

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 Federal requirements. Accordingly, no additional costs to state, local, or tribal governments, or the private sector, result from this action.

#### *F. Submission to Congress and the General Accounting Office*

Under section 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 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 section 804(2) of the APA as amended.

#### *G. Petitions for Judicial Review*

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeal for the appropriate circuit by March 30, 1998. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### **VII. List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone.

Dated: January 9, 1998.

**Michelle D. Jordan,**  
*Acting Regional Administrator.*

For the reasons stated in the preamble, part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 52—[AMENDED]**

1. The authority citation for Part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401–7671q.

2. Section 52.1885 is amended by adding paragraph (z) to read as follows:

#### **§ 52.1885 Control Strategy: Ozone.**

\* \* \* \* \*

(z) The 15 percent rate-of-progress requirement of section 182(b) of the Clean Air Act, as amended in 1990, is satisfied for the Ohio portion of the Cincinnati-Hamilton ozone nonattainment area.

[FR Doc. 98–2081 Filed 1–27–98; 8:45 am]

BILLING CODE 6560–50–P

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[MM Docket No. 97–27; RM–8901]

#### **Radio Broadcasting Services; Salome, Arizona**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 241A to Salome, Arizona, as that community's first local aural transmission service in response to a petition filed on behalf of Browns Well Broadcasting. See 62 FR 4226, January 29, 1997. Coordinates used for Channel 241A at Salome, Arizona, are 33–46–54 and 113–36–42. As Salome is located within 320 kilometers (199 miles) of the U.S.-Mexico border, concurrence of the Mexican government to this allotment was requested but has not been received. Therefore, Channel 241A has been allotted to Salome with the following interim condition: "Operation with the facilities specified herein is subject to modification, suspension, or termination without right to a hearing if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement" ("Agreement"). The condition is a temporary measure as we have determined that Channel 241A at Salome complies with the Agreement. Once an official response from the Mexican government has been obtained, the interim condition may be removed. With this action, the proceeding is terminated.

**DATES:** Effective March 9, 1998. A filing window for Channel 241A at Salome, Arizona, will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a separate Order.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418–2180. Questions related to the window application filing process

should be addressed to the Audio Services Division, (202) 418–2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 97–27, adopted January 14, 1998, and released January 23, 1998. 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 contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857–3800.

#### **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 reads as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by adding Salome, Channel 241A.

Federal Communications Commission.

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

[FR Doc. 98–2034 Filed 1–27–98; 8:45 am]

BILLING CODE 6712–01–P

### **DEPARTMENT OF TRANSPORTATION**

#### **Office of the Secretary**

#### **49 CFR Part 10**

[Docket No. OST–96–1472]

RIN: 2105–AC68

#### **Privacy Act; Implementation**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule.

**SUMMARY:** DOT amends its rules implementing the Privacy Act of 1974 to exempt from certain provisions of the Act the Coast Guard's Marine Safety Information System.

**DATES:** This amendment is effective February 27, 1998.

**FOR FURTHER INFORMATION CONTACT:** Robert I. Ross, Office of the General Counsel, C–10, Department of Transportation, Washington, DC 20590, telephone (202) 366–9156, FAX (202) 366–9170.