

this action does not impose any enforceable duty, or contain any "unfunded mandates" as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993) or special consideration as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because FFDCA section 408(l)(6) permits establishment of this regulation without a notice of proposed rulemaking, the regulatory flexibility analysis requirements of the Regulatory Flexibility Act, 5 U.S.C. 604(a), do not apply. Nonetheless, the Agency has previously assessed whether establishing tolerances or exemptions from tolerance, raising tolerance levels, or expanding exemptions adversely impact small entities and concluded, as a generic matter, that there is no adverse impact. (46 FR 24950) (May 4, 1981).

Under 5 U.S.C. 801(a)(1)(A) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 8, 1997.

**Peter Caulkins,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR Chapter I is amended as follows:

**PART 180—[AMENDED]**

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 371.

2. Section 180.499 is amended as follows:

i. By redesignating the existing text as paragraph (b), revising the introductory text of newly designated paragraph (b), in the third column to the table by changing "March 15, 1999" to "3/15/99", and alphabetically adding entries for tomatoes; tomato paste and tomato puree.

ii. By correctly alphabetizing the entry for "milk" in the table.

iii. By adding and reserving paragraphs (a), (c), and (d).

**§ 180.499 Propamocarb hydrochloride; tolerances for residues.**

(a) *General.* [Reserved]

(b) *Section 18 emergency exemptions.* Time-limited tolerances are established for residues of the fungicide propamocarb hydrochloride in connection with use of the pesticide under section 18 emergency exemptions granted by EPA. The tolerances will expire and are revoked on the dates specified in the following table.

Commodity	Parts per million	Expiration/Revocation Date
* * *	*	*
Tomatoes .....	0.5	May 15, 1999
Tomato, puree ....	1.0	May 15, 1999
Tomato, paste ....	3.0	May 15, 1999

(c) *Tolerance with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Part 3800**

[WO-660-4120-02-24 1A]

RIN 1004-AC40

**Mining Claims Under the General Mining Laws; Surface Management**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Final rule; correction.

**SUMMARY:** The Bureau of Land Management (BLM) published in the **Federal Register** of February 28, 1997, a final rule amending the bonding provisions of the regulations on mining on public lands under the Mining Law of 1872. The preamble of that final rule contained an editing error creating an internal contradiction in the preamble. This document corrects that error.

**EFFECTIVE DATE:** Effective on May 16, 1997.

**ADDRESSES:** Inquiries or suggestions should be sent to the Solid Minerals Group at Director (320), Bureau of Land Management, Room 501 LS, 1849 C Street, N.W., Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Richard Deery, (202) 452-0350.

**SUPPLEMENTARY INFORMATION:** BLM published a final rule in the **Federal Register** of February 28, 1997 (62 FR 9093), amending the bonding provisions of the regulations on hardrock mining on public lands under the Mining Law of 1872 (30 U.S.C. 22 *et seq.*). In the preamble of the final rule, because of an editing error, the final two sentences in the last paragraph of the third column on page 9095 appear to contradict each other in explaining when operators working under an existing notice must provide a certification under the regulations. This document corrects that error.

In rule FR Doc. 97-5016, published on February 28, 1997 (62 FR 9093), make the following correction. On page 9095, in the last paragraph of the third column, revise the final sentence to read as follows: "For existing notices on file with BLM under which operations have not yet begun, the claimant or operator will have to provide the certification before initiating operations."

Dated: May 9, 1997.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MM Docket No. MM 87-268; FCC 97-116]

**Advanced Television Systems**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This *Report and Order* amends the Commission's rules by adopting service rules to implement digital television. The intended effect of this action is to promote rapid conversion to and implementation of digital television. This *Report & Order* contains new or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the new or modified information collections contained in this proceeding.

**DATES:** *Effective Dates:* The new rules are effective June 16, 1997. Written comments by the public on the new and/or modified information collections are due July 15, 1997.