

This action is not a "major rule" as defined by 5 U.S.C. 804(2). It takes effect today.

List of Subjects in 40 CFR Part 68

Environmental protection, Chemicals, Chemical accident prevention.

Dated: March 3, 2000.

Carol M. Browner,
Administrator.

For the reasons stated in the preamble, EPA amends 40 CFR part 68 as follows:

PART 68—[AMENDED]

1. The authority section for part 68 is revised to read as follows:

Authority: 42 U.S.C 7412(r), 7601 (a) (1).

Subpart A—[Amended]

2. Section 68.3 is amended to add the following definition in alphabetical order:

§ 68.3 Definitions.

* * * * *

Retail facility means a stationary source at which more than one-half of the income is obtained from direct sales to end users or at which more than one-half of the fuel sold, by volume, is sold through a cylinder exchange program.

* * * * *

Subpart F—[Amended]

3. Section 68.126 is added to subpart F to read as follows:

§ 68.126 Exclusion.

Flammable Substances Used as Fuel or Held for Sale as Fuel at Retail Facilities. A flammable substance listed in Tables 3 and 4 of § 68.130 is nevertheless excluded from all provisions of this part when the substance is used as a fuel or held for sale as a fuel at a retail facility.

4. Section 68.130 is amended by:

- A. Revising the heading of Table 3;
- B. Revising the notes to Table 3 and adding a new footnote 1;
- C. Revising the heading to Table 4; and
- D. Revising the notes to Table 4 and adding a new footnote 1.

The revisions and additions read as follows:

§ 68.130 List of substances.

* * * * *

TABLE 3 TO § 68.130.—LIST OF REGULATED FLAMMABLE SUBSTANCES¹ AND THRESHOLD QUANTITIES FOR ACCIDENTAL RELEASE PREVENTION [Alphabetical Order—63 Substances]

* * * * *

¹ A flammable substance when used as a fuel or held for sale as a fuel at a retail facility is excluded from all provisions of this part (see § 68.126).

Note: Basis for Listing:

- ^a Mandated for listing by Congress.
- ^f Flammable gas.
- [§] Volatile flammable liquid.

TABLE 4 TO § 68.130.—LIST OF REGULATED FLAMMABLE SUBSTANCES¹ AND THRESHOLD QUANTITIES FOR ACCIDENTAL RELEASE PREVENTION [CAS Number Order—63 Substances]

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¹ A flammable substance when used as a fuel or held for sale as a fuel at a retail facility is excluded from all provisions of this part (see § 68.126).

Note: Basis for Listing:

- ^a Mandated for listing by Congress.
- ^f Flammable gas.
- [§] Volatile flammable liquid.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA No. 00-494, MM Docket No. 99-256; RM-9527]

Radio Broadcasting Services; Refugio and Taft, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 293C2 for Channel 291C3 at Refugio, Texas, reallocates Channel 293C2 from Refugio, Texas, to Taft, Texas, and modifies the license for Station

KTKY(FM) to specify operation on Channel 293C2 at Taft in response to a petition filed by Pacific Broadcasting of Missouri, L.L.C. See 64 FR 39963, July 23, 1999. The coordinates for Channel 293C2 at Taft are 27-52-00 and 97-13-08. We shall also allot Channel 291A to Refugio, Texas, at coordinates 28-21-58 and 97-19-11. Mexican concurrence has been received for the allotments at Refugio and Taft, Texas. With this action, this proceeding is terminated.

EFFECTIVE DATE: April 17, 2000.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 99-256, adopted February 23, 2000, and released March 3, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

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: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 291C3 and adding Channel 291A at Refugio and adding Taft, Channel 293C2.
Federal Communications Commission.

John A. Karousos,

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

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