

approval, EPA would start an 18-month clock for mandatory sanctions. If Nashville-Davidson County then fails to submit a corrective program that EPA finds complete before the expiration of that 18-month period, EPA is required to apply one of the sanctions in section 179(b) of the Act, which will remain in effect until EPA determines that Nashville-Davidson County has corrected the deficiency by submitting a complete corrective program.

### 3. Other Actions

As discussed previously in section II.A.4.b., EPA proposes to approve Nashville-Davidson County's preconstruction review program found in M.C.L. section 10.56.020, under the authority of title V and part 70 solely for the purpose of implementing section 112(g) to the extent necessary during the transition period between 112(g) promulgation and adoption of a local rule implementing EPA's section 112(g) regulations.

In addition, as discussed in section II.A.4.c., EPA proposes to grant approval under section 112(l)(5) and 40 CFR 63.91 to the County's program for receiving delegation of section 112 standards and programs that are unchanged from Federal rules as promulgated. EPA also proposes to delegate all existing standards under 40 CFR parts 61 and 63. This program for delegation applies to both part 70 and non-part 70 sources.

## III. Administrative Requirements

### A. Request for Public Comments

The EPA is requesting comments on all aspects of this proposed full/interim approval. Copies of the Nashville-Davidson County submittal and other information relied upon for the proposed approval are contained in docket number TN-NASH-95-01 maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed full/interim approval. The principal purposes of the docket are:

- (1) to allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and
- (2) to serve as the record in case of judicial review. The EPA will consider any comments received by November 13, 1995.

### B. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

### C. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

### D. Unfunded Mandates Reform Act of 1995

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 informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the proposed approval action promulgated today does not include a Federal mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

### List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, and Reporting and recordkeeping requirements.

**Authority:** 42 U.S.C. sections 7401-7671q.

Dated: September 22, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[PR Docket No. 88-548, FCC 95-392]

### Private Land Mobile Services Frequency Coordination

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Commission has released an *Order* terminating the proceeding of PR Docket No. 88-548 concerning private land mobile services frequency coordination. This action was initiated by the Commission and is necessary because the Notice of Proposed Rule Making issued in that proceeding has become outdated.

**FOR FURTHER INFORMATION CONTACT:** Eugene Thomson, Private Wireless Division, Wireless Telecommunications Bureau, (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of an Order adopted on September 13, 1995, and released on September 26, 1995. The full text of the Order is available for inspection and copying during normal business hours in the FCC Reference Center, Room 239, 1919 M St. N.W., Washington, DC. The complete text may be purchased from the Commission's copy contractor, ITS, Inc. 2100 M St. N.W., Washington, DC 20037, telephone (202) 857-3800.

### Summary of Order

a. On August 15, 1989, the Commission released a Notice of Proposed Rule Making, PR Docket No. 88-548, 54 FR 35359, August 25, 1989, proposing to modify frequency coordination procedures in the private land mobile radio services (PLMRS). On June 23, 1995, the Commission released a Report and Order and Further Notice of Proposed Rule Making, PR Docket No. 92-235, 60 FR 37152, July 19, 1995, which addressed, among other issues, frequency coordination in the PLMRS. The Report and Order portion of the item stated that the Commission has decided to consolidate the private land mobile radio services below 800 MHz, and requested that the PLMRS community and frequency coordinators, submit a consensus consolidation plan to the Commission within 90 days of the effective date of the Report and Order. Because of our action in PR Docket No. 92-235, the rationale upon which our original proposal was based and the comments filed in response to the proposal are outdated. Therefore, we conclude that the public interest will be

best served by terminating this proceeding.

b. Accordingly, it is ordered that under the authority contained in Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) this proceeding is terminated without further action.

**List of Subjects in 47 CFR Part 90**

Frequency coordination, Radio.  
Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 95-25141 Filed 10-10-95; 8:45 am]

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