

provisions of the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.* Today's action reinstates preexisting information collection requirements imposed under existing RCRA regulations. These requirements have been approved by OMB under the Paperwork Reduction Act and have been assigned OMB Control Number 2050-0085 (see ICR #1442.04, land-disposal restrictions for newly listed waste and hazardous debris; ICR #1442.05, land-disposal restrictions for ignitable and corrosive characteristic wastes; ICR #1442.06, land-disposal restrictions for newly listed and identified wastes; and ICR #1442.07, land-disposal restrictions for decharacterized wastewaters, carbamate, and organobromine waste and spent aluminum potliners).

#### List of Subjects in 40 CFR Part 279

Environmental protection, Petroleum, Recycling, Reporting and recordkeeping requirements, Used oil.

Dated: October 3, 1995.

Carol M. Browner,  
*Administrator.*

For the reasons set out in the preamble, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 279—STANDARDS FOR THE MANAGEMENT OF USED OIL**

1. The authority citation for part 279 continues to read as follows:

Authority: Sections 1006, 2002(a), 3001 through 3007, 3010, 3014, and 7004 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6905, 6912(a), 6921 through 6927, 6930, 6934, and 6974); and Sections 101(37) and 114(c) of CERCLA (42 U.S.C. 9601(37) and 9614(c)).

2. Section 279.10(b)(2) is amended by adding the following note immediately after paragraph (b)(2)(iii) to read as follows:

#### **§ 279.10 Applicability.**

\* \* \* \* \*

(b) \* \* \*  
(2) \* \* \*

Note to paragraph (b)(2) of this section: The regulatory requirements set forth in 40 CFR 279.10(b)(2) for mixtures of used oil and hazardous waste that solely exhibits one or more of the hazardous waste characteristics identified in subpart C of 40 CFR Part 261, and mixtures of used oil and hazardous waste that are listed in subpart D of 40 CFR Part 261 solely because it exhibits one or more of the characteristics of hazardous waste identified in subpart C, are administratively stayed as of December 29, 1995. The effect of the stay is to reinstate for such mixtures the regulatory requirements otherwise applicable to hazardous waste mixtures, including but not limited to those set forth in 40 CFR Parts 260-266, 268, 270,

and 271, until the Agency completes a new rulemaking addressing that provision.

\* \* \* \* \*

[FR Doc. 95-26459 Filed 10-27-95; 8:45 am]

BILLING CODE 6560-50-P

#### **FEDERAL COMMUNICATIONS COMMISSION**

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

[MM Docket No. 93-313; RM-8390]

#### **Radio Broadcasting Services; Bay Minette and Daphne, AL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document reallots Channel 293C2 (formerly Channel 293C3), from Bay Minette to Daphne, Alabama, and modifies the license of Baldwin Broadcasting Company for Station WAVH(FM), as requested, pursuant to the provisions of Section 1.420(i) of the Commission's Rules. The allotment of Channel 293C2 to Daphne will provide a first local aural transmission service to that community without depriving Bay Minette of local aural transmission service. See 59 FR 43, January 3, 1994. Coordinates used for Channel 293C2 at Daphne, Alabama, are 30-46-21 and 88-03-31. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** December 8, 1995.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-313, adopted October 13, 1995, and released October 24, 1995. 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 contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### 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 Alabama, is amended by removing Channel 293C3 at Bay Minette, and by adding Daphne, Channel 293C2.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 95-26695 Filed 10-27-95; 8:45 am]

BILLING CODE 6712-01-F

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

[MM Docket No. 90-283; RM-7222, RM-7313, RM-7485, RM-7486]

#### **Radio Broadcasting Services; Southampton, Bridgehampton, Westhampton and Calverton-Roanoke, NY**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document denies an Application for Review filed by American Media, Inc., and a Petition for Reconsideration filed by East Shore Broadcasting Corporation, both directed to the *Report and Order* in this proceeding concerning radio broadcasting services in New York. See 57 FR 31664, July 17, 1992. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** October 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 776-1654.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 90-283, adopted August 24, 1995, and released October 24, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 2390, 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., (202) 857-3800, 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.  
William F. Caton,  
*Acting Secretary.*  
[FR Doc. 95-26749 Filed 10-27-95; 8:45 am]  
BILLING CODE 6712-01-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 651

[Docket No. 950124025-5255-02; I.D. 100395B]

#### Northeast Multispecies Fishery; Framework Procedure to Protect Harbor Porpoise

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** NMFS issues this final rule to correct and clarify certain sections of the regulations that implement the framework procedures for adjusting regulatory measures to protect harbor porpoise under the Northeast Multispecies Fishery Management Plan (FMP). This action is necessary to make these measures consistent with the intent of Amendment 5 to the Northeast Multispecies Fishery Management Plan submitted by the New England Fishery Management Council (Council).

**EFFECTIVE DATE:** October 25, 1995.

**FOR FURTHER INFORMATION CONTACT:** E. Martin Jaffe, Fishery Policy Analyst, 508-281-9272.

**SUPPLEMENTARY INFORMATION:**

Regulations implementing Amendment 5 to the FMP were published on March 1, 1994 (59 FR 9872), and corrected on February 2, 1995 (60 FR 6447). Amendment 5, among other provisions, implemented a framework adjustment procedure for the purpose of achieving harbor porpoise mortality reduction goals. The section of the regulations implementing Amendment 5, pertaining to the "reduction of take" measures in the harbor porpoise bycatch of the Gulf of Maine sink gillnet fishery, does not reflect clearly the intent of the Council with respect to the role of the Harbor Porpoise Review Team (HPRT) and the number of meetings required to conclude the procedure.

As written, § 651.32(b)(4) can be read to mean that the recommendations of the HPRT must be published in the Federal Register without analysis or refinement by the Council. This final

rule/technical amendment corrects and clarifies the regulation and relieves the HPRT of the unintended requirement to analyze and refine its own recommendations for publication in the Federal Register.

Section 651.32(b)(4) also can be read to mean that the Regional Director is required to provide the public with any necessary analysis and opportunity to comment on any recommended changes or additions by the HPRT, before the Council adopts them. This final rule/technical amendment corrects and clarifies the regulation and assigns the Council with the responsibility for providing the public with any necessary analysis and opportunity to comment on any changes recommended by the HPRT, as originally intended.

Finally, section 651.32(b)(5) seems to require a minimum of three Council meetings, instead of two, as intended, before the Council shall determine whether to recommend changes or additions to the "reduction of take" measures in the harbor porpoise bycatch of the Gulf of Maine sink gillnet fishery. This final rule clarifies that at least two meetings are required, instead of three, making it consistent with the framework adjustment provisions included elsewhere in the Northeast Multispecies FMP and other FMPs.

**Classification**

Because this rule only corrects and clarifies the Council's intent regarding a section of an existing regulation for which prior notice and opportunity for public comment were provided, under 5 U.S.C. 553(b)(B) it is unnecessary to provide additional notice and opportunity for comment. Further, in that this rule is merely a clarification with no substantive effect, it is not subject to the 30-day delay in effective date provision of 5 U.S.C. 553(d).

This rule is exempt from review under E.O. 12866.

**List of Subjects in 50 CFR Part 651**

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: October 24, 1995.

Richard H. Schaefer,  
*Acting Assistant Administrator for Fisheries,*  
*National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 651 is amended as follows:

#### **PART 651—NORTHEAST MULTISPECIES FISHERY**

1. The authority citation for part 651 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 651.32, paragraphs (b)(4) and (b)(5) are revised to read as follows:

#### **§ 651.32 Sink gillnet requirements to reduce harbor porpoise takes.**

\* \* \* \* \*

(b) \* \* \*  
(4) Upon receiving the recommendation of the HPRT of any changes or additions to the "reduction of take" measures, the Council will provide the public with any necessary analysis and opportunity to comment on any recommended changes or additions.

(5) After receiving public comment, the Council shall determine whether to recommend changes or additions to the "reduction of take" measures at a Council meeting following the meeting at which it received the HPRT's recommendations.

\* \* \* \* \*

[FR Doc. 95-26758 Filed 10-25-95; 10:10 am]

BILLING CODE 3510-22-F

#### 50 CFR Part 651

[Docket No. 951023256-5256-01; I.D. 101695E]

#### Northeast Multispecies Fishery; Framework Adjustment 12

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement measures contained in Framework Adjustment 12 to the Northeast Multispecies Fishery Management Plan (FMP). This rule expands and redefines the Mid-coast Closure Area for sink gillnet gear, in both area and time during 1995, to reduce the bycatch of harbor porpoise, while minimizing the loss of fishing opportunity to harvesters using sink gillnet gear.

**EFFECTIVE DATE:** November 1, 1995.

**ADDRESSES:** Copies of Amendment 5 to the Northeast Multispecies Fishery Management Plan (Amendment 5), its regulatory impact review (RIR) and the final regulatory flexibility analysis contained with the RIR, its final supplemental environmental impact statement, and Framework Adjustment 12 document are available upon request from Douglas G. Marshall, Executive Director, New England Fishery Management Council (Council), 5 Broadway, Saugus, MA 01906-1097.

**FOR FURTHER INFORMATION CONTACT:** E. Martin Jaffe, NMFS, Fishery Policy Analyst, 508-281-9272.