

§ 97.13 Restrictions on station location.

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(c) Before causing or allowing an amateur station to transmit from any place where the operation of the station could cause human exposure to levels of radiofrequency (RF) radiation in excess of that allowed under § 1.1310 of this chapter, the licensee is required to take certain actions. A routine RF radiation evaluation, as discussed in § 1.1307(b) of this chapter, is required if the transmitter power exceeds 50 watts peak envelope power; otherwise the operation is categorically excluded from routine RF radiation evaluation except as specified in § 1.1307(c) and § 1.1307(d) of this chapter. Where the

routine evaluation indicates that the RF radiation could be in excess of the limits contained in § 1.1310 of this chapter, the licensee must take action to prevent such an occurrence. Further information on evaluating compliance with these limits can be found in the FCC's OST/OET Bulletin Number 65, "Evaluation Compliance with FCC-Specified Guidelines for Human Exposure to Radiofrequency Radiation."

3. Section 97.503 is amended by revising paragraphs (b)(1), (b)(2), and (b)(3), and adding entry 10 to the table in paragraph (c) to read as follows:

§ 97.503 Element standards.

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- (b) * * *
- (1) Element 2: 35 questions concerning the privileges of a Novice Class operator license. The minimum passing score is 26 questions answered correctly.
- (2) Element 3(A): 30 questions concerning the privileges of a Technician Class operator license. The minimum passing score is 22 questions answered correctly.
- (3) Element 3(B): 30 questions concerning the privileges of a General Class operator license. The minimum passing score is 22 questions answered correctly.

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(c) * * *

Topics	2	3(A)	3(B)	4(A)	4(B)
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(10) Radiofrequency environmental safety practices at an amateur station	5	5	5	0	0

[FR Doc. 96-20082 Filed 8-5-96; 2:01 pm]
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47 CFR Part 73

[MM Docket No. 96-87; RM-8782]

Radio Broadcasting Services; Macomb, IL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of WMS1, Inc., allots Channel 240A at Macomb, Illinois, as the community's third local commercial FM transmission service. See 61 FR 18540, April 26, 1996. Channel 240A can be allotted to Macomb in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.5 kilometers (0.3 miles) south to avoid a short-spacing to the licensed site of Station WMXG(FM), Channel 241C1, Clinton, Iowa. The coordinates for Channel 240A at Macomb are North Latitude 40-27-09 and West Longitude 90-40-12. With this action, this proceeding is terminated.

DATES: Effective September 16, 1996. The window period for filing applications will open on September 16, 1996, and close on October 17, 1996.

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report

and Order, MM Docket No. 96-87, adopted July 26, 1996, and released August 2, 1996. 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 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.

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: Sections 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 Illinois, is amended by adding Channel 240A at Macomb.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-20080 Filed 8-6-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket PS-124; Amdt. 192-78]

RIN 2137-AC25

Regulatory Review; Gas Pipeline Safety Standards; Correction

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Correction to final rule.

SUMMARY: This document contains a correction to the final rule (Docket PS-124) changing miscellaneous gas pipeline safety regulations that was published Thursday, June 6, 1996 (61 FR 28770) in the Federal Register.

EFFECTIVE DATE: August 7, 1996.

FOR FURTHER INFORMATION CONTACT: Albert C. Garnett, at (202) 366-2036, regarding this correction or the Dockets Unit, at (202) 366-5046, regarding copies of this document or other material in the docket.

SUPPLEMENTARY INFORMATION:

Background

The final rule that includes the subject correction changed miscellaneous gas pipeline safety regulations to provide clarity, eliminate unnecessary or overly burdensome requirements, and foster economic growth. As set out in the final rule under the heading Executive Order 12866 and DOT Regulatory Policies and

Procedures, the miscellaneous changes resulted in an annual savings, without associated costs or adverse effects on safety.

Need for Correction

The final rule in amendatory instruction 36. mistakenly did not include the former C.6. as the new D.8. The effect of this inadvertency is the omission of the "ASME Boiler and Pressure Vessel Code, Section IX * * *."

Correction of Publication

Accordingly, the publication on June 6, 1996, of the final rule (Docket PS-124), which was the subject of FR Doc. 96-13787, is corrected as follows:

Appendix A to Part 192—[Corrected]

On page 28786, in the second column, lines 12 and 13, of the amendatory instruction 36. are corrected to read "through D.6. as subsections D.5. through D.8., respectively, and by adding new".

Issued in Washington, DC, August 1, 1996.
Richard B. Felder,
Associate Administrator for Pipeline Safety.
[FR Doc. 96-20017 Filed 8-6-96; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB88

Endangered and Threatened Wildlife and Plants; Endangered Status for the Hawaiian Plant *Pritchardia aylmer-robinsonii* (wahane)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) determines endangered status pursuant to the Endangered Species Act of 1973, as amended (Act), for the plant *Pritchardia aylmer-robinsonii* (wahane). The species is endemic to the island of Niihau, Hawaiian Islands. The species and its habitat have been affected and are currently threatened by cattle, pigs, and sheep. Due to the small number of existing individuals and their very narrow distribution, this species is subject to reduced reproductive vigor and/or an increased likelihood of extinction from naturally occurring events. This final rule implements the Federal protection provisions provided by the Act.

EFFECTIVE DATE: This rule takes effect on September 6, 1996.

ADDRESSES: The complete file for this final rule is available for public inspection, by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Pacific Islands Ecoregion, 300 Ala Moana Boulevard, Room 3108, P.O. Box 50088, Honolulu, Hawaii 96850.

FOR FURTHER INFORMATION CONTACT: Robert P. Smith, Pacific Islands Ecoregion Manager, at the above address (808/541-2749).

SUPPLEMENTARY INFORMATION:

Background

In 1947, on one of his botanical collecting trips to Niihau, Harold St. John discovered a new species of the only genus of palms native to the Hawaiian Islands. He named it *Pritchardia aylmer-robinsonii* in honor of Aylmer F. Robinson, a member of the family that owns the island and a person who provided St. John with much information regarding the island's plants (St. John 1959).

Historically, *Pritchardia aylmer-robinsonii* was found at three sites in the eastern and central portions of the island of Niihau. Trees were found on Kaali Cliff and in Mokouia and Hao Valleys at elevations between 70 and 270 meters (m) (230 and 890 feet (ft)) (Hawaii Heritage Program (HHP) 1991a to 1991d). The most recent observations indicate two plants still remain on Kaali Cliff (Read and Hodel 1990). Originally a component of the Coastal Dry Forest, this species now occurs only in a rugged and steep area where it receives some protection from grazing animals. The substrate in the seepage area is rocky talus. *Prosopis pallida* (kiawe), an introduced tree, is one of the palm's few associated plant taxa. Other native plants that have been found in the area include *Brighamia insignis* ('olulu), *Cyperus trachysanthos* (pu'uka'a), *Lipochaeta lobata* var. *lobata* (nehe), and *Lobelia niihauensis* (HHP 1991e; St. John 1959; Keith Woolliams, Waimea Arboretum and Botanical Garden, pers. comm. 1980). *Pritchardia aylmer-robinsonii* of the palm family (Arecaceae) is a fan-leaved tree about 7 to 15 m (23 to 50 ft) tall with a trunk approximately 20 to 30 centimeters (cm) (8 to 12 inches (in.)) in diameter. The upper and lower leaf surfaces are green and hairless, and leaf segments are rather thin and drooping. The lower surfaces of the petiole and the leaf ribs are covered with dense, tan wool. The branched, hairless flower clusters are located among the leaves and are no longer than the petioles. Each flower is

comprised of a cup-shaped, three-lobed calyx; three petals; six stamens; and a three-lobed stigma. The spherical, hard, black fruit is 1.8 to 2 cm (0.7 to 0.8 in.) in diameter. This species is distinguished from others of the genus by the thin leaf texture and drooping leaf segments; the tan woolly hairs on the underside of the petiole and the leaf blade base; the stout hairless flower clusters that do not extend beyond the fan-shaped leaves; and the smaller spherical fruit (Read and Hodel 1990).

Hawaiian land practices prior to European contact probably destroyed most of the forest on Niihau. Grazing animals were introduced to the island beginning in the 1700s. Cattle (*Bos taurus*), goats (*Capra hircus*), sheep (*Ovis aries*), and pigs (*Sus scrofa*) have decreased available habitat for *Pritchardia aylmer-robinsonii* as well as directly damaging trees, seedlings, and/or seeds. The entire island is now classified an Agricultural District, and it is managed as a cattle and sheep ranch. Although approximately 200 immature individuals have been cultivated on Niihau and Kauai, extinction from naturally occurring events and/or reduced reproductive vigor due to the small number of reproductive plants are major threats. Because palms take many years to mature, it is not known whether the immature plants now in cultivation are capable of reproducing and sustaining a viable population.

Roof rats (*Rattus rattus*) are a potential threat to this species since they eat the seeds of some palms of this genus and are found on Niihau (Beccari and Rock 1921; Cuddihy and Stone 1990; Department of Geography 1983; St. John 1959; Tomich 1986; Wagner *et al.* 1985; John Fay, U.S. Fish and Wildlife Service, pers. comm. 1992).

Previous Federal Action

Federal action on these plants began as a result of section 12 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), which directed the Secretary of the Smithsonian Institution to prepare a report on plants considered to be endangered, threatened, or extinct in the United States. This report, designated as House Document No. 94-51, was presented to Congress on January 9, 1975. In that document, *Pritchardia aylmer-robinsonii* was considered to be endangered. On July 1, 1975, the Service published a notice in the Federal Register (40 FR 27823) of its acceptance of the Smithsonian report as a petition within the context of section 4(c)(2) (now section 4(b)(3)) of the Act, and giving notice of its intention to review the status of the plant taxa named