

by the State and subject to State law. Second, the Act also generally excludes from the definition of a "Federal mandate" duties that arise from participation in a voluntary Federal program. West Virginia's participation in an authorized UST program is voluntary.

Even if today's rule did contain a Federal mandate, this rule will not result in annual expenditures of \$100 million or more for State, local, and/or tribal governments in the aggregate, or the private sector. Costs to State, local and/or tribal governments already exist under the West Virginia program, and today's action does not impose any additional obligations on regulated entities. In fact, EPA's approval of state programs generally may reduce, not increase, compliance costs for the private sector.

The requirements of section 203 of UMRA also do not apply to today's action. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, section 203 of the UMRA requires EPA to develop a small government agency plan. This rule contains no regulatory requirements that might significantly or uniquely affect small governments. The Agency recognizes that although small governments may own and/or operate USTs, they are already subject to the regulatory requirements under existing state law which are being authorized by EPA, and, thus, are not subject to any additional significant or unique requirements by virtue of this program approval.

#### *Certification Under the Regulatory Flexibility Act*

EPA has determined that this authorization will not have a significant economic impact on a substantial number of small entities. Such small entities which own and/or operate USTs are already subject to the regulatory requirements under existing State law which are being authorized by EPA. EPA's authorization does not impose any additional burdens on these small entities. This is because EPA's authorization would simply result in an administrative change, rather than a change in the substantive requirements imposed on these small entities.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities.

This authorization approves regulatory requirements under existing State law to which small entities are already subject. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

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

Under 5 U.S.C. 801(a)(1)(A) as added 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 5 U.S.C. 804(2).

#### **List of Subjects in 40 CFR Part 281**

Administrative practice and procedure, Hazardous materials, State program approval, and Underground storage tanks.

**Authority:** This notice is issued under the authority of section 9004 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6991c.

Dated: September 15, 1997.

**W. Michael McCabe,**  
*Regional Administrator.*

[FR Doc. 97-25132 Filed 9-22-97; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 300**

[FRL-5895-3]

#### **National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of deletion of the Spokane Junkyard and Associated Properties site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 10 announces the deletion of the Spokane Junkyard and Associated Properties Site from the National Priorities List (NPL). The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA).

EPA and the State of Washington Department of Ecology (Ecology) have determined that no further cleanup under CERCLA is appropriate and that the selected remedy has been protective of human health and the environment.

**EFFECTIVE DATE:** September 23, 1997.

**FOR FURTHER INFORMATION CONTACT:** Kevin Rochlin, U.S. EPA Region 10, 1200 Sixth Avenue, Mail Stop: ECL-111, Seattle, Washington 98101, (206) 553-2106.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Spokane Junkyard and Associated Properties, Spokane, Washington.

A Notice of Intent to Delete for this site was published on August 7, 1997, (62 FR 42414). The closing date for comments on the Notice of Intent to Delete was September 7, 1997. EPA received no comments.

EPA identifies sites which appear to present a significant risk to human health, welfare or the environment, and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substances Response Trust Fund-financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425 of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

#### **List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, and Water supply.

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

#### **PART 300—[AMENDED]**

1. The authority citation for Part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

#### **Appendix B—[Amended]**

2. Table 1 of Appendix B to part 300 is amended by removing the entry for "Spokane Junkyard/Associated Properties, Spokane, Washington."

Dated: September 9, 1997.

**Chuck Clarke,**

*Regional Administrator, Region 10.*

[FR Doc. 97-24943 Filed 9-22-97; 8:45 am]

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**FEDERAL COMMUNICATIONS  
COMMISSION**

**47 CFR Part 73**

[MM Docket No. 96-219; RM-8881]

**Radio Broadcasting Services; Temple,  
Taylor and Hutto, TX**

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Final rule.

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**SUMMARY:** The Commission, at the request of Stellar Communications, Inc., reallocates Channel 282C2 from Temple to Taylor, Texas, and modifies Station KKIK(FM)'s license accordingly. See 61 FR 58361, November 14, 1996. Channel 282C2 can be allotted to Taylor in compliance with the Commission's minimum distance separation

requirements with a site restriction of 6.4 kilometers (4.0 miles) southwest. The coordinates for Channel 282C2 at Taylor are 30-31-18 and 97-26-40. The Commission also pursuant to the grant of the major change application (BPH-821203AD) reallocates Channel 221A from Taylor to Hutto, Texas. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** October 27, 1997.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 96-219, adopted September 3, 1997, and released September 12, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC 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, ITS, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

**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:** Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 282C2 at Temple and by adding Channel 282C2 at Taylor; and by removing Channel 221A at Taylor and by adding Hutto, Channel 221A.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 97-24934 Filed 9-22-97; 8:45 am]

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