

public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as confidential business information (CBI), is available for inspection from noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:

ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this administrative stay described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in ADDRESSES at the beginning of this document.

#### VIII. References

(1) Crowell Moring; *Petition for Administrative Stay of SARA Section 313 Reporting Requirements for 2,2-Dibromo-3-nitrilopropionamide (DBNPA, CAS No. 001 222-01-2) Pending Consideration of New Information*. Dated December 29, 1994.

(2) Crowell Moring; *Petition of the Dow Chemical Company to Delete 2,2-Dibromo-3-nitrilopropionamide (DBNPA, CAS No. 001 222-01-2) from the List of Chemicals Subject to Section 313 of the Emergency Planning and Community Right to Know Act of 1996*. Dated February 24, 1995.

(3) USEPA/OPP; Doyle, Elizabeth A., *DBNPA - Response to Comments Filed by Dow Chemical Company in Support of a Petition to Delist (Dated February 24, 1995 and April 13, 1995)* memorandum dated May 15, 1995.

(4) USEPA/OPPT; Bushman, Daniel R., *Chemistry Report for the EPCRA § 313 Petition to Delist 2,2-dibromo-3-nitrilopropionamide (DBNPA)* dated March 31, 1995.

(5) USEPA/OPPT; Hollister, Sondra L., *Exposure Assessment : 2,2-Dibromo-3-nitrilopropionamide Delisting Petition* dated July 14, 1995.

(6) USEPA/OPPT; Jackson, Eric M., *Engineering Report for the EPCRA § 313 Petition to Delist 2,2-Dibromo-3-Nitrilopropionamide (DBNPA)* dated July 11, 1995.

(7) USEPA/OPPT; Murphy, James J., *Review of Toxicology Summary on 2,2-Dibromo-3-Nitrilopropionamide for EPCRA 313 Delisting Petition* memorandum dated May 22, 1995.

(8) USEPA/OPPT; Nabholz, J. V., *Petition to Remove DBNPA from EPCRA § 313: Environmental Toxicity (Addendum #2)* dated August 8, 1995.

(9) USEPA/OPPT; Nabholz, J. V., *Petition to Remove DBNPA from EPCRA § 313: Environmental Toxicity* dated May 16 (second dated July 25), 1995.

(10) USEPA/OPPT; Rusak, Linda M., *DBNPA Delisting Petition; Revised CSRAD Report* dated July 19, 1995.

(11) USEPA/OPPT; Silagi, William, *Economic Analysis of Petition to Delist 2,2,-Dibromo-3-Nitrilopropionamide (DBNPA) from the EPCRA Section 313 List* dated April 10, 1995.

(12) USEPA/ORD; Preuss, Peter W., *ORD's Response to the Petition to Delist DBNPA from SARA Section 313* memorandum dated June 13, 1995.

#### IX. Paperwork Reduction Act

There are no information collection requirements subject to the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq., associated with this action.

#### List of Subjects in 40 CFR Part 372

Environmental protection, Chemicals, Community right-to-know, Reporting and recordkeeping requirements, and Toxic chemicals.

Dated: October 13, 1995.

Lynn R. Goldman,  
Assistant Administrator for Prevention,  
Pesticides and Toxic Substances.

Therefore 40 CFR part 372 is amended to read as follows:

1. The authority citation for part 372 continues to read as follows:

Authority: 42 U.S.C. 11023 and 11048.

#### § 372.65 [Amended]

2. Section 372.65 is amended by adding an identical note to the end of the table in both paragraphs (a) and (b) to read as follows:

Note: The listing of 2,2-dibromo-3-nitrilopropionamide (DBNPA) (CAS No. 10222-01-2) is stayed. The stay will remain in effect until further administrative action is taken.

[FR Doc. 95-26324 Filed 10-26-95; 8:45 am]

BILLING CODE 6560-50-F

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 95-89; RM-8639]

### Radio Broadcasting Services; Healdsburg, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This document allots Channel 244A to Healdsburg, California, as that community's third local FM service, in response to a petition for rule making filed on behalf of Phil Squyres. See 60 FR 32934, June 26, 1995. With this action, the proceeding is terminated.

**DATES:** Effective December 4, 1995. The window period for filing applications will open on December 4, 1995, and close on January 4, 1996.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 244A at Healdsburg, California, should be addressed to the Audio Services Division, FM Branch, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-89, adopted October 10, 1995, and released October 20, 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, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

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

Radio broadcasting.

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

#### PART 73—[AMENDED]

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

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Channel 244A at Healdsburg.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 95-26698 Filed 10-26-95; 8:45 am]

BILLING CODE 6712-01-F

#### 47 CFR Part 73

[MM Docket No. 93-17; RM-8170]

#### Radio Broadcasting Services; Sharon, CT, Rosendale, WA and West Hurley, NY

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of the State University of New York, allots Channel 273A to Rosendale, New York. See 58 FR 11204 (Feb. 24, 1993). The Commission denies that portion of petitioner's request that sought modification of Station WFNP's license from Channel 204A to Channel 273A. The counterproposals filed jointly by Sacred Heart University, Inc. and Radio South Burlington to modify Sharon, Connecticut, Station WQQQ's license from Channel 277A to Channel 273A, reallocate Channel 273A to Washington, New York, and reserve Channel 277A at Sharon for noncommercial educational use, was dismissed.

**DATES:** Effective December 4, 1995. The window period for filing applications will open on December 4, 1995, and close on January 4, 1996.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-17, adopted October 3, 1995, and released October 20, 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. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Additionally a proposal by Raymond Natole to allot Channel 255A to West Hurley, New York, will be the subject of a separate Notice of Proposed Rule Making. Channel 273A can be allotted to Rosendale in compliance with the Commission's minimum distance separation requirements with a site restriction of 4.7 kilometers (2.9 miles)

southeast, at coordinates North Latitude 41-49-14 and West Longitude 74-02-13, to avoid a short-spacing to Station WUUU, Channel 273B, Rome, New York. Canadian concurrence has been received since Rosendale is located within 320 kilometers (200 miles) of the U.S.-Canadian border. With this action, this proceeding is terminated.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

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

#### PART 73—[AMENDED]

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

Authority: Secs 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, 303.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under New York, is amended by adding Rosendale, Channel 273A.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 95-26697 Filed 10-26-95; 8:45 am]

BILLING CODE 6712-01-F

#### DEPARTMENT OF DEFENSE

#### 48 CFR Parts 219 and 252

#### Defense Federal Acquisition Regulation Supplement; Small Disadvantaged Business Utilization Program

**AGENCY:** Department of Defense (DoD).

**ACTION:** Suspension.

**SUMMARY:** The Under Secretary of Defense for Acquisition and Technology has suspended those sections of the Defense Federal Acquisition Regulation Supplement (DFARS) which prescribe set-aside of acquisitions for small disadvantaged businesses. This action has been reviewed by the Office of Management and Budget under Executive Order 12866.

**DATES: Effective Date:** October 23, 1995. **Comment Date:** Comments on the suspension should be submitted in writing to the address below on or before November 27, 1995.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Ms. Susan Schneider, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, D.C. 20301-

3062. Telefax number (703) 602-0350. Please cite Holding File 95-H746 in all correspondence related to this issue.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan Schneider, (703) 602-0131.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This suspends Defense Federal Acquisition Regulation Supplement (DFARS) sections 219.501(S-70), 219.502-2-70, 219.502-4, 219.504(b)(i), 219.506, 219.508(e), 219.508-70, and contract clause 252.219-7002. This suspension takes account of the Supreme Court's decision in *Adarand Constructors, Inc. v. Pena*, 63 U.S.L.W. 4523 (U.S. June 12, 1995).

##### B. Regulatory Flexibility Act

This suspension may have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the suspension precludes contracting officers from setting aside acquisitions for small disadvantaged business. The objective of the suspension is to take account of the decision of the Supreme Court in *Adarand Constructors, Inc. v. Pena*, 63 U.S.L.W. 4523 (U.S. June 12, 1995) while an interagency government-wide review of affirmative action programs is conducted. An Initial Regulatory Flexibility Analysis (IRFA) has been prepared and may be obtained from the address specified herein. A copy of the IRFA has been submitted to the Chief Counsel for Advocacy of the Small Business Administration. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts will be considered in accordance with Section 610 of the Regulatory Flexibility Act. Such comments must be submitted separately and cite DFARS Holding File 95-H746 in correspondence.

##### C. Paperwork Reduction Act

This suspension does not impose any additional information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

Michele P. Peterson,  
*Executive Editor, Defense Acquisition Regulations Council.*

List of Subjects in 48 CFR Parts 219 and 252

Government procurement.

Accordingly, Parts 219 and 252 are amended as follows: