

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of FFDCA, such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of FFDCA. For these same reasons, the Agency has determined that this rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop

an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

**VIII. Congressional Review Act**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit 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 United States prior to publication of this final rule in the **Federal Register**. This final 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: March 3, 2006.

**Lois Rossi,**  
*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. 321(q), 346a and 371.

■ 2. Section 180.476 is amended by alphabetically adding the following commodity to the table in paragraph (a)(1) to read as follows:

**§ 180.476 Triflumizole; tolerances for residues.**

(a) *General.* (1) \* \* \*

Commodity	Parts per million
* * *	* * *
Filbert .....	0.05
* * *	* * *

[FR Doc. 06-2379 Filed 3-14-06; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 1**

[WT Docket No. 03-66; RM-10586; FCC 04-135]

**Facilitating the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands**

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations, which were published in the **Federal Register** on Friday, December 10, 2004, (69 FR 72020). The Commission published final rules in the *Report and Order*, that renamed the Instructional Television Fixed Service (ITFS) as the Educational Broadband Service (EBS) and renames the Multichannel Multipoint Distribution Service (MMDS) and the Multipoint Distribution Service (MDS) as the Broadband Radio Service (BRS). This document corrects the final regulations by revising Section 1.1307.

**DATES:** Effective January 10, 2005.

**FOR FURTHER INFORMATION CONTACT:** Nancy J. Brooks, Office of Engineering and Technology, (202) 418-2454 e-mail: *Nancy.Brooks@fcc.gov*.

**SUPPLEMENTARY INFORMATION:** The final regulations that are the subject of this correction relate to final rules in the *Report and Order*, which transformed the rules and policies governing the licensing of the Instructional Television Fixed Service (ITFS) the Multichannel Multipoint Distribution Service (MMDS) and the Multipoint Distribution Service (MDS), in the 2500-2690 bands.

**Need for Correction**

As published, the final regulations contain errors, which require immediate correction.

**List of Subjects in 47 CFR Part 1**

Communications common carriers, Communications equipment, Education, Equal employment opportunity, Radio, Reporting and recordkeeping requirements, Television.

Federal Communications Commission.  
**Marlene H. Dortch,**  
*Secretary.*

■ Accordingly, 47 CFR part 1 is corrected by making the following correcting amendments:

**PART 1—PRACTICE AND PROCEDURE**

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

**Authority:** 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r) 309 and 325(e).

■ 2. Section 1.1307 is amended by revising Table 1 immediately following paragraph (b)(1) to read as follows:

**§ 1.1307 Actions that may have a significant environmental effect, for which Environmental Assessments (EAs) must be prepared.**

\* \* \* \* \*  
 (b) \* \* \*  
 (1) \* \* \*

TABLE 1.—TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION

Service (title 47 CFR rule part)	Evaluation required if:
Experimental Radio Services (part 5) ..... Paging and Radiotelephone Service (subpart E of part 22).	Power > 100 W ERP (164 W EIRP). Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1000 W ERP (1640 W EIRP). Building-mounted antennas: power > 1000 W ERP (1640 W EIRP).
Cellular Radiotelephone Service (subpart H of part 22).	Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 1000 W ERP (1640 W EIRP). Building-mounted antennas: total power of all channels > 1000 W ERP (1640 W EIRP).
Personal Communications Services (part 24).	(1) Narrowband PCS (subpart D):  Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 1000 W ERP (1640 W EIRP). Building-mounted antennas: total power of all channels > 1000 W ERP (1640 W EIRP). (2) Broadband PCS (subpart E): Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 2000 W ERP (3280 W EIRP). Building-mounted antennas: total power of all channels > 2000 W ERP (3280 W EIRP).
Satellite Communications Services (part 25).	All included.  In addition, for NGSO subscriber equipment, licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, e.g., information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.
Miscellaneous Wireless Communications Services (part 27 except subpart M).	(1) For the 1390–1392 MHz, 1392–1395 MHz, 1432–1435 MHz, 1670–1675 MHz, and 2385–2390 MHz bands: Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 2000 W ERP (3280 W EIRP). Building-mounted antennas: total power of all channels > 2000 W ERP (3280 W EIRP). (2) For the 698–746 MHz, 746–764 MHz, 776–794 MHz, 2305–2320 MHz, and 2345–2360 MHz bands: Total power of all channels > 1000 W ERP (1640 W EIRP).
Broadband Radio Service and Educational Broadband Service (subpart M of part 27).	Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1640 W EIRP.  Building-mounted antennas: power > 1640 W EIRP. BRS and EBS licensees are required to attach a label to subscriber transceiver or transverter antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, e.g., information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310.
Radio Broadcast Services (part 73) ..... Experimental Radio, Auxiliary, Special Broadcast and Other Program Distributional Services (part 74).	All included. Subparts A, G, L: power > 100 W ERP.
Stations in the Maritime Services (part 80).	Ship earth stations only.
Private Land Mobile Radio Services Paging Operations (subpart P of part 90).	Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1000 W ERP (1640 W EIRP). Building-mounted antennas: power > 1000 W ERP (1640 W EIRP).
Private Land Mobile Radio Services Specialized Mobile Radio (subpart S of part 90).	Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 1000 W ERP (1640 W EIRP).
Amateur Radio Service (part 97) .....	Building-mounted antennas: Total power of all channels > 1000 W ERP (1640 W EIRP). Transmitter output power > levels specified in § 97.13(c)(1) of this chapter.

TABLE 1.—TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION—Continued

Service (title 47 CFR rule part)	Evaluation required if:
Local Multipoint Distribution Service (subpart L of part 101) and 24 GHz (subpart G of part 101).	Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1640 W EIRP.  Building-mounted antennas: power > 1640 W EIRP. LMDS and 24 GHz Service licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, e.g., information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310.
70/80/90 GHz Bands (subpart Q of part 101).	Non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1640 W EIRP.  Building-mounted antennas: power > 1640 W EIRP. Licensees are required to attach a label to transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, e.g., information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310.

\* \* \* \* \*

[FR Doc. 06–2422 Filed 3–14–06; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 54****[CC Docket No. 02–6; FCC 04–289]****Rural Health Care Support Mechanism****AGENCY:** Federal Communications Commission.**ACTION:** Final rule, correction.

**SUMMARY:** This document corrects an error in the **DATES** section of a **Federal Register** document regarding the Commission modifying its rules to improve the effectiveness of the rural health care universal service support mechanism.

**DATES:** Effective March 15, 2006.**FOR FURTHER INFORMATION CONTACT:**

Regina Brown and Dana Bradford, Attorneys, Telecommunications Access Policy Division, Wireline Competition Bureau, (202) 418–7400.

**SUPPLEMENTARY INFORMATION:** This summary contains a correction to the **DATES** section of a **Federal Register** summary, 70 FR 6365, February 7, 2005. The full text of the Commission's Report and Order, and Order on Reconsideration, in CC Docket No. 02–6, FCC 04–289 released on December 17, 2004 is available for public inspection during regular business hours in the FCC Reference Center, Room CY–A257, 445 Twelfth Street, SW., Washington, DC 20554.

In rule FR Doc. 05–2269 published February 7, 2005, 70 FR 6365 make the following correction.

On page 6365, in the second column, in the **DATES** section, replace “§ 54.621(c)” with “§ 54.619.”

Federal Communications Commission.

**Marlene H. Dortch,***Secretary.*

[FR Doc. 06–2332 Filed 3–14–06; 8:45 am]

BILLING CODE 6712–01–P

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 64****[CG Docket No. 03–123, FCC 05–203]****Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities****AGENCY:** Federal Communications Commission.**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved for three years the information collection requirements contained in the *Telecommunications Relay Services (TRS) and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, Order on Reconsideration (*Report and Order*). The *Report and Order* states that the Commission will publish a document in the **Federal Register** announcing the effective date of the rules.

**DATES:** 47 CFR 64.605(a)(2), (c)(2), (e)(2), (f)(2) and (g) published at 70 FR 76208, December 23, 2005 are effective March 15, 2006.

**FOR FURTHER INFORMATION CONTACT:** Dana Jackson or Thomas Chandler,

Consumer & Governmental Affairs Bureau, Disability Rights Office at (202) 418–2517 (voice), (202) 418–7898 (TTY).

**SUPPLEMENTARY INFORMATION:** This document announces that, on February 21, 2006, OMB approved for three years the information collection requirements contained in 47 CFR 64.605(a)(2), (c)(2), (e)(2), (f)(2) and (g), published at 70 FR 76208 (December 23, 2005). The OMB Control Number is 3060–1047. If you have any comments on these burden estimates, or how the Commission can improve the collections and reduce the burdens caused thereby, please write to Les Smith, Federal Communications Commission, Room 1–A804, 445 12th Street, SW., Washington, DC 20554. Please include the OMB Control Number 3060–1047, in your correspondence. The Commission will also accept your comments via the Internet if you send them to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov), or call (202) 418–0217. The *Report and Order* also adopted or modified regulations that do not require OMB approval, and states that such regulations become effective 30 days from the date of publication of the *Report and Order*, in the **Federal Register**. See *Report and Order* at paragraph 37, released December 12, 2005. Accordingly, these modified rules became effective on January 23, 2006. A summary of the *Report and Order* was published in the **Federal Register** at 70 FR 76208, December 23, 2005. A copy of the TRS rules, as amended, will appear after that date on the Commission's Web site at: <http://www.fcc.gov/cgb/dro/4regs.html>.

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