

Additionally, a commitment has been made to subject any lead source which makes a modification resulting in a potential net increase of 0.6 tons per year of lead to new source review requirements. These commitments by Memphis/Shelby County conform to EPA guidance dated July, 1983, entitled "Updated Information on Approval and Promulgation of Lead Implementation Plans."

For more background information, see the Notice of Proposed Rulemaking of March 18, 1985 (50 FR 10796). No public comment was received in response to EPA's March 18, 1985, proposal.

Final Action

Based on the foregoing, EPA hereby approves the Tennessee SIP for lead, and the Tennessee SIP for lead for Memphis/Shelby County. This action is effective September 11, 1985.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by 60 days from today. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the Clean Air Act.)

Incorporation by reference of the State Implementation Plan for the State of Tennessee was approved by the Director of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR Part 52

Air pollution control,
Intergovernmental relations, Lead,
Incorporation by reference.

Dated: August 5, 1985.

Lee M. Thomas,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart RR—Tennessee

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.2220 is amended by adding paragraphs (c)(66) and (c)(67) as follows:

§ 52.2220 Identification of plan.

(c) The plan revisions listed below were submitted on the dates specified.

(66) State implementation plan for lead, submitted on December 5, 1984, by the Tennessee Department of Health and Environment.

(i) *Incorporation by reference.* (A) Amendments to the Tennessee Air Pollution Control Regulations, Chapter 1200-3-22, Lead Emission Standards, as submitted, and State-effective on December 5, 1984.

(B) Operating permits for:

(1) Ross Metals, Inc., issued on December 5, 1984.

(2) General Smelting and Refining Company, issued on December 5, 1984.

(3) Tennessee Chemical Company, issued on December 5, 1984.

(ii) *Additional Information.* (A) Control Strategy and modelling, submitted on June 4, 1984.

(67) Letter of commitment, submitted on December 20, 1984, by the Memphis-Shelby County Health Department.

(i) *Incorporation by Reference.* (A) Letter of commitment on new source review for lead sources, submitted on December 20, 1984, by the Memphis County Health Department.

(ii) *Additional Information.* (A) None.

§ 52.2228 [Amended]

3. In § 52.2228, paragraph (e), which deals with new source review for lead in Memphis-Shelby County, is removed.

§ 52.2229 [Removed]

4. Section 52.2229, Rules and regulations, is removed (disapproval of Tennessee lead plan).

[FR Doc. 85-19104 Filed 8-9-85; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 65

[A-5-FRL-2880-8]

Federal and State Administrative Orders Permitting a Delay in Compliance With State Implementation Plan Requirements; General Motors Corp., Detroit Diesel Allison—Redford Plant, Detroit, MI

AGENCY: Environmental Protection Agency (USEPA).

ACTION: Final rulemaking.

SUMMARY: The Administrator of USEPA hereby issues a Delayed Compliance Order (DCO) to General Motors Corporation for its Detroit Diesel Allison—Redford Plant. The Order requires the Company to bring the volatile organic compound (VOC) emissions from its engine primer line and engine topcoat line into compliance with Michigan Rule R336.1621, which is part of the federally approved State Implementation Plan (SIP).

EFFECTIVE DATE: This final rulemaking becomes effective August 12, 1985.

FOR FURTHER INFORMATION CONTACT:

Brad Bradley, U.S. Environmental Protection Agency, Air Compliance Branch (5AC-26), 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6807.

SUPPLEMENTARY INFORMATION: On May 9, 1985, the Regional Administrator of USEPA's Region V office published a notice in the Federal Register (49 FR 19550) setting forth the provisions of a proposed Delayed Compliance Order for General Motors Corporation, Detroit Diesel Allison—Redford Plant. The Order requires the company to bring VOC emissions from its engine primer line and engine topcoat line into compliance by December 1, 1984, with Michigan Rule R336.1621, which is a part of the federally approved Michigan State Implementation Plan. General Motors has consented to the terms of the Order.

No public comments were received. Therefore, a Delayed Compliance Order, effective this date, is issued to General Motors Corporation for its Detroit Diesel Allison—Redford Plant in Detroit, Michigan. Source compliance with the Order precludes suits under the federal enforcement and citizen suit provision of the Clean Air Act.

Under section 307(b) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by 60 days from today. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

List of Subjects in 40 CFR Part 65

Intergovernmental relations, Air pollution control.

This notice is issued under authority of section 113 of the Clean Air Act, as amended (42 U.S.C. 7413 and 7601).

Dated: July 30, 1985.

Lee M. Thomas,
Administrator.

In consideration of the foregoing, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

PART 65—DELAYED COMPLIANCE ORDER

1. The authority citation for Part 65 continues to read as follows:
Authority: 42 U.S.C. 7413 and 7601.

§ 65.270 [Amended]

2. By adding the following entry to the table in Part 65 § 65.270 Federal delayed compliance orders issued under section 113(d), (c), (3), and (4) of the Act.

Source	Location	Order No.	SIP regulation involved	Date of FR proposal	Final compliance date
General Motors Corp., Detroit Diesel Allison-Redford Plant.	Detroit, MI	To be assigned	R336.1621	5/9/85	12/1/84

[FR Doc. 85-18942 Filed 8-9-85; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 81

[A-3-FRL-2870-6]

Designation of Areas for Air Quality Planning Purposes; Commonwealth of Pennsylvania; Section 107 Redesignation

Correction

In FR Doc. 85-17877 beginning on page 30704 in the issue of Monday, July 29, 1985, make the following correction:

On page 30705, in the first column, in the tenth line from the bottom, "with" should read "and".

BILLING CODE 1505-01-M

40 CFR Part 419

[WH-FRL-2878-1]

Petroleum Refining Point Source Category; Effluent Limitations Guidelines; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: EPA is correcting several errors in the effluent limitations guidelines for the petroleum refining point source category which appeared in the Federal Register on July 12, 1985 (50 FR 28516).

EFFECTIVE DATE: August 12, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. Dennis Ruddy, Industrial Technology Division, at (202) 382-7131.

SUPPLEMENTARY INFORMATION: On July 12, 1985, EPA published final effluent limitations guidelines for the petroleum refining point source category (40 CFR Part 419; 50 FR 28516). The regulation contained several errors. These errors are discussed briefly below and are corrected by this notice.

A footnote reference to the substitution of Total Organic Carbon (TOC) for Chemical Oxygen Demand (COD) as a regulated pollutant contained a typographical error. The footnote should refer to § 419.13(d) instead of § 419.13(c).

In the title of § 419.24, the word "conventional" was misspelled.

In paragraph (a) of § 419.24, the acronym for best conventional pollutant control technology is incorrect. It should read "BCT".

In paragraph (a) of § 419.24, the best conventional pollutant control technology effluent limitation for total suspended solids (TSS), expressed as a maximum for any one day in metric units should read "19.5" instead of "19.3".

In Appendix A to the regulation, under Cracking and Coking Processes, the word "Catalytic" is misspelled in item 6.

The effective date of these regulations (August 26, 1985) and the issuance date for purposes of judicial review (1:00 p.m. Eastern time, July 29, 1985) of these regulations are not amended by this notice.

List of Subjects in 40 CFR Part 419

Petroleum. Water pollution control. Waste treatment and disposal.

Dated: July 26, 1985.
Edwin L. Johnson,
Acting Assistant Administrator.

For the reasons set out in the preamble, EPA is correcting 40 CFR Part 419 with respect to 50 FR 28516-28525 as follows:

PART 419—[CORRECTED]

1. In the amendment to 40 CFR 419.12 (a) and (c), 419.13(a), 419.16 (a) and (c), 419.22(a), 419.23(a), 419.26(a), 419.32(a), 419.33(a), 419.36(a), 419.42(a), 419.43(a), 419.46(a), 419.52(a), 419.53(a), and 419.56(a), on page 28523, column 3, the footnote beginning on line 5, "1 See footnote following table in § 419.13(b)" is corrected to read "1 See footnote following table in § 419.13(d)".

2. In 40 CFR 419.24, on page 28525, column 2, in the fourth line of the title § 419.24, "conventiona" is corrected to read "conventional".

3. In 40 CFR 419.24(a), on page 28525, column 2, in the seventh line of paragraph (a), "(BTC)" is corrected to read "(BCT)".

4. In the table to 40 CFR 419.24(a), on page 28525, column 2, last line, the BCT effluent limitation for TSS expressed as the maximum for any 1 day in metric units is corrected to read "19.5".

5. In Appendix A to 40 CFR Part 419, on page 28528, column 2, under Cracking and Coking Processes, item 6 is

corrected to read "6. Fluid Catalytic Cracking".

[FR Doc. 85-19105 Filed 8-9-85; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0, 73, 74, 76, and 78

Oversight of the Radio, Television, and Cable Television Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order amends broadcast station regulations in Parts 73, 74, 76 and 78 of the rules of the FCC. Amendments are made to delete regulations that are no longer necessary, correct inaccurate rule texts, contemporize certain requirements and to execute revisions as needed for purposes of clarity and ease of understanding.

EFFECTIVE DATE: August 12, 1985.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Steve Crane, Policy and Rules Division, Mass Media Bureau, (202) 632-5414.

SUPPLEMENTARY INFORMATION:

List of Subjects

47 CFR Part 73

Radio Broadcasting.

47 CFR Part 74

Auxiliary special broadcast services.

47 CFR Part 76

Cable TV service.

47 CFR Part 78

Cable TV relay service.

Order

In the Matter of Oversight of the Radio, TV and CATV Rules.

Adopted: July 22, 1985.

Released: August 2, 1985.

By the Chief, Mass Media Bureau.

1. In this Order, the Commission focuses its attention on the oversight of its radio, TV and Cable TV rules. Modifications are made herein to update, delete, clarify or correct broadcast regulations as described in the following amendment summaries:

(a) Section 0.455. Other locations at which records may be inspected, sets forth a list of records routinely available for inspection in the various Bureaus and Offices of the FCC. This rule contains inaccuracies corrected herein

by changing reference to "Broadcast Bureau" to read "Mass Media Bureau"; to delete reference to "Cable Television Bureau" since it's now part of the Mass Media Bureau and to transfer references to cable system operator records found therein to the Mass Media Bureau list; and to revise incorrect cross-references to other rules. (See appendix item 2.)

(b) Section 73.45, paragraph (c), was revised in the Report and Order in MM Docket 84-751. There is one error in a cross reference to § 73.315 in paragraph (c). It should read § 73.316, and is herein corrected. (See appendix item 3.)

(c) In the Report and Order in BC Docket 80-90,¹ adopted May 26, 1983, the Commission converted measurements in the FM broadcast service to metric. In the amendments to the table in § 73.213, Stations and spacings below the minimum separations, an error in stating power under facilities authorized for certain A to C classes of stations was made. In the table, "Facilities To Be Authorized for Short-Spaced FM Stations," a Class C station with antenna height of 600 meters should show an authorized power of 20 kW, not 100 kW as stated, for first adjacent separation of less than 97 kilometers. It is corrected herein. (See appendix item 4.)

(d) The Report and Order in the proceeding pertaining to Multiple Ownership Rules for AM, FM, and TV stations, removed the pertinent rule sections from the separate subparts and consolidated them into a new single section applicable to all services and put it into Subpart H as § 73.3555.

In Section 73.683, there still exists a cross reference to § 73.636, the former TV multiple ownership rule. The error is corrected herein to read § 73.3555. (See appendix item 5.)

(e) The Report and Order in BC Docket 82-537, which eliminated the majority of operating and maintenance logging requirements² states, in paragraph 13 "... broadcast licensees will no longer be required to follow a schedule of meter and monitor readings, inspections, observations and certain other measurements as previously required." The paragraph ends with "Rather, licensees will be free to develop their own schedules based on the performance characteristics of their transmitting equipment." A change that should have been effected in § 73.1870, Chief operators, was inadvertently missed when the rules were drafted in the Report and Order. A weekly

inspection requirement was retained (a monthly requirement for automatic transmission systems); it is removed from § 73.1870(c)(1) in this Order. (See appendix item 6.)

(f) Paragraphs (a) and (d) of § 73.3540, Application for voluntary assignment or transfer of control, contains errors that are corrected herein. In paragraph (a), the rule requires that prior consent must be obtained for assignment or transfer of control without stating from whom. It is the FCC, of course, and is made clear via the amendment herein; in paragraph (d) a cross reference to Form 316 directs the rule user to paragraph (e) for Form 316 instead of the correct paragraph, (f). Corrective revision is made accordingly. (See appendix item 7.)

(g) The requirements for making changes in licensed transmission facilities are found in § 73.1690. These requirements were formerly contained in separate rules in the separate subparts for AM, FM NCE-FM and TV stations. A cross reference existing in § 73.3544(a)(1) directs the reader to the former rule section numbers, long since removed in favor of § 73.1690. The incorrect text in paragraph (a)(1) of § 73.3544 is corrected via this Order. Also, paragraph (b)(1) [Reserved] is removed, and paragraphs (b)(2)-(5) are renumbered (b)(1)-(4). (See appendix item 8.)

(h) In the Report and Order in MM Docket 84-750, the Commission, in addition to revising certain of its application processing rules, adopted a new policy regarding the processing of commercial FM applications. It is entered as new § 73.4017 into the listing of FCC Policies via this Order. (See appendix item 9.)

(i) Prior to 1984, the FCC published, and the Government Printing Office prepared and printed, the rules of the Commission in loose leaf form. Quadrennially, a new "edition" would be printed, with correction updates released, as appropriate, throughout each 4 year period. These updates were called "transmittal sheets". To lower costs, rule sections or paragraphs therein, if removed by Commission action, would be marked "[Reserved]". This would spare the G.P.O. having to reset type for the subject rule and thereby lower the cost of production when printing the transmittal sheets. With each quadrennial edition, editors would remove [Reserved] designations, and renumber sections as needed in preparation for the every-four-year reprint.

The FCC practice of printing loose leaf editions ended with the release of the last transmittal sheets in 1983. With no

further "editions" printed, many "[Reserved]" entries are left in Title 47 of the Code of Federal Regulations. They will be removed herein since no procedure exists any longer to remove them with a new loose-leaf "edition." Where following paragraphs remain in such modified rule sections, they will be appropriately redesignated. (See appendix items 10 through 44.)

2. No substantive changes are made herein which impose additional burdens or remove provisions relied upon by licensees or the public. We conclude, for the reasons set forth above, that these revisions will serve the public interest.

3. These amendments are implemented by authority delegated by the Commission to the Chief, Mass Media Bureau. Inasmuch as these amendments impose no additional burdens and raise no issue upon which comments would serve any useful purpose, prior notice of rule making, effective date provisions and public procedure thereon are unnecessary pursuant to the Administrative Procedure and Judicial Review Act provisions of 5 U.S.C. 553(b)(3)(B).

4. Since a general notice of proposed rulemaking is not required, the Regulatory Flexibility Act does not apply.

5. Therefore, it is ordered, that pursuant to sections 4(i), 303(r) and 5(c)(1) of the Communications Act of 1934, as amended, and §§ 0.61 and 0.283 of the Commission's Rules, Parts 73, 74, 76 and 78 of the FCC Rules and Regulations are amended as set forth in the attached appendix, effective upon publication in the Federal Register.

6. For further information on this Order, contact Steve Crane, (202) 632-5414, Mass Media Bureau.

Federal Communications Commission.

James C. McKinney,

Chief, Mass Media Bureau.

Appendix

1. The authority citation for Parts 0, 73, 74, 76 and 78 continues to read as follows:

Authority: Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.

PART 0—[AMENDED]

2. 47 CFR 0.455 is amended by revision paragraph (b) to read as set forth below and by removing paragraph (i).

§ 0.455 Other locations at which records may be inspected.

(b) Mass Media Bureau. (1) Applications for broadcast

¹ In the Matter of Modification of FM Broadcast Station Rules to Increase the Availability of Commercial FM Broadcast Assignments.

² BC Docket 82-537, 48 FR 38473, August 24, 1983.

authorizations and related files are available for public inspection in the Mass Media and Dockets Reference Room. See § 0.453(a)(2). Certain broadcast applications, reports and records are also available for inspection in the community in which the main studio of the station in question is located or proposed to be located. See §§ 73.3526 and 73.3527.

(2) Ownership reports filed by licensees of broadcast stations pursuant to § 73.3615.

(3) Contracts relating to network service to broadcast licensees filed on or after the 1st day of May 1969, under § 73.3613.

(4) Annual employment report filed by licensees and permittees of broadcast stations pursuant to § 73.3612.

(5) Cable TV system reports filed by operators pursuant to § 76.403.

PART 73—[AMENDED]

3. 47 CFR 73.45 is amended by revising paragraph (c) introductory text to read as follows:

§ 73.45 AM antenna systems.

(c) Should any changes be made or otherwise occur which would possibly alter the resistance of the antenna system, the licensee must commence the determination of the operating power by a method described in § 73.51(a)(1) or (d). (If the changes are due to the construction of FM or TV transmitting facilities, see §§ 73.316 and 73.685.) Upon completion of any necessary repairs or adjustments, or upon completion of authorized construction or modifications, the licensee must make a new determination of the antenna resistance using the procedures described in § 73.54. Operating power should then be determined by a direct method as described in § 73.51. Notification of the value of resistance of the antenna system must be filed with the FCC in Washington, D.C. as follows:

4. 47 CFR § 73.213 is amended by revising the third "A to C" entry in the table *Facilities To Be Authorized For Short-Spaced FM Stations* in paragraph (a) to read as follows.

§ 73.213 Stations at spacing below the minimum separations.

(a) * * *

FACILITIES TO BE AUTHORIZED FOR SHORT-SPACED FM STATIONS

Class of station	Separation in kilometers		Facilities authorized	
	Co-channel	First adjacent	Power (kw)	Antenna height
A to C	Less than 97		20	600 Class C

5. 47 CFR § 73.683 is amended by revising paragraph (c)(2) to read as follows:

§ 73.683 Field strength contours.

(c) * * *

(2) In connection with problems of coverage arising out of application of § 73.3555.

6. 47 CFR 73.1870 is amended by revising paragraph (c)(1) to read as follows:

§ 73.1870 Chief operators.

(c) * * *

(1) Inspections and calibrations of the transmission system, required monitors, metering and control systems; and any necessary repairs or adjustments where indicated. (See § 73.1580.)

7. 47 CFR 73.3540 is amended by revising paragraphs (a) and (d) to read as follows:

§ 73.3540 Application for voluntary assignment or transfer of control.

(a) Prior consent of the FCC must be obtained for a voluntary assignment or transfer of control.

(d) Application for consent to the transfer of control of a corporation holding a construction permit or license must be filed on FCC Form 315 "Transfer of Control" or FCC Form 316 "Short form" (see paragraph (f) of this section).

8. 47 CFR 73.3544 is amended by revising paragraph (a)(1); and redesignating paragraphs (b)(2) through (b)(5) as (b)(1) through (b)(4) as follows:

§ 73.3544 Application to obtain a modified station license.

(a) * * *

(1) A change in the type of FM or TV transmitting antenna where prior authority from the FCC is not required to

make such a change. See § 73.1690, Modification of transmission systems.

9. New 47 CFR 73.4017 is added to read as follows:

§ 73.4017 Application processing: Commercial FM stations.

See Report and Order, Mass Media Bureau Docket 84-750, FCC 85-125, adopted March 4, 1985. — FCC 2d —; 50 FR 19936, May 13, 1985.

§ 73.53 [Amended]

10. 47 CFR 73.53, Requirements for authorization of antenna monitors, is amended by redesignating paragraph (c) as paragraph (b).

§ 73.54 [Amended]

11. 47 CFR 73.54, Antenna resistance and reactance measurements, is amended by redesignating paragraph (e) as paragraph (d).

§ 73.57 [Amended]

12. 47 CFR 73.57, Remote reading antenna and common point ammeters, is amended by redesignating paragraphs (d) (2) and (3) as paragraphs (d) (1) and (2).

§ 73.58 [Amended]

13. 47 CFR 73.58, Indicating instruments, is amended by redesignating paragraphs (e) (2) and (3) as paragraphs (e)(1) and (e)(2).

§ 73.142 [Amended]

14. 47 CFR 73.142, Automatic transmission system facilities, is amended by redesignating paragraphs (d) through (j) as paragraphs (c) through (i).

§ 73.151 [Amended]

15. 47 CFR 73.151, Field strength measurements to establish performance of directional antennas, is amended by redesignating paragraph (a)(4) as (a)(3).

§ 73.182 [Amended]

16. 47 CFR 73.182, Engineering standards of allocation, is amended by redesignating paragraphs (d) through (l) as (c) through (k); and by redesignating paragraphs (o) through (y), as (l) through (v).

§ 73.258 [Amended]

17. 47 CFR 73.258, Indicating instruments, is amended by redesignating paragraphs (d), (e) and (f) as (b), (c) and (d).

§ 73.295 [Amended]

18. 47 CFR 73.295, FM subsidiary communications services, is amended by removing paragraph (f) [Reserved], the last paragraph in the section.

§ 73.317 [Amended]

19. 47 CFR 73.317, Transmission system requirements, is amended by redesignating paragraphs (a) (4) through (10) as (a) (3) through (9); and by redesignating paragraphs (f) and (g), as paragraphs (e) and (f).

§ 73.342 [Amended]

20. 47 CFR 73.342, Automatic transmissions system facilities, is amended by redesignating paragraphs (e), (f), (g), (h) and (i) as (d), (e), (f), (g) and (h).

§ 73.344 [Amended]

21. 47 CFR 73.344, Fail-safe transmitter control for automatic transmission systems, is amended by redesignating paragraphs (a) (4), (5) and (6) as (a) (3), (4) and (5).

§ 73.542 [Amended]

22. 47 CFR 73.542, Automatic transmission system facilities, is amended by redesignating paragraphs (e), (f), (g), (h) and (i) as (d), (e), (f), (g) and (h).

§ 73.544 [Amended]

23. 47 CFR 73.544, Fail-safe transmitter control for automatic transmission systems, is amended by redesignating paragraphs (a) (4), (5) and (6) as (a) (3), (4) and (5).

24. 47 CFR 73.558, Indicating instruments, is amended by removing paragraphs (e)(1)-(2) [reserved] and (e)(3); and redesignating paragraphs (d), (e) and (f) as (b), (c) and (d), and by revising newly designated paragraph (d) to read as follows:

§ 73.558 Indicating instruments.

(d) In the event that any one of these indicating instruments becomes defective when no substitute which conforms with the required specifications is available, the station may be operated without the defective instrument pending its repair or replacement for a period not in excess of 60 days without further authority of the FCC. If the defective instrument is the transmission line meter of a station which determines the output power by the direct method, the operating power shall be determined by the indirect method in accordance with § 73.267(c) during the entire time the station is operated without the transmission line meter.

§ 73.687 [Amended]

25. 47 CFR 73.687, Transmission system requirements, is amended by redesignating paragraph (g) as (f); and

by redesignating paragraphs (i) and (j) as paragraphs (g) and (h).

§ 73.1212 [Amended]

26. 47 CFR 73.1212, Sponsorship identification; list retention; related requirements, is amended by redesignating paragraph (g)(3) as (g)(2).

§ 73.1550 [Amended]

27. 47 CFR 73.1550, Extension meters, is amended by redesignating paragraph (b)(4)(iv) as (b)(4)(iii); and by redesignating paragraphs (c) (2), (3) and (4) as (c) (1), (2) and 3.

28. 47 CFR 73.1590, Equipment performance measurements, is amended by removing paragraphs (b)(1)(i)-(iv) [Reserved] and revising paragraph (b)(1) to read as follows; by removing paragraphs (b)(3)(i)-(iv) [Reserved] and paragraph (b)(3) to read as follows: by removing paragraphs (c)(1) [Reserved] and (c)(6) [Reserved] and redesignating paragraphs (c) (2), (3), (4) and (5) as (c) (1), (2), (3) and (4), and redesignating paragraph (c)(7) as (c)(5):

§ 73.1590 Equipment performance measurements.

• • • • •

(b) • • •

(1) *AM monophonic stations.*

Measurements or evidence showing that spurious radiations, including radio frequency harmonics, are suppressed or are not present to a degree capable of causing objectionable interference to other radio services. Field strength measurements are preferred but observations made with a communications type receiver are acceptable. However, in particular cases involving interference or controversy, the FCC may require field strength measurements.

(2) • • •

(3) *FM and TV (aural).* If, after type acceptance, any changes have been made in the transmitter or associated equipment (filters, multiplexers, etc.) which could cause changes in its radiation product, data showing attenuation of spurious and harmonic radiation.

29. 47 CFR 73.1670 is amended by redesignating paragraph (c)(5) as (c)(4); and by revising parenthetical cross reference at the end of paragraph (c)(3) to read as follows:

§ 73.1670 Auxiliary transmitters.

• • • • •
(c) • • •

(3) • • • (See § 73.51, AM; § 73.267, FM; § 73.567, NCE-FM; and § 73.663, TV).

§ 73.1690 [Amended]

30. 47 CFR 73.1690, Modification of transmission systems, is amended by redesignating paragraph (e)(8) as (e)(7).

PART 74—[AMENDED]**§ 74.533 [Amended]**

31. 47 CFR 74.533, Remote control and unattended operation, is amended by redesignating paragraphs (b)(2) through (4) as (b)(1) through (3).

§ 74.602 [Amended]

32. 47 CFR 74.602, Frequency assignment, is amended by redesignating paragraphs (f) through (j) as paragraphs (d) through (h).

§ 74.635 [Amended]

33. 47 CFR 74.635, Unattended operation, is amended by redesignating paragraphs (a)(2) through (4) as (a)(1) through (3).

§ 74.655 [Amended]

34. 47 CFR 74.655, Authorization of equipment, is amended by redesignating paragraph (g) as (f).

§ 74.1250 [Amended]

35. 47 CFR 74.1250, Transmitters and associated equipment, is amended by removing paragraphs (f)-(h) [Reserved] and redesignating paragraph (i) as (f).

§ 74.1263 [Amended]

36. 47 CFR 74.1263, Time of operation, is amended by redesignating paragraphs (c) and (d) as (b) and (c).

PART 76—[AMENDED]**§ 76.5 [Amended]**

37. 47 CFR 76.5, Definitions, is amended by redesignating paragraphs (u), (v) and (w) as paragraphs (p), (q) and (r); by redesignating paragraphs (y), (z), (aa), (bb) and (cc) as paragraphs (s), (t), (u), (v) and (w); by redesignating paragraphs (ee) through (pp) as paragraphs (x) through (ii).

§ 76.601 [Amended]

38. 47 CFR 76.601, Performance tests, is amended by redesignating paragraph (f) as (e).

PART 78—[AMENDED]**§ 78.18 [Amended]**

39. 47 CFR 78.18, Frequency assignments, is amended by redesignating paragraphs (k), (l) and (m) as (j), (k) and (l).

§ 78.19 [Amended]

40. 47 CFR 78.19, Interference, is amended by redesignating paragraphs (e) and (f) as paragraphs (d) and (e).

§ 78.53 [Amended]

41. 47 CFR 78.53, Unattended operation, is amended by redesignating paragraphs (a)(3), (4) and (5) as (a)(2), (3) and (4); and by redesignating paragraph (c) as (b).

§ 78.61 [Amended]

42. 47 CFR 78.61, Operator requirements, is amended by redesignating paragraphs (c), (d), (e) and (f) as (b), (c), (d) and (e).

[FR Doc. 85-18927 Filed 8-9-85; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 15

[FCC 85-426]

Control Data Canada, Ltd.; Petition for Waiver; Permit Operation of a Field Disturbance Sensor

AGENCY: Federal Communications Commission.

ACTION: Order Granting Waiver.

SUMMARY: The FCC is granting Control Data Canada, Ltd. (CDC) a Waiver of Part 15, Subpart F to allow the immediate marketing of CDC's perimeter protection system subject to certain technical and administrative conditions. The perimeter protection system operates on TV channels 2 through 6, and is limited to the same radiation limits as personal computing devices (Class B). The perimeter protection system is used to prevent unauthorized entry at penitentiaries, nuclear power plants, or other secure facilities. The waiver is necessary in order to permit marketing of this system. The intended effect is to allow prompt introduction of such systems to the marketplace so as to make available the benefits of such systems and gain further experience with their operation.

EFFECTIVE DATE: August 2, 1985.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Julius Knapp, Office of Science and Technology, Washington, D.C. 20554, (202) 653-8247.

SUPPLEMENTARY INFORMATION:**Order Granting Waiver**

In the matter of Control Data Canada, Ltd., petition for waiver of Part 15, Subpart F, to permit operation of a field disturbance sensor in the band 50 to 88 MHz.

Adopted: July 30, 1985.

Released: August 2, 1985.

By the Commission.

1. On August 24, 1984, Control Data Canada, Ltd. (CDC), filed a petition requesting the Commission to waive the rules for field disturbance sensors¹ contained in Part 15, Subpart F, to permit immediate marketing of its perimeter protection system² known as GUIDAR, which operates in the band 50 to 88 MHz. Concurrently, CDC submitted a petition for rule making (RM 4824) looking toward amendment of Part 15, Subpart F, to provide for the operation of perimeter protection systems in the 50 to 88 MHz frequency band.

Discussion

2. GUIDAR operates on the principle of guided radar whereby a detection zone is created between "leaky" or ported coaxial cables deployed around the protected area. The present system employs two cables in parallel that are buried approximately five feet apart and nine inches below the ground. A radio frequency (RF) pulse is transmitted into one of the cables and some of the energy is coupled via the ports or holes in the outer conductor into the ground and air near the cable. Some of this energy is reflected from objects in the ground and discontinuities in the soil, and is coupled into the second or receiving cable. When a human or other large object crosses between the cables, the change in the electromagnetic energy coupled from one cable to the other is detected and an alarm is thereby triggered.

3. All of CDC's systems presently operating under an experimental license use a vacant TV channel. From CDC's discussion in the Petition for Rule Making, it appears that a vacant TV channel provides a very stable and predictable electromagnetic environment for the operation of wideband perimeter protection systems. The frequency band 5 to 88 MHz provides the perimeter protection systems ample bandwidth to find a vacant channel for operation.

4. CDC contends that there is a vital need for improved electronic surveillance systems at prisons and

¹ A field disturbance sensor is defined in § 15.4(j)(1) as follows: "A restricted radiation device which establishes a radio frequency field in its vicinity and detects changes in that field resulting from movement of persons or objects within the radio frequency field."

² A perimeter protection system is defined in § 15.4(j)(2) as follows: "A perimeter protection system is a field disturbance sensor which uses buried leaky cables installed around a facility to detect any unauthorized entry or exit. Its use is limited to commercial and industrial locations away from residential areas."

other high-risk facilities and that the present VHF frequency band, 40.66 to 40.70 MHz, in which the use of perimeter protection systems is allowed, does not provide sufficient bandwidth for the operation of a system such as GUIDAR. The GUIDAR system emits a pulsed signal, which results in an emission with a bandwidth of about 2.5 MHz, which is much wider than the rules permit at 40 MHz. The increased bandwidth is necessary to determine the range resolution (i.e., the ability to determine the location of the intruder).

5. In the petition for rule making CDC proposed that a radiation limit of 12 $\mu\text{V}/\text{m}$ measured quasi-peak at a distance of 30 meters at any frequency from 50 to 88 MHz, and a powerline conducted limit of 250 μV over the frequency range of 450 kHz to 30 MHz are sufficient to prevent interference to devices presently operating in the proposed frequency band. CDC points out that 12 $\mu\text{V}/\text{m}$ is less than the level of radio noise permitted in Part 15, Subpart J, for Class A, or commercial, computer equipment, which is subject to a limit of 30 $\mu\text{V}/\text{m}$ at 30 meters in the subject frequency range.

6. CDC performed extensive tests to demonstrate that devices operating within the proposed limits for wideband sensors will not cause interference to TV operation on the lower VHF channels. In its Petition for Rule Making, CDC asserted that the possibility of discernible interference to TV reception in urban, suburban or rural locations under either Grade A or Grade B reception is unlikely. CDC has also been operating the GUIDAR system since January 26, 1983, at two locations in the U.S., under experimental licenses granted by the Commission.³

In addition, the system has been in operation since 1978 at various penitentiaries in Canada. CDC claims that there has not been a single complaint of GUIDAR interfering with a television receiver or any other communications device.

Comments

7. Comments on the Petition for Waiver were filed by RCA Corporation (RCA), the Electronic Industries Association (EIA), the Senstar Security Systems Corporation (Senstar), and Rollins Protective Services Company (Rollins). None of the parties filing comments opposed the frequency band recommended by CDC. RCA recommended that there be a separation distance of 100 meters from the nearest

³ See the Petition for Rule Making, page 10, footnote 2.