerk (OS-305), U.S.

Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. The official record for this rulemaking (Docket No. F-95-WT3P-FFFFF) is located at the above address in Room M-2616, and is available for viewing from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. The public must request material from the RCRA Docket, or they may make an appointment to review docket materials by calling (202) 260-9327. The public may copy a maximum of 100 pages of material from any one regulatory docket at no cost; additional copies cost \$0.15 per page.

Copies of the Third Edition of SW-846, as amended by Updates I, II, IIA, and IIB, and the proposed Update III are part of the official docket for this rulemaking, and also are available from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402, (202) 512-1800. The GPO document number is 955-001-00000-1. Copies of the Third Edition and its updates are also available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4650. **FOR FURTHER INFORMATION CONTACT:** For general information contact the RCRA Hotline at (800) 424-9346 (toll free) or call (703) 920-9810; or, for hearing impaired, call TDD (800) 553-7672. For technical information, contact Kim Kirkland, Office of Solid Waste (5304), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 260-4761.

#### SUPPLEMENTARY INFORMATION:

##### Background Summary

On July 24, 1995, EPA proposed to revise certain testing methods used in complying with the requirements of subtitle C of the Resource Conservation

and Recovery Act (RCRA) of 1976, as amended. EPA also proposed to add several new testing methods that may be used in complying with the requirements of subtitle C of RCRA. These new and revised methods, designated as Update III, were proposed to be added to the Third Edition of the EPA-approved test methods manual "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846. In addition, EPA proposed to delete several obsolete methods from SW-846 and the RCRA regulations. The comment period was to end on September 25, 1995. However, due to problems involving the distribution of the Proposed Update III package, the Agency has decided to extend the comment period to December 21, 1995.

Dated: September 15, 1995.

Elizabeth A. Cotsworth,

*Acting Director, Office of Solid Waste.*

[FR Doc. 95-23573 Filed 9-21-95; 8:45 am]

BILLING CODE 6560-50-P

## 40 CFR Part 281

[FRL-5299-2]

### Montana; Final Approval of State Underground Storage Tank Program

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Tentative Determination on Application of State of Montana for Final Approval, Public Hearing and Public Comment Period.

**SUMMARY:** The State of Montana has applied for final approval of its underground storage tank program under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed the Montana application and has made the tentative decision that Montana's underground storage tank (UST) program satisfies all of the requirements necessary to qualify for final approval. Notably, the State of Montana's statute authorizes the issuance of regulations that are broader in scope than the Federal regulations. EPA intends to grant final approval to the State to operate its program in lieu of the Federal program. The State of Montana's application for final approval is available for public review and comment.

**DATES:** All comments on Montana's final approval application must be received by the close of business on October 23, 1995. The public hearing is tentatively scheduled for November 13, 1995.

**ADDRESSES:** Written comments should be sent to U.S. EPA, Attention: Kristine Knutson, DWR 10096, 301 South Park, Helena, Montana 59626-0096.

If the public hearing is held it will be at the Department of Health and Environmental Sciences, 2209 Phoenix Avenue, Helena, Montana, at 1 p.m.

Copies of Montana's final approval application are available during normal working days at the following addresses for inspection and copying: from 8 a.m.—5 p.m. at the Montana Department of Health and Environmental Sciences, 2209 Phoenix Avenue, Helena, Montana 59620-0901, phone: (406) 444-5970; and from 12 p.m.—4 p.m. at the U.S. EPA Region 8, Library, Suite 144, 999 18th Street, Denver, Colorado 80202, phone: (303) 294-7616.

**FOR FURTHER INFORMATION CONTACT:** Kristine Knutson, U.S. EPA, Region 8, Montana Office, DWR 10096, 301 South Park, Helena, Montana 59626-0096, phone: (406) 449-5414, extension 225.

**PUBLIC HEARING:** EPA has tentatively scheduled a public hearing on this determination. If a sufficient number of people express interest in participating in a hearing by writing to EPA or calling the contact within 30 days of the date of publication of this notice, EPA will hold a hearing on the date given above in the **DATES** section. EPA will notify all persons who submit comments on this notice if it decides to hold the hearing. In addition, anyone who wishes to learn whether the hearing will be held may call the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Section 9004 of the Resource Conservation and Recovery Act (RCRA) enables EPA to approve state underground storage tank programs to operate in the State in lieu of the Federal underground storage tank (UST) program. Program approval is granted by EPA if the Agency finds that the State program: (1) Is "no less stringent" than the Federal program in all seven elements, and includes notification requirements of section 9004(a)(8), 42 U.S.C. 6991c(a)(8); and (2) provides for adequate enforcement of compliance with UST standards (Section 9004(a), 42 U.S.C. 6991c(a)).

**B. State of Montana**

In April 1985, the State of Montana established authority through an amendment to the 1981 Montana Hazardous Waste Act to implement an underground storage tank program. The State changed the title of the Act to the Montana Hazardous Waste and

Underground Storage Tank Act in April 1989, and further amended the Act in 1989 to expand rulemaking authority. Another amendment in 1993 provided the State with rulemaking authority to assess civil penalties.

The State submitted a draft application for state program approval in December 1992. Supplemental information was provided in January 1993. EPA reviewed and commented on the draft application and requested additional information to be included in the final application.

On February 22, 1995, Montana submitted an official application for final approval. Prior to its submission, Montana provided an opportunity for public notice and comment in the development of its underground storage tank program as required under § 281.50(b). EPA has reviewed Montana's application, and has tentatively determined that the State's program meets all of the requirements necessary to qualify for final approval. Consequently, EPA intends to grant final approval to Montana to operate its program in lieu of the Federal program.

This tentative determination to approve the Montana UST program applies to all activities in Montana outside of "Indian Country," as defined in 18 U.S.C. section 1151, including the following Indian reservations in the State of Montana:

1. Blackfeet;
2. Crow;
3. Flathead;
4. Fort Belknap;
5. Fort Peck;
6. Northern Cheyenne; and
7. Rocky Boys.

The Environmental Protection Agency retains all underground storage tank authority under RCRA which applies to Indian Country in Montana.

Before EPA would be able to approve the State of Montana UST program for any portion of "Indian Country," the State would have to provide an appropriate analysis of the State's jurisdiction to enforce in these areas. In order for a state to satisfy this requirement, it must demonstrate to the EPA's satisfaction that it has authority pursuant to applicable principles of Federal Indian Law to enforce its laws against existing and potential pollution sources within any geographical area for which it seeks program approval. EPA has reason to believe that disagreement exists with regard to the State's jurisdiction over "Indian Country," and EPA is not satisfied that Montana has, at this time, made the requisite showing of its authority with respect to such lands.

In withholding program approval for these areas, EPA is not making a determination that the State either has adequate jurisdiction or lacks such jurisdiction. Should the State of Montana choose to submit analysis with regard to its jurisdiction over all or part of "Indian Country" in the State, it may do so without prejudice.

EPA's future evaluation of whether to approve the Montana program for "Indian Country," to include Indian reservation lands, will be governed by EPA's judgment as to whether the State has demonstrated adequate authority to justify such approval, based upon its understanding of the relevant principles of Federal Indian law and sound administrative practice. The State may wish to consider EPA's discussion of the related issue of tribal jurisdiction found in the preamble to the Indian Water Quality Standards Regulation (see 56 FR 64876, December 12, 1991).

In accordance with Section 9004 of RCRA 42 U.S.C. 6991c and 40 CFR 281.50(e), the Agency will accept written comments on EPA's tentative determination until October 23, 1995. Copies of Montana's application are available for inspection and copying at the locations indicated in the "Addresses" section of this notice.

EPA will consider all public comments on its tentative determination received during the public comment period. Issues raised by those comments may be the basis for a decision to deny final approval to Montana. EPA expects to make a final decision on whether or not to approve Montana's program by December 21, 1995, and will give notice of it in the Federal Register. The notice will include a summary of the reasons for the final determination and a response to all major comments.

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. The approval effectively suspends the applicability of certain Federal regulations in favor of Montana's program, thereby eliminating duplicative requirements for owners and operators of underground storage tanks in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 281

Environmental protection,  
Administrative practice and procedure,

Hazardous materials, State program approval, Underground storage tanks.

Authority: This notice is issued under the authority of Section 9004 of the Solid Waste Disposal Act as amended 42 U.S.C. 6991c.

Dated: August 1, 1995.

Kerrigan Clough,

Acting Regional Administrator.

[FR Doc. 95-23574 Filed 9-21-95; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 15

[ET Docket No. 95-144; FCC 95-389]

#### Filing of UHF Noise Figure Performance Measurements

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** By this *Notice of Proposed Rulemaking (NPRM)*, the Commission proposes to amend its rules regarding television receivers by eliminating the requirement that parties who manufacture, import, or market television receivers file reports concerning the UHF noise figure performance of recently-introduced models. The Commission believes this action will reduce the regulatory burden on manufacturers and importers of television receivers.

**DATES:** Comments must be filed on or before October 12, 1995. Reply comments must be filed on or before October 27, 1995.

**ADDRESSES:** Office of the Secretary, Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Baum, Office of Engineering and Technology, (202) 776-1606.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *NPRM*, adopted September 5, 1995, and released September 12, 1995. 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, and also may be purchased from the Commission's duplication contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

#### Summary of NPRM

The Consumer Electronics Group of the Electronic Industries Association ("EIA/CEG") filed a petition requesting

that the Commission delete the requirements for the submission of UHF noise figure measurement data. In its petition, EIA/CEG stated that requiring the compilation and submittal of test data, after the receiver has been verified as compliant with the Commission's rules, is unnecessary and inconsistent with the verification procedure for equipment authorization. EIA/CEG maintained that past filings of UHF noise figures showed a high level of compliance with the rules, which demonstrates the industry's commitment to the quality of UHF television.

2. Accordingly, the Commission proposes to eliminate the requirement for submission of UHF noise figure performance measurement data now submitted to the FCC. All television receivers shipped in interstate commerce or imported into the United States for sale or resale to the public would remain subject to the 14 dB noise figure. Compliance with this requirement would be maintained through the verification process, such routine follow-on testing as the manufacturer or importer believes is necessary, and random sampling by the Commission. The Commission believes this action will reduce the regulatory burden on manufacturers and importers of television receivers. Reduction of administrative burden on manufacturers could potentially result in a reduction in price to the consumer and thus is in the public interest.

#### List of Subjects in 47 CFR Part 15

Communications equipment, Radio.

(Authority: 47 U.S.C. 154(i), 302, 303(e), 303(f), 303r, 303(s).)

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-23525 Filed 9-21-95; 8:45 am]

BILLING CODE 6712-01-M

### 47 CFR Part 73

[MM Docket No. 93-244; RM-8315; RM-8401]

#### Radio Broadcasting Services; Pike Road and Ramer, AL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** This document denies a petition filed on behalf of Fred R. Hughey (RM-8315) requesting the allotment of FM Channel 248A to Pike Road, Alabama, as that locality's first local aural transmission service, and

also denies a mutually-exclusive proposal to allot FM Channel 248A to Ramer, Alabama, as that community's first local aural transmission service, as requested by A. J. Miller (RM-8401). The proposals are denied based upon each proponent's failure to demonstrate that either Pike Road or Ramer, Alabama, constitute *bona fide* "communities", as that term is defined for purposes of Section 307(b) of the Communications Act, for allotment objectives. See 58 FR 50313, September 27, 1993. With this action, the proceeding is terminated.

#### FOR FURTHER INFORMATION CONTACT:

Nancy Joynier, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-244, adopted September 8, 1995, and released September 19, 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 contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### 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. 95-23529 Filed 9-21-95; 8:45 am]

BILLING CODE 6712-01-F

### 47 CFR Part 73

[MM Docket No. 95-147; RM-8694]

#### Radio Broadcasting Services; Meredosia, IL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Larry K. and Cathy M. Price to allot Channel 228A to Meredosia, Illinois, as the community's first local FM service. Channel 228A can be allotted to Meredosia in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.8 kilometers (1.1 miles) east, at coordinates 39-50-14 North Latitude and 90-32-24 West Longitude, to avoid a short-spacing to Station