

Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

EPA's disapproval of the State request under Section 110 and subchapter I, part D of the CAA does not affect any existing requirements applicable to small entities. Any pre-existing federal requirements remain in place after this disapproval. Federal disapproval of the state submittal does not affect its state-enforceability. Moreover, EPA's disapproval of the submittal does not impose any new Federal requirements. Therefore, EPA certifies that this disapproval action does not have a significant impact on a substantial number of small entities because it does not remove existing requirements and impose any new Federal requirements.

C. 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 undertake various actions in association with 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. This Federal action approves pre-existing requirements under state or local law, and imposes no new requirements. Accordingly, no additional costs to state, local, or tribal governments, or the private sector, result from this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

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

Dated: March 5, 1997.
Valdas V. Adamkus,
Regional Administrator.
[FR Doc. 97-7100 Filed 3-19-97; 8:45 am]
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40 CFR Parts 52 and 81

[CO-001-0015b; FRL-5700-4]

Clean Air Act Approval and Promulgation of State Implementation Plan; Colorado; Prevention of Significant Deterioration; Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: EPA proposes to approve revisions to Colorado's prevention of significant deterioration (PSD) permitting requirements in Regulation No. 3, which were submitted as revisions to the State Implementation Plan (SIP) by the Governor on August 1, 1996. EPA also proposes to delete the TSP area designation table and to revise the PM-10 area designation table in 40 CFR part 81 for Colorado. In addition, EPA proposes to amend the language in 40 CFR 52.343(a)(3) to clarify Colorado's PSD permitting authority.

In the final rules section of this Federal Register, the EPA is approving the State's SIP revision and promulgating these amendments as a direct final rule without prior proposal because the Agency views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for the action is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, then the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this notice. Any parties interested in commenting on this notice should do so at this time.

DATES: Comments on this proposed action must be received in writing by April 21, 1997.

ADDRESSES: Written comments on this action should be addressed to Vicki Stamper, 8P2-A, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations: Air Program, Environmental Protection Agency,

Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466; and Colorado Department of Public Health and Environment, Air Pollution Control Division, 4300 Cherry Creek Drive South, Denver, Colorado 80202-1530.

FOR FURTHER INFORMATION CONTACT: Vicki Stamper, 8P2-A, at (303) 312-6445.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final notice of the same title which is located in the Rules Section of this Federal Register.

Dated: February 27, 1997.
Patricia D. Hull,
Acting Regional Administrator.
[FR Doc. 97-7101 Filed 3-19-97; 8:45 am]
BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-246; RM-8091]

Television Broadcasting Services; Ridgecrest, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: This document denies an Application for Review filed by Valley Public Television, Inc. (Valley) and affirms the staff's dismissal of Valley's rulemaking petition. See 58 FR 58833 (November 4, 1993); 60 FR 31258 (June 14, 1995). The petition sought to substitute Channel *41 for vacant Channel *25 (reserved for noncommercial use) at Ridgecrest, CA to eliminate a short-spacing between Valley's application for a new noncommercial station on Channel *39 at Bakersfield, CA and Channel *25 at Ridgecrest. The Commission concluded that the rulemaking petition was properly dismissed as moot because Valley had withdrawn its television application and because no more applications can be filed for Channel *39 at Bakersfield. With this action, the proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 92-246, adopted March 4, 1997, and released March 14, 1997. The full text of this Commission decision is