

of Surface Mining, Permitting Team, 530 Gay Street SW., Suite 500, Knoxville, Tennessee 37902, Attn. Willis Gainer. Copies of the petition are available upon request from the Office of Surface Mining at the above address. The public record on the petition is available for review during normal working hours (8 a.m. to 4:30 p.m.) at the OSM office listed above. The November 16 scoping meeting will be held at the Fall Creek Falls State Park Inn, Rt. 3, Pikeville, Tennessee.

**FOR FURTHER INFORMATION CONTACT:** Willis L. Gainer, at the OSM office listed above (telephone: 615-545-4065).

**SUPPLEMENTARY INFORMATION:** On July 14, 1995, 49 citizens, Save Our Cumberland Mountains, and Tennessee Citizens for Wilderness Planning petitioned OSM to designate the watershed and viewshed of Fall Creek Falls State Park and Natural Area in Van Buren and Bledsoe Counties, Tennessee, as unsuitable for surface coal mining operations pursuant to SMCRA. The petition was amended on August 18 and September 5, 1995, and determined administratively complete and accepted for processing on October 5, 1995. The petition as accepted is an 80 page document with 55 exhibits and amendments. The Federal Program for Tennessee, as administered by OSM, applies to all surface coal mining operations in Tennessee including the processing of lands unsuitable for mining petitions (49 FR 38874, October 1, 1984).

The petition area covers approximately 83,740 acres of the watershed and viewshed in Van Buren and Bledsoe Counties. The petition boundary is as follows: beginning at the Park boundary due north of Bradden Knob lookout tower, roughly paralleling Highway 30 northwesterly to a point on Cane Creek just south of the Highway 30 crossing, then extending due west with the boundary of the Park's new addition and extending westward to a point approximately at the city limits of the town of Spencer, from that point southward roughly following the path of Highway 111 to Pine Grove school, then south-southwest to the community of Welchland, then southeast to the peak of Smartt Mountain, then extending southeasterly following the Tennessee Valley Divide, and following the Divide as it curves back to the northeast to a point approximately 2 miles north of Basin Mountain, then following a divide between Flat Creek and Pole Bridge Creek in a northwesterly direction to the beginning.

The major allegations of the petition can be summarized as follows:

1. Surface coal mining operations would affect fragile or historic lands, in which such operations could result in significant damage to important historic, cultural, scientific, or esthetic values.

2. Surface coal mining operations would affect renewable resource lands in which the operations could result in a substantial loss or reduction in the long-range productivity of water supply or of food or fiber products.

3. Surface coal mining operations would affect natural hazard lands in which such operations could substantially endanger life and property.

4. Surface coal mining operations would be incompatible with existing state and local land use plans or programs.

5. Reclamation is not technologically and economically feasible.

OSM has identified four possible alternatives that the combined PED/EIS would evaluate:

Alternative 1—Designate the entire petition area as unsuitable for surface coal mining operations if OSM determines that reclamation is not technologically and economically feasible.

Alternative 2—Not designate any of the area as unsuitable for surface coal mining operations.

Alternative 3—Designate parts of the petition area as unsuitable for all surface coal mining operations:

A. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would affect fragile or historic lands and result in significant damage to important historic, cultural, scientific, or esthetic values.

B. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would result in a substantial loss or a reduction in the long-range productivity of water supply or food or fiber products.

C. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would affect natural hazard lands and could substantially endanger life and property.

D. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would be incompatible with existing local land use plans and programs.

Alternative 4—Designate the entire petition area as unsuitable for surface coal mining but allow underground mining with or without certain restrictions.

A scoping comment period is intended to raise the relevant issues to be addressed by the combined document. OSM seeks public comments in relation to the scope of issues to be addressed by the impact evaluation, including impacts and alternatives that should be addressed. Written comments should be specific and confined to issues pertinent to the petition. The public comments received during the scoping period will assist OSM in making decisions on the petition evaluation and in preparing the PED/EIS. OSM believes that the proposed action is a major Federal action that may significantly affect the quality of the human environment and may require the preparation of an EIS. OSM additionally gives notice here that should information or analysis show that the proposed action does not require an EIS, it will terminate the environmental impact statement process through an appropriate notice in the Federal Register, prepare an environmental assessment, and continue processing of the petition under 30 CFR Part 764 and 942 regulations.

Dated: October 31, 1995.  
Mary Josie Blanchard,  
*Director, Program Support.*  
[FR Doc. 95-27338 Filed 11-2-95; 8:45 am]  
BILLING CODE 4310-05-M

---

## DEPARTMENT OF DEFENSE

### Department of the Army

#### 32 CFR Part 552

[USAARMC Reg 210-1]

#### Control of Firearms and Weapons on the Installation of Fort Knox, KY

**AGENCY:** Department of the Army, DoD.  
**ACTION:** Proposed rule.

---

**SUMMARY:** This action establishes 32 CFR Part 552, Subpart O, Control of Firearms and Weapons, and authenticates Fort Knox regulation, USAARMC Reg 210-1. This subpart establishes weapons authorized, prohibited, and restricted on the Fort Knox military reservation, and the conditions applicable to the use, possession, sale, purchase, loss, registration, storage, and disposal of weapons authorized on the reservation. This regulation is applicable to all

personnel assigned, residing, working, or visiting on the Fort Knox reservation.

**DATES:** Comments must be received by December 4, 1995.

**ADDRESSES:** Commander, U.S. Army Armor Center and Fort Knox, Office of the Staff Judge Advocate, Fort Knox, Kentucky 40121.

**FOR FURTHER INFORMATION CONTACT:** William G. Lacey, Operations Officer, telephone: (502) 624-4335 or 1776.

**SUPPLEMENTARY INFORMATION:** Supplementation of this subpart by subordinate units is prohibited.

Executive Order 12291

This proposed rule is not affected by Executive Order 12291.

Regulatory Flexibility Act

The Regulatory Flexibility Act has no bearing on this proposed rule.

Paperwork Reduction Act

This proposed rule does not contain reporting or recordkeeping requirements subject to the Paperwork Reduction Act.

List of Subjects in 32 CFR Part 552

Arms and munitions, Federal buildings and facilities, Government employees, Military personnel.

It is proposed to add Subpart O to 32 CFR Part 552 as set forth below:

Gregory D. Showalter,

*Army Federal Register, Liaison Officer.*

32 CFR Part 552 is amended by adding a new Subpart O as follows:

**Subpart O—Control of Firearms and Weapons on the Installation of Fort Knox, Kentucky**

Sec.

- 552.192 Purpose
- 552.193 Applicability
- 552.194 Definitions
- 552.195 Prohibitions
- 552.196 Requirements for possession, storage, transportation, and registration
- 552.197 Requirements for carrying and use
- 552.198 Disposal and disposition of confiscated/ seized or surrendered weapons.

Appendix A to Subpart O—Partial List of Publications Applicable to the Control of Firearms and Weapons on the Installation of Fort Knox, Kentucky

Authority: 10 U.S.C. Ch. 47.

**Subpart O—Control of Firearms and Weapons on the Installation of Fort Knox, Kentucky**

**§ 552.192 Purpose.**

This subpart establishes the criteria for possessing, carrying, transporting, and disposing of firearms and/or other deadly or dangerous weapons and

instruments on the Fort Knox installation.

**§ 552.193 Applicability.**

(a) The provisions of this subpart apply to all Department of Defense (DoD) military; civilian personnel; U.S. Army Reserve/National Guard (USAR/NG) personnel on post for active duty training or inactive training; military family members; and civilians employed on, visiting, or traveling through or on the Fort Knox installation.

(b) This subpart will not become void in its entirety merely because one part or portion thereof is declared unconstitutional or void.

(c) This subpart is punitive. Military violators of the regulations in this subpart may be prosecuted under the Uniform Code of Military Justice, applicable Federal law, other regulations, and/or administrative action. Civilian visitors may be barred from the installation of Fort Knox and prosecuted under appropriate Federal or State laws.

**§ 552.194 Definitions.**

(a) *Ammunition.* Projectiles together with their fuses, propelling charges, and primers that are designed to be expelled from a firearm. This includes any type of military and commercial ammunition (ball, tracer, incendiary, blank, shotgun, black powder, and shot). Items shall only be considered as ammunition when loaded into a cartridge with its bullets, powder, and primer.

(b) *BB and pellet guns.* Any type rifle, pistol, or other instrument designed or redesigned, made or remade, modified or remodified to expel BBs or pellets by springs, compressed air, CO<sub>2</sub>, or any other compressed gas cartridge.

(c) *Cantonment area.* The central portion of the Fort Knox Reservation excluding field training sites, firing ranges and hunting areas, which includes commercial and government facilities and activities, installation and unit headquarters, troop billets, and family housing.

(d) *Dangerous instruments.* Any device which is designed or redesigned, made or remade, modified or remodified to be used as an offensive or defensive weapon. Devices of this type include but are not limited to:

(1) "Constant companion" or any similar weapon designed or redesigned, made or remade, modified or remodified to be worn as a belt buckle, brass knuckles, "Knucklers," and "Knucks."

(2) Studded or spiked wrist bands, or any device designed or redesigned, made or remade, modified or remodified to fit over the hand or wrist which can be used to cause grave bodily harm.

(3) Black jacks, slapjacks, slappers, saps, including homemade substitutes, other bludgeons (with or without handles), and metal pipes/weapons.

(4) "Nanchaku" (num-chucks), two or more sticks connected by rope, cord or chain, and normally used as a martial arts weapon. "Shuriken," a disc or any geometrical object designed to be thrown as a weapon. "Manrikigusari" or "Kusari," a rope or cord joined to a weight at each end and designed to be used as a weapon.

(5) Any finger ring with blades or sharp objects that are capable of being projected/extended from the surface of the ring.

(6) All prohibited firearms.

(e) *Explosive, incendiary, and pyrotechnic devices.* Any type of military or commercial explosive, incendiary, gas (to include chemical mace) or smoke bomb, grenade, rocket, missile, mine, blasting cap, "dummy" and/or practice device such as simulators, and other similar detonating devices which are capable of being altered to contain a live charge, and pyrotechnic devices such as firecrackers, cherry bombs, bottle rockets, and star clusters.

(f) *Firearms.* Any type of weapon which is designed or redesigned, made or remade, modified or remodified to expel a projectile by action of any explosion, and the frame or receiver of any such weapon. This does not include antique firearms, antique replicas, and those modern firearms which have been rendered permanently incapable of being fired.

(g) *Handgun.* Any pistol or revolver originally designed to be fired by the use of a single hand, or any other firearm originally designed to be fired by the use of a single hand.

(h) *Knives, sabers, swords, and machetes.* Any instrument having a sharp blade which is fastened to a handle, or made with a handle.

Measurement of the blade will be from the tip of the blade to the point where the blade meets the handle. This includes folding knives, switchblades, gravity knives, stiletos, lock blade knives, swords, sabers, and machetes.

(i) *Minor.* A person who has not reached the full legal adult age of 18.

(j) *Machine gun and automatic weapon.* A weapon designed or redesigned, made or remade, modified or remodified to automatically fire more than one shot by single pull of the trigger.

(k) *Rifle.* A firearm with a rifled bore designed to be fired from the shoulder.

(l) *Shotgun.* A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder,

and designed or redesigned, made or remade, to use the energy or the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(m) *Sawed-off or shortened shotgun.* A shotgun or any weapon made from a shotgun whether by alteration, modification, or otherwise having one or more barrels less than 18 inches in length or if such weapon as modified has an overall length of less than 20 inches.

(n) *Sawed-off rifle.* A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder; and designed or redesigned, made or remade, to use the energy of the explosive in a fixed metallic cartridge to fire only as a single projectile through a rifle bore for each single pull of the trigger, and which has a barrel or barrels of less than 16 inches or has an overall length of less than 26 inches.

(o) *Silencer.* Any device used for suppressing or diminishing the report of any firearm.

(p) *Weapon.* Any instrument used in a offensive or defensive manner.

(q) *Workplace.* Any building, room, or establishment or part thereof, owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing official duties.

#### § 552.195 Prohibitions.

(a) Prohibited items. It is prohibited to possess, carry, conceal, transport, store, transfer, or sell any of the following weapons or devices on, through, or within the confines of the installation unless specifically allowed elsewhere in this subpart:

(1) Sawed off/shortened barrel shotguns, which are not generally recognized as suitable for lawful purposes.

(2) Sawed off/shortened barrel rifle.

(3) Machine gun and automatic weapons (unless properly permitted under federal law).

(4) Silencers.

(5) Dangerous instruments as defined in § 552.194.

(6) Explosives, incendiary, gas, and pyrotechnic devices, as defined in § 552.194.

(7) Knives with automatic blade openers (i.e., switch blades, gravity knives, stilettos) of any blade length.

(8) Any object which carries an electrical current of sufficient wattage to deliver a shock to a person, such as cattle prods, "taser," or "public defenders."

(b) *Carrying a concealed weapon.* A person commits the offense of carrying

a concealed weapon when they knowingly have or carry about their person, unless in an open manner and fully exposed to view, any bludgeon, metal knuckles, firearm, or knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon or instrument of like character outside their home.

(c) *Possession of a firearm in a posted Federal workplace.*

(1) Per the provisions of 18 U.S.C. Section 930a, firearms are prohibited in all Federal workplaces when such notice is posted at each entrance. The sign at USAARMC Regulation 210-1, appendix B, when posted at each public entrance to a facility or activity, will serve as notice required by 18 U.S.C. Section 930a. Any person entering such a posted facility, in possession of a firearm, will be in violation of 18 U.S.C. 930a, and subject to apprehension.

(2) All buildings and structures on Fort Knox, which provide a customer service function will display the notice sign at USAARMC Regulation 210-1, appendix B. Commanders and building managers may post notice at other buildings as they deem appropriate. Other buildings may include, but are not limited to, command and headquarters, and mission essential facilities not having customer service orientation.

(3) The provisions of this paragraph do not apply to firearms carried by law enforcement and security personnel while performing official duties.

(d) Prohibited possession and storage. It is prohibited for a person, military or civilian, to possess or store ammunition, firearms, knives with blades more than 3½ inches long, bows and arrows, crossbows, and BB and pellet guns in locations other than those locations specified in § 552.196 except under conditions specified in § 552.197. Prohibited locations for these items include but are not limited to, living spaces and common areas of billets, squad rooms, exterior storage sheds, camper trailers, and offices. Commanders will designate an arms room and times for weapons turn-in. During periods when arms rooms are closed, unit staff duty personnel, i.e., Staff Duty Officer (SDO), Charge of Quarters (CQ), etc., will ensure the weapon is properly secured. A receipt will be given for each weapon received, reflecting the weapon's make, serial number, identity of owner and other data deemed appropriate. Unless otherwise authorized, weapons may NOT be stored in vehicles.

(e) *Exemptions.* Nothing in this subpart shall prohibit:

(1) Soldiers or DoD civilian employees from possessing or using military weapons, military ammunition or explosives, or military devices in a lawful manner while in the performance of their military duties or for training or other authorized purposes, as prescribed by applicable Army Regulations.

(2) Military and DoD civilian personnel, while in the performance of official law enforcement duties, from possessing or using government ammunition, explosives or devices in a lawful manner, as prescribed by applicable laws or regulations or by their lawful superiors.

(3) Federal, state, county, or local law enforcement personnel, while in the performance of official law enforcement duties, from possessing or using government or privately-owned weapons, ammunition, explosives, or devices in a lawful manner, as prescribed by applicable laws or regulations or by their lawful superiors.

(4) Government contractors, while in performance of their contract from possessing or using weapons, ammunition, explosives or devices, per the provisions of their contract and as determined by the Contracting Officer.

(5) Individuals with Federal Firearms Licenses from possessing, carrying, and transporting weapons per Federal regulations; however, they are prohibited from concealing such weapons.

#### § 552.196 Requirements for possession, storage, transportation, and registration.

(a) *Possession, transportation, and registration.* DoD military and civilian personnel, their family members, USAR/NG personnel and civilians employed on, visiting, or traveling through this installation may possess privately-owned firearms, ammunition, BB and pellet guns, knives, bows and arrows, and crossbows (excluding prohibited items) under the following conditions:

(1) Privately owned firearms, crossbows, BB and pellet guns possessed or stored on the installation must be registered within at the installation Provost Marshal's Office within 3 working days after arrival on the installation, or after obtaining the weapon, except:

(i) Firearms legally brought onto the installation for the purpose of hunting or firing at an approved firing range, and only for the period of time the person possessing the firearms is hunting or firing on the range.

(ii) Firearms carried by Federal, state, county, or local law enforcement personnel when in the performance of official law enforcement duties.

(iii) Firearms carried or transported, in full compliance with Kentucky State Laws, by personnel traveling through the installation.

(2) Minors may not purchase, register, or have in their possession any weapon, including a firearm, other than an ordinary pocket knife. Persons under 21 years of age shall not possess a privately-owned handgun, except:

(i) Soldiers, older than 18 years of age, but under the age of 21, with written approval and certification of the unit commander may, for the purpose of participating in official hunting or target shooting activities in an authorized area register, transport, possess, and use a firearm to include a handgun. The commander's certification/approval must be presented at the time the firearm is registered, and be available upon demand at any time the firearm is carried, used or transported on the installation.

(ii) Persons under the age of 18 while hunting or target shooting on the installation must be accompanied by a person over the age of 21 who will be responsible for compliance with the requirements of this subpart.

(b) *Storage.* Personnel residing in family housing, Bachelor Officer/Enlisted Quarters and guest housing, may store authorized ammunition, knives with a blade measuring more than 3½ inches, bows and arrows, registered crossbows, registered BB and pellet guns, and registered firearms within their quarters. Firearms should be stored in a locked container or otherwise secured by a locking device that immobilizes the trigger and/or action.

(1) Personnel residing in troop billets may store authorized ammunition, knives and blades measuring more than 3½ inches, bows and arrows, registered crossbows, registered BB and pellet guns, and registered firearms in unit arms rooms. The unit arms room should utilize a standard weapons card and log book to document storage, removal, and return.

(2) Persons must be in compliance with Federal and state law regarding possession (i.e., age, criminal record restrictions, etc.).

(3) Storage, accountability, and registration procedures will be per Army Regulation 190-11 and supplements.

**§ 552.197 Requirements for carrying and use.**

(a) *Carrying and use.* Persons legally authorized to possess firearms, ammunition, knives (with blades longer than 3 ½ inches), bows and arrows, and crossbows, may carry or transport

weapons under the following conditions:

(1) For the purposes of hunting: From quarters, on or off the installation, by the most direct route to hunting area or Pass and Permit Office and return. Individuals must have in their possession a weapon registration (if applicable), valid state hunting license, valid Fort Knox hunting permit, and an area access pass (if applicable).

(2) For purposes of target shooting, selling the weapon or having the weapon repaired: From quarters by the most direct route to approved range or to the location where the weapon is to be sold or repaired and returned. Individuals must have in their possession at all times their registration (if applicable).

(i) When carried, weapons will be carried in an open manner or in a case designed by the manufacturer to specifically store a firearm (not concealed). Firearms will be unloaded when carried (i.e., projectiles physically separated from the firearms, not just removed from the chamber), except when actually engaged in hunting or shooting. Knives will be carried in a sheath or scabbard worn in a clearly visible manner. Commanders may authorize the carrying of a privately-owned knife with a blade over 3½ inches to field duty, provided it is carried fully exposed to view in a sheath/scabbard. The Provost Marshal may authorize the carrying of a privately owned, sheathed, lock blade knife on military and DoD police officers' pistol belts.

(ii) When transported in a vehicle, weapons will be in plain view in the passenger area of the vehicle or secured (locked) in the trunk or other rear compartment of the vehicle, not readily accessible from the passenger area (i.e. locked tool box secured to bed of truck). Firearms will be unloaded and the ammunition physically separated from the firearms. The glove compartment of a vehicle is NOT an authorized compartment for storing or transporting pistols on the installation.

(iii) Firearms, bows and arrows, crossbows, BB and pellet guns will not be loaded, fired or used within the cantonment areas of the installation; within 50 yards of any public highway, street, or Fort Knox numbered road or across same; within 100 yards of any designated recreation area, managed waters, building, or similar structures; any aircraft landing facility (to include currently used landing or stage fields); any ammunition storage area (except on approved firing range when properly authorized).

(b) *Kentucky Revised Statute 527.020—Carrying concealed deadly weapon.* Persons not affiliated with DoD or this installation when carrying or transporting weapons through the installation must be in full compliance with Kentucky State Law governing possession, use, and transportation of said weapons which mandates the following:

(1) A person is guilty of carrying a concealed weapon when he carries concealed a firearm or other deadly weapon on or about his person.

(2) Peace officers, when necessary for their protection in the discharge of their official duties; United States mail carriers when actually engaged in their duties; and agents and messengers of express companies, when necessary for their protection in the discharge of their official duties, may carry concealed weapons on or about their persons.

(3) Policemen directly employed by state, county, city, or urban-county governments may carry concealed deadly weapons on or about their person at all times within the Commonwealth of Kentucky, when expressly authorized to do so by the government employing the officer.

(4) A deadly weapon shall not be deemed concealed on or about the person if it is located in a glove compartment, regularly installed in a motor vehicle by its manufacturer regardless of whether said compartment is locked, unlocked, or does not have a locking mechanism.

(5) Carrying a concealed weapon is a Class A misdemeanor unless the defendant has been previously convicted of a felony in which a deadly weapon was possessed, used or displayed in which case it is a Class D felony.

**§ 552.198 Disposal and disposition of confiscated/seized or surrendered weapons.**

(a) *Disposal.* Any person may dispose of unwanted firearms by relinquishing the weapon in person to the on-duty Military Police Desk Sergeant located at Building 204, Fort Knox. Any firearm, to include dangerous instruments or prohibited items, may be disposed of anonymously by placing the weapon or item in the amnesty container located adjacent to the front entrance of Building 1384, One-Stop Processing Center. All personnel are encouraged to safely dispose of any unwanted or undesired firearm/weapon by either of the methods in this paragraph.

(b) *Disposition of weapons and ammunition.* All weapons, ammunition, explosives, or other devices defined in this subpart, that are confiscated

pursuant to the commission of a crime, violation of this or other regulation, voluntarily surrendered or found unsecured/unattended on the installation, will be immediately turned over to the Military Police, U.S. Army Criminal Investigation Command (USACIDC), or the Federal Bureau of Investigation (FBI) for investigation, retention as evidence, or other lawful disposition. When retention for investigation or evidence is no longer required by Military Police, USACIDC, or other law enforcement or judicial agencies, the items will be disposed of under the provisions of AR 195-5, Evidence Procedures.

(c) *Forfeiture.* Upon conviction of any person for the violation of any law or statute in which a weapon was used, displayed, or unlawfully possessed by such person, the court of competent jurisdiction may order the weapon to be forfeited and destroyed according to law.

Appendix A to Subpart O—Partial List of Publications Applicable to the Control of Firearms and Weapons on the Installation of Fort Knox, Kentucky

1. Control of Firearms and Weapons, USAARMC Regulation 210-1.
2. Physical Security of Arms, Ammunition, and Explosives, Army Regulation 190-11 and supplements.
3. Evidence Procedures, Army Regulation 195-5.

These publications are available for inspection at the Office of the Staff Judge Advocate, Fort Knox, Kentucky 40121.

[FR Doc. 95-27297 Filed 11-2-95; 8:45 am]

BILLING CODE 3710-08-P-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[MT32-1-7117b, ND6-2-7081b, UT21-1-6915b, WY7-1-7042b; FRL-5303-2]

### Clean Air Act Approval and Promulgation of State Implementation Plans; Prevention of Significant Deterioration; Designation of Areas for Air Quality Planning Purposes; Montana, North Dakota, South Dakota, Utah, and Wyoming

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In this document, the EPA is proposing approval of revisions to the State Implementation Plans (SIPs) submitted by the States of Montana, North Dakota, Utah, and Wyoming. The submittals included revisions to the

prevention of significant deterioration (PSD) permitting rules of these States mainly to address the replacement of the total suspended particulate (TSP) increments with increments for PM-10 (particulate matter 10 micrometers or less in diameter), but also to address other changes in the Federal PSD permitting regulations and to make other minor revisions. EPA is also proposing to delete the TSP area designation tables and to revise and/or create PM-10 area designation tables in 40 CFR part 81 for these States as well as for the State of South Dakota (which has been delegated authority to implement the Federal PSD regulations in 40 CFR 52.21). In the final rules section of this Federal Register, the EPA is acting on the States' SIP submittals in a direct final rule without prior proposal because the Agency views these submittals as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, then the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this documents should do so at this time.

**DATES:** Comments on this proposed action must be received in writing by December 4, 1995.

**ADDRESSES:** Written comments should be addressed to Vicki Stamper, 8ART-AP, at the Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations: Air Programs Branch, Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2405; Montana Air Quality Division, Department of Health and Environmental Sciences, 836 Front Street, P.O. Box 200901, Helena, Montana 59620-0901; North Dakota Division of Environmental Engineering, State Department of Health and Consolidated Laboratories, 1200 Missouri Avenue, P.O. Box 5520, Bismarck, North Dakota 58502-5520; Utah Division of Air Quality, Department of Environmental Quality, 150 North 1950 West, P.O. Box 144820, Salt Lake City, Utah, 84114-4820; and

Wyoming Air Quality Bureau, Department of Environmental Quality, Herschler Building, 122 West 25th Street, Cheyenne, Wyoming 82002.

**FOR FURTHER INFORMATION CONTACT:** Vicki Stamper at (303) 293-1765.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule of the same title which is located in the Rules Section of this Federal Register.

Dated: September 19, 1995.

Jack W. McGraw,

*Acting Regional Administrator.*

[FR Doc. 95-27063 Filed 11-2-95; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 95-160; RM-8710]

### Radio Broadcasting Services; Kewanee, IL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Virden Broadcasting Corporation proposing the substitution of Channel 230A for Channel 221A at Kewanee, Illinois, and the modification of Station WJRE(FM)'s license accordingly. Channel 230A can be allotted to Kewanee in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.8 kilometers (0.5 miles) west at petitioner's requested site. The coordinates for Channel 230A at Kewanee are North Latitude 41-14-15 and West Longitude 89-56-15.

**DATES:** Comments must be filed on or before December 21, 1995 and reply comments on or before January 5, 1996.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, or their counsel or consultants, as follows: John F. Garziglia, Esq., Pepper & Corazzini, L.L.P., 1776 K Street, NW., Suite 200, Washington, DC 20554 (Counsel for Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-160, adopted October 16, 1995, and released October 30, 1995. The full text