

routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Control zones, Transition areas, Aviation safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

#### Havre City-County, Montana, Control Zone [Revised]

Within a 5-mile radius of Havre City-County Airport [lat. 48° 32' 39" N., long. 109° 45' 41" W.]; within 3 miles each side of the Havre VOR 080° radial, extending from the 5-mile radius zone to 7 miles east of the VOR; and within 3 miles each side of the Havre VOR 290° radial, extending from the 5-mile radius zone to 7 miles west of the VOR; within 2 miles each side of the Havre VOR 006° radial, extending from the 5-mile radius area to 7.5 miles north of the VOR. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time thereafter will be continuously published in the Airport/Facility Directory.

#### Havre City-County, Montana, Transition Area [Revised]

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Havre VOR within 4.5 miles south and 9.5 miles north of the Havre VOR 080° radial, extending from the 14-mile radius area to 18.5 miles east of the VOR; and within 4.5 miles north and 9.5 miles south of the Havre VOR 290° radial, extending from the 14-mile radius area to 18.5 miles west of the VOR.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 11.65)

Issued in Seattle, Washington, on January 29, 1985.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 85-3198 Filed 2-7-85; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 271

[Docket No. RM79-76-242; Wyoming—18]

#### High-Cost Gas Produced From Tight Formations; Wyoming

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432 (1982), to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703 (1983)). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This Notice of Proposed Rulemaking by the Director of the Office of Pipeline and Producer Regulation contains the recommendation of the State of Wyoming that the Turner Formation be designated as a tight formation under § 271.703(d).

**DATES:** Comments on the proposed rule are due on March 25, 1985. Public Hearing: No public hearing is scheduled in this docket as yet. Written requests for a public hearing are due on February 21, 1985.

**ADDRESS:** Comments and requests for hearing must be filed with the Office of the Secretary, 825 North Capitol Street, NE., Washington, D.C. 20426.

**FOR FURTHER INFORMATION CONTACT:** Edward Gingold, (202) 357-5491, or Victor Zabel, (202) 357-8616.

**SUPPLEMENTARY INFORMATION:** Issued: February 6, 1985.

#### I. Background

On December 31, 1984, the State of Wyoming Oil and Gas Conservation Commission (Wyoming) submitted to the Commission a recommendation, in accordance with § 271.703 of the Commission's regulations (18 CFR 271.703 (1983)), that the Turner Formation located in Campbell and Converse Counties, Wyoming, be designated as a tight formation. This

Notice of Proposed Rulemaking is issued under § 271.703(c)(4) to determine whether Wyoming's recommendation that the Turner Formation be designated a tight formation should be adopted. Wyoming's recommendation and supporting data are on file with the Commission and are available for public inspection.

#### II. Description of Recommendation

The recommended area is located in the south central portion of the Powder River Basin. The recommended formation underlies approximately 85,760 acres within Campbell and Converse Counties, Wyoming. The vertical limits of the Turner Formation are defined by the Sage Breaks Shale Formation above and the Carliles Shale Formation below. The average depth to the top of the recommended formation is 9,400 feet.

#### III. Discussion of Recommendation

Wyoming claims in its submission that evidence gathered through information and testimony presented at a public hearing in Cause No. 1, Order No. 1, Docket No. 231-82 convened by Wyoming on this matter demonstrates that:

(1) The average *in situ* gas permeability throughout the pay section of the proposed area is not expected to exceed 0.1 millidarcy;

(2) The stabilized production rate, against atmospheric pressure, of wells completed for production from the recommended formation, without stimulation, is not expected to exceed the maximum allowable production rate set out in § 271.703(c)(2)(i)(B); and

(3) No well drilled into the recommended formation is expected to produce more than five (5) barrels of oil per day.

Wyoming further asserts that existing State and Federal Regulations assure that development of this formation will not adversely affect any fresh water aquifers.

Accordingly, pursuant to the authority delegated to the Director of the Office of Pipeline and Producer Regulation by Commission Order No. 97 [Reg. Preambles 1977-1981], FERC Stats. and Regs. ¶ 30,180 (1980), the Director gives notice of the proposal submitted by Wyoming that the Turner Formation as described and delineated in Wyoming's recommendation as filed with the Commission, be designated as a tight formation under § 271.703.

#### IV. Public Comment Procedures

Interested persons may comment on this proposed rulemaking by submitting

written data, views or arguments to the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before March 25, 1985. Each person submitting a comment should indicate that the comment is being submitted in Docket No. RM79-76-242 (Wyoming-18), and should give reasons including supporting data for any recommendations. Comments should include the name, title, mailing address, and telephone number of one person to whom communications concerning the proposal may be addressed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Written comments will be available for public inspection at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C., during business hours.

Any person wishing to present testimony, views, data, or otherwise participate at a public hearing should notify the Commission in writing that they want to make an oral presentation and so request a public hearing. The person shall specify the amount of time requested at the hearing, and should file the request with the Secretary of the Commission no later than February 21, 1985.

#### List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

Accordingly, the regulations in Part 271, Subchapter H, Chapter I, Title 18, *Code of Federal Regulations*, will be amended as set forth below, in the event the Commission adopts Wyoming's recommendation.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

#### PART 271—[AMENDED]

Section 271.703 is amended as follows:

1. The authority citation for Part 271 reads as follows:

**Authority:** Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553.

2. Section 271.703 is amended by adding paragraph (d)(208) to read as follows:

#### § 271.703 Tight formations.

(d) Designated tight formations.

(187) through (207) [Reserved]  
(208) Turner Formation in Wyoming.  
RM79-76-242 (Wyoming-18).

(i) *Delineation of formation.* The Turner Formation is located in Campbell and Converse Counties, Wyoming, in Township 40 North, Range 69 West, 6th P.M., Sections 7, 18, 30, and 31; Township 40 North, Range 70 West, 6th P.M., All Sections; Township 40 North, Range 71 West, 6th P.M., Sections 1, 2, 3, 11, 12, and 13; Township 41 North, Range 70 West, 6th P.M., Sections 4 through 9, 16 through 22, and 25 through 36; Township 41 North, Range 71 West, 6th P.M., Sections 1 through 5, 8 through 17, 20 through 26, 28, 34, 35, and 36; Township 42 North, Range 70 West, 6th P.M., Sections 18, 19, 30, and 31; Township 42 North, Range 71 West, 6th P.M., Sections 1 through 22, 24, 25, 27 through 29, and 32 through 36.

(ii) *Depth.* The Turner Formation is defined as that interval which begins at a depth of approximately 9,400 feet and has an average thickness of 30 feet.

[FR Doc. 85-3171 Filed 2-7-85; 8:45 am]

BILLING CODE 6717-01-M

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 761

[OPTS-62035C; TSH FRL 2776-8]

#### Polychlorinated Biphenyls (PCBs) Use in Electrical Transformers; Extension of Comment Period

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

**ACTION:** Extension of comment period for proposed rule.

**SUMMARY:** EPA issued a proposed rule, published in the *Federal Register* of October 11, 1984 (49 FR 39966), to address the risks posed by fire-related events involving electrical transformers containing PCBs. An informal hearing was held on January 14, 15, and 16, 1985, to accept comments and testimony on the proposed rule. An additional meeting was held on January 29, 1985, at the request of the Environmental Defense Fund and other interested parties, to further discuss the proposed rule. The Chemical Manufacturers Association and other have requested an extension of the comment period on the proposed rule. Today's action grants that request.

**DATE:** The comment period now closes on February 11, 1985.

**ADDRESS:** Comments bearing the identification number OPTS 62035C, should be submitted in triplicate to: TSCA Public Information Office (TS-793), Office of Toxic Substances, Environmental Protection Agency, Rm.

E-106, 401 M St., SW., Washington, D.C. 20460.

#### FOR FURTHER INFORMATION CONTACT:

Edward A. Klein, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M St., SW., Washington, D.C. 20460; toll free: (800-424-9065); in Washington, D.C.: (554-1404); outside the USA: (Operator-202-554-1404).

**SUPPLEMENTARY INFORMATION:** In addition to the Environmental Defense Fund, other parties in attendance at the January 29th meeting included: Edison Electric Institute/Utility Solid Waste Activities Group, Chemical Manufacturers Association/Monsanto Industrial Chemical Company/Dow Corning Corporation, American Paper Institute/National Forest Products Association, National Electrical Manufacturers Association, Natural Resources Defense Council, Service Employees International Union, and the International Association of Fire Fighters. The minutes of this meeting are available as part of the public record. The reply comment period was scheduled to expire on January 30, 1985. An extension of the comment period was requested by the Chemical Manufacturers Association and other interested parties. Today's action extends the comment period for the proposed rule to February 11, 1985. Any additional comments or information submitted until February 11, 1985, will be available as part of the public record.

#### List of Subjects in 40 CFR Part 761

Hazardous substances, Labeling, Polychlorinated biphenyls, Recordkeeping and reporting requirements, Environmental protection.

Dated: February 6, 1985.

John A. Moore,

Assistant Administrator for Pesticides and Toxic Substances.

[FR Doc. 85-3392 Filed 2-7-85; 8:45 am]

BILLING CODE 6560-50-M

### FEDERAL MARITIME COMMISSION

#### 46 CFR Part 572

[Docket No. 85-4]

#### Miscellaneous Modifications to Existing Agreements-Exemption

**AGENCY:** Federal Maritime Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This amendment describes the approach the Commission intends to take under the Shipping Act of 1984 with

regard to modifications to existing agreements which provide for cancellations of agreements and reflect changes in conference membership, officials of agreements, and neutral body authority and procedures. Copies of these modifications shall be submitted to the Commission for information purposes in the proper format but are otherwise exempt from the Information Form, notice and waiting period requirements of the rules.

**DATE:** Comments on or before March 11, 1985.

**ADDRESS:** Comments may be mailed to: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573.

**FOR FURTHER INFORMATION CONTACT:** Joseph C. Polking, Director, Bureau of Agreements and Trade Monitoring, Federal Maritime Commission, Washington, D.C. 20573, (202) 523-5787.

**SUPPLEMENTARY INFORMATION:** At the time of the issuance of the Federal Rule in Dockets Nos. 84-26 and 84-32, *Rules Governing Agreements by Ocean Common Carriers and Other Persons Subject to the Shipping Act of 1984*, 49 FR 45320 (November 15, 1984), the Commission was unable, because of the notice requirements of section 16 of the Shipping Act of 1984 (46 U.S.C. app. 1715), to grant relief requested in certain comments, to exempt certain modifications to existing agreements from the waiting period requirements of section 6 of the Act (46 U.S.C. app. 1705), which would allow them to become effective upon filing. As an interim measure, however, the Commission added a new paragraph (c) to 46 CFR 572.605 to provide for expedited approval of cancellations of agreements and modifications which reflect changes in conference membership, officials of the agreements, and neutral body authority and procedures. At the same time, the Commission stated in its Final Rule that it would consider the institution of a separate proceeding to exempt these categories of agreements from the waiting period requirements of section 6 of the Act and allow them to become effective upon filing. The Commission believes such an exemption would be appropriate for the reasons discussed below.

No regulatory purpose is served by delaying cancellations of agreements when the cancellations are initiated by action of the parties to the agreement. Cancellations should routinely be allowed to become effective.

Modifications to conference agreements which reflect changes in membership also should be allowed early effectiveness. This is consistent

with section 5(b) of the Act which requires conference agreements to provide for reasonable conditions for admission and readmission to membership for any carrier willing to serve the trade, and for withdrawal from membership upon reasonable notice without penalty. While ease of entry into conference agreements is intended by the statute and permitted by this proposed rule, the Commission would not, under this exemption, be precluded from post-effective examination of the anticompetitive effect of membership changes and taking appropriate action under section 6(g) of the Act.

Changes in officials of an agreement are administrative matters involving no substantive Shipping Act ramifications and therefore are appropriately permitted early effectiveness.

Agreement provisions regarding neutral body authority and procedures similar are administrative in nature. While they are required to be part of the agreement in that they reflect the understanding of the parties, they too should be permitted ease of modification.

In light of the foregoing, the Commission believes that this proposed exemption will not substantially impair effective regulation by the Commission, be unjustly discriminatory, result in substantial reduction in competition, or be detrimental to commerce within the meaning of section 16 of the Act.

The Federal Maritime Commission has determined that this proposed rule is not a "major rule" as defined in Executive Order 12291 dated February 17, 1981, because it will not result in:

- (1) An annual effect on the economy of \$100 million or more;
- (2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or,
- (3) Significant adverse effect on competition, employment, investment productivity, innovations, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Chairman of the Federal Maritime Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units or small governmental jurisdictions.

#### List of Subjects in 46 CFR Part 572

Antitrust, Contracts, Maritime carriers, Administrative practice and procedure, Rates and fares, Reporting and recordkeeping requirements.

Therefore, in order to exempt these agreements from the waiting period requirements of section 6 of the Act, and allow them to become effective upon filing, the Commission, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 16 and 17 of the Shipping Act of 1984 (46 U.S.C. app. 1715, 1716), hereby proposes to amend Title 46 of the Code of Federal Regulations as follows:

#### PART 572—[AMENDED]

1. A new § 572.307 *Miscellaneous Modifications to Agreements-Exemption* is added to read as follows:

##### § 572.307 *Miscellaneous Modifications to Agreements—Exemption.*

(a) Each of the following types of modifications to agreements is exempt from the Information Form, notice and waiting period requirements of the Act and of this part provided that such modifications are filed for informational purposes in the proper format:

- (1) Any modification which cancels an effective agreement.
- (2) Any modification to the following designated agreement articles:
  - (i) *Article 3*—Parties to the agreement (limited to conference agreements).
  - (ii) *Article 6*—Officials of the agreement and delegations of authority.
  - (iii) *Article 10*—Neutral body policing (limited to the description of neutral body authority and procedures related thereto).
- (b) Any modification exempt under paragraph (a) is effective upon filing.

##### § 572.605 [Amended]

2. Section 572.605 *Requests for Expedited Approval* is amended by the removal of paragraph (c).

By the Commission.  
Bruce A. Dombrowski,  
Assistant Secretary.  
[FR Doc. 85-3221 Filed 2-7-85; 8:45 am]  
BILLING CODE 6730-01-M

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[MM Docket No. 85-3; RM-4846]

#### TV Broadcast Station in Holbrook, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This action proposes the assignment of VHF Television Channel 8 to Holbrook, Arizona, in response to a