

with the Site were within EPA's acceptable risk range. Nevertheless, EPA identified several areas (three on-site storm drains, a sanitary leaching pool and a drywell) that were potential sources for metal contamination in the ground water. Commerce Holding Co. agreed to remove the contaminated sediments in the several identified areas.

D. Removal Action

On May 7, 1993, Commerce Holding Company, Inc. entered into an Administrative Order on Consent (AOC) with EPA to remove contaminated sediment and soil from each of the three on-site storm drains and the three adjoining overflow drains, the sanitary leaching pool and the drywell. Soil samples were collected from the bottom of the excavations and analyzed to determine the levels of cadmium, lead and chromium present. The AOC specified the following cleanup goals developed by EPA and NYSDEC: Cadmium—10 parts per million (ppm); lead—200 ppm; and, chromium—98 ppm.

Pursuant to the AOC, Commerce Holding Company, Inc. began the removal work on July 22, 1993 and satisfactorily completed it on August 13, 1993. Storm water was removed from the on-site storm drains and sanitary leaching pool. A vacuum truck was used to remove contaminated sediments and soils from the storm drains, sanitary leaching pool and drywell. An X-ray fluorescence (XRF) field-screening device was employed to determine the depth of the excavation. The XRF results indicated that these cleanup goals had been met. Confirmatory soil samples were taken at the bottom of each excavation and sent for laboratory analysis to ensure that the cleanup goals developed by EPA and NYSDEC were met. Results from the analysis of these confirmatory samples agree with the field-screening results. All procedures and protocols for sampling and testing were done using EPA analytical methods and a Contract Laboratory. EPA and NYSDEC believe that analytical results are accurate to the degree necessary to ensure cleanup goals were met.

E. Record of Decision Findings

A Record of Decision signed on September 27, 1993 selected "No Further Action" as a remedy for the Site. Based upon a review of all the available data, including the findings of the RI and the risk assessment, and the analytical results of confirmatory samples taken after the removal of contaminated sediments and soils, EPA

determined that a no-further-action remedy was protective of human health and the environment. In addition, NYSDEC continued to monitor the site to verify the effectiveness of the remedy until 1997 when the site was delisted from the New York State Registry of Inactive Hazardous Waste Disposal Sites.

F. Future Activity

The Site has been utilized throughout the remedial process. Several light industries occupy the property. The metal contamination in the drywells has been removed. There is no need for institutional controls at this Site. The ground water does not exceed MCLs. Therefore, no well restrictions are necessary. EPA will not conduct Five-Year Reviews at this Site.

V. Deletion Action

The EPA, with concurrence of the State of New York, has determined that all appropriate responses under CERCLA have been completed, and that no further response actions are necessary. Therefore, EPA is deleting the Site from the NPL.

Because EPA considers this action to be noncontroversial and routine, EPA is taking it without prior publication. This action will be effective October 15, 2001 unless EPA receives adverse comments by September 13, 2001. If adverse comments are received within the 30-day public comment period on the proposal, EPA will publish a timely withdrawal of this direct final notice of deletion before the effective date of the deletion and it will not take effect. If appropriate, EPA will prepare a response to comments and continue with the deletion process on the basis of the notice of intent to delete and the comments already received. There will be no additional opportunity to comment.

List of Subjects in 40 CFR Part 300

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

Dated: July 13, 2001.

Kathleen C. Callahan,

Acting Regional Administrator, Region II.

For the reasons set out in this document, 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 under ("NY") by removing the site Tronic Plating Co., Inc. Farmingdale.

[FR Doc. 01–20255 Filed 8–13–01; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01–1895 MM Docket No. 99–318, RM–9745]

Digital Television Broadcast Service; Panama City, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Waitt License Company of Florida, Inc., licensee of station WPGX(TV), substitutes DTV channel 9 for DTV 29c at Panama City, Florida. See 64 FR 60149, November 4, 1999. DTV channel 9 can be allotted to Panama City in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (30–13–45 N. and 85–23–20 W.) with a power of 130, HAAT of 264 meters and with a DTV service population of 312 thousand.

With this action, this proceeding is terminated.

DATES: Effective September 24, 2001.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 99–318, adopted August 8, 2001, and released August 9, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 1231 20th Street, NW., Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Television, Digital television 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, 336.

§ 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Florida, is amended by removing DTV channel 29c and adding DTV channel 9 at Panama City.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 01-20290 Filed 8-13-01; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[DOT Docket No. NHTSA-01-10367]

RIN: 2127-AH15

Federal Motor Vehicle Safety Standards; Motorcycle Brake Systems

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: In this document, we (NHTSA) amend the Federal motor vehicle safety standard on motorcycle brakes by reducing the minimum hand lever force from 5 pounds (presently specified) to 2.3 pounds and the minimum foot pedal force from 10 pounds (presently specified) to 5.6 pounds in the fade recovery and water recovery tests. The new force levels are low enough to accommodate new braking systems that are combined or "linked" (i.e., the hand and foot brakes working in tandem). Compared with older motorcycle braking systems, combined or "linked" braking systems do not need as much force exerted on them to be effective. Yet the force levels are still high enough to ensure that motorcycles utilizing more mature technologies will not have problems with overly sensitive brakes. This rulemaking was initiated in response to a petition from American Honda Motor Co., Inc.

DATES: This rule is effective August 14, 2002. Optional early compliance with the changes made in this final rule is

permitted beginning August 14, 2001. Any petitions for reconsideration of this final rule must be received by NHTSA not later than September 28, 2001.

ADDRESSES: Petitions for reconsideration should refer to the docket number for this action and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590. Copies of the Final Regulatory Evaluation for this rule can be obtained from: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. You may call the Docket at 202-366-9324. You may visit the Docket from 10:00 a.m. to 5:00 p.m., Monday through Friday. The Docket is closed on Federal holidays.

FOR FURTHER INFORMATION CONTACT: For technical issues, you may call Mr. Joseph Scott, Office of Crash Avoidance Standards at (202) 366-8525. His FAX number is (202) 493-2739.

For legal issues, you may call Ms. Dorothy Nakama, Office of the Chief Counsel at (202) 366-2992. Her FAX number is (202) 366-3820.

You may send mail to both of these officials at National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Background

Federal Motor Vehicle Safety Standard No. 122, *Motorcycle brake systems*, (49 CFR § 571.122) took effect on January 1, 1974 (see **Federal Register** notice of June 16, 1972, 37 FR 1973). Standard No. 122 specifies performance requirements for motorcycle brake systems. The purpose of the standard is to provide safe motorcycle braking performance under normal and emergency conditions. The safety afforded by a motorcycle's braking system is determined by several factors, including stopping distance, linear stability while stopping, fade resistance, and fade recovery. A safe system should have features that both guard against malfunction and stop the vehicle if a malfunction should occur in the normal service system. Standard No. 122 covers each of these aspects of brake safety, specifying equipment and performance requirements appropriate for two-wheeled and three-wheeled motorcycles.

Among other requirements, the motorcycle manufacturer must be sure that each motorcycle meets requirements under the conditions specified in S6 of the Standard and the test procedures and sequence specified in S7. Two of the tests specified in S7

are the fade and recovery test and the water recovery test.

The fade and recovery test compares the braking performance of the motorcycle before and after ten 60 mile per hour stops at a deceleration of not less than 15 feet per second per second (fps²). As a check test, three baseline stops¹ are conducted from 30 miles per hour at 10 to 11 fps², with the maximum brake lever and maximum pedal forces recorded during each stop, and averaged over the three baseline stops. Ten 60-mile-per-hour stops are then conducted at a deceleration rate of 14 to 17 fps², followed immediately by five fade recovery stops from 30 miles per hour at a deceleration rate of 10 to 11 fps². The maximum brake pedal and lever forces measured during the fifth recovery stop must be within plus 20 pounds and minus 10 pounds of the baseline average maximum brake pedal and lever forces.

The water recovery test compares the braking performance of the motorcycle before and after the motorcycle brakes are immersed in water for two minutes. Three baseline stops are conducted from 30 miles per hour at 10 to 11 fps², with the maximum brake lever and pedal forces recorded during each stop, and averaged over the three baseline stops. The motorcycle brakes are then immersed in water for two minutes, followed immediately by five water recovery stops from 30 miles per hour at a deceleration rate of 10 to 11 fps². The maximum brake pedal and lever forces measured during the fifth recovery stop must be within plus 20 pounds and minus 10 pounds of the baseline average maximum brake pedal force and the lever force.

American Honda Motor Co., Inc. Petition for Rulemaking

In a submission dated November 3, 1997, American Honda Motor Co., Inc. (Honda) petitioned us to amend Standard No. 122 to eliminate the minimum hand lever force of 5 pounds and the minimum foot pedal force of 10 pounds for the fade recovery and water recovery tests.² Honda requested these

¹ The baseline check is used to establish a specific motorcycle's pre-test performance to provide a basis for comparison with post-test performance. This comparison is intended to ensure adequate brake performance, at reasonable lever and pedal forces, after numerous high speed or wet condition stops.

² Prior to submitting that petition for rulemaking, Honda petitioned for a temporary exemption for its motorcycle. In a **Federal Register** notice dated October 7, 1997 (62 FR 52372) (No DOT Docket No.), we granted Honda a temporary exemption from the following Standard No. 122 provisions for the CBS100XX motorcycle: S5.4.1 Baseline check—minimum and maximum pedal forces, S5.4.2 Fade, S54.3 Fade recovery, S5.7.2 Water recovery test,

Continued