List of Subjects in 40 CFR Part 65

Air pollution control.

Dated: July 21, 1986

Lee M. Thomas,

Administrator.

In consideration of the foregoing, Chapter 1 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(d), 7601.

2. Section 65.431 is amended by amending the table to add the entry for ACF Industries, Inc. in alphabetical order to read as follows:

§ 65.431 EPA Approval of State Delayed Compliance Orders issued to major stationary sources.

* * * * *

Source	Location	Order No.	Date of FR proposal	SIP regulation involved	Final compliance date
ACF Industries, Inc	Milton Township, Northumberland County, PA.		Feb. 26, 1986	Section 129.52 Title 25 of the PA. Code.	April 21, 1987.

* * * * *

[FR Doc. 86-16858 Filed 7-25-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 261 and 266

[SW-FR-3054-6]

Hazardous Waste Management System; Definition of Solid Waste; Notice of Availability

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of guidance document.

SUMMARY: The Environmental Protection Agency is today announcing the availability of a guidance document designed to assist State and EPA Regional personnel and the regulated community in applying the definition of solid waste, used in regulations that implement Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), to determine which materials when recycled are solid and hazardous wastes. The Agency is also requesting public comment on the format and content of the guidance manual and suggestions for clarifying and/or supplementing the examples provided to increase the usefulness of the guidance document.

DATE: The guidance document is available on July 28, 1986. Comments must be received by October 27, 1986.

ADDRESSES: The *Guidance Manual on the RCRA Regulation of Recycled Hazardous Wastes* is available for public viewing from 9:30 a.m. to 3:30 p.m, Monday through Friday, excluding Federal holidays, in the EPA RCRA Docket. The EPA RCRA Docket is located in the sub-basement area of the U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC, 20460. A maximum of 50 pages of material may be copied from any one regulatory docket at no cost. Additional copies cost $.20/page. To review docket materials, the public must make an appointment by calling Mia Zmud at (202) 475-9327 or Kate Blow at (202) 382-4675. The manual may also be purchased from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA, 22161, at a cost of $28.95 per hard copy or $5.95 per microfiche copy. The NTIS document identification number (for the purpose of ordering) is PB86 208584/AS. The NTIS Sales Office may be contacted directly at (703) 487-4650. Please mail comments on the guidance manual to the Docket Clerk, Office of Solid Waste, WH-562, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC, 20460. Comments should be labeled with the Docket number F-86-DSWG-FFFFF.

FOR FURTHER INFORMATION CONTACT: RCRA/Superfund Hotline at (800) 424-9346 (toll-free) or in Washington, DC at (202) 382-3000. For technical information, contact Matthew A. Straus, Office of Solid Waste (WH-562B), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC, 20460, (202) 475-8551.

SUPPLEMENTARY INFORMATION: On January 4, 1985, the U.S. Environmental Protection Agency amended the definition of solid waste used in regulations that implement Subtitle C of the Resource Conservation and Recovery Act of 1976, as amended (RCRA). (See 50 FR 614-668.) The modified definition of solid waste primarily addresses the question of which materials are solid and hazardous wastes when they are recycled. In particular, the amendments define the Agency's jurisdiction under RCRA regarding materials that are considered solid wastes when they are recycled, and impose Subtitle C regulations on wastes that are hazardous and pose a substantial hazard to human health and the environment.

The Agency recognizes the complexity of these rules, and has prepared the guidance manual: (1) To assist in determining which materials, when recycled, are solid and hazardous wastes, and (2) to assist persons who recycle materials or who generate materials that are recycled in determining which regulations apply to them.

The manual is organized into three chapters: Chapter 1, the Introduction, provides an overview of the regulatory status of recycled wastes and defines the terms used in the manual. Chapter 2 provides Examples of the application of the definition of solid waste to specific recycling practices. These examples are intended to help parties interested in similar cases determine whether a particular recycled material is subject to the RCRA Subtitle C requirements. Chapter 3 contains an Index to the Examples that will cross-reference key words describing the recycled material, the recycling process, or the industry of interest.

As the guidance is presented primarily in the form of examples illustrating the application of the rule to actual recycling practices, the Agency believes the examples provided must be as comprehensive and understandable as possible. To this end, the Agency is requesting public comment on the examples provided, and suggestions for additional examples that would be helpful in illustrating the impact of the rule on particular recycling practices and materials.

List of Subjects

40 CFR Part 261

Intergovernmental relations, Hazardous materials, Waste treatment and disposal, Recycling.

40 CFR Part 266

Energy, Hazardous waste, Petroleum Recycling, Reporting and recordkeeping requirements.

Dated: July 15, 1986.

J.W. McGraw,

Acting Assistant Administrator.

[FR Doc. 86-16649 Filed 7-25-86; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2640

[Circular No. 2585]

Federal Aviation Administration Airport Grants; Amendments to Comply with Statutory Changes

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking amends the existing regulations at 43 CFR Part 2640 to reflect changes required by the Airport and Airways Improvement Act of September 3, 1982. The final rulemaking also revises the regulations to make them consistent with the language of the Act and to make changes in existing definitions to reflect changes in administrative policy concerning conveyance of lands for use as public airports.

EFFECTIVE DATE: August 27, 1986.

ADDRESS: Any suggestions or inquiries should be sent to: Director (320), Bureau of Land Management, Room 3643, Main Interior Bldg, 1800 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Gary Rowe (202) 343-8693.

SUPPLEMENTARY INFORMATION: A proposed rulemaking amending the existing regulations on Federal Aviation Administration Airport Grants was published in the **Federal Register** on August 7, 1985 (50 FR 31897), with a 60-day comment period ending on October 7, 1985. During the comment period, 5 comments were received, all from Federal agencies. The comments have carefully reviewed and are discussed in this preamble, with only those sections that were the subject of comments being discussed.

Several of the comments recommended that the use of the word "lands" be expanded to include "other interests in lands." This comment has been adopted by the final rulemaking and the phrase "or interests in lands" has been added to the final rulemaking in several instances to make it clear that the conveyance can include lands and interests in lands, as appropriate.

One comment suggested that the term "conveyance document," which is used several times in the proposed rulemaking, should be defined. This suggestion has been adopted by the final rulemaking and a definition of the term "conveyance document" has been added to § 2640.0-5.

One comment suggested that the final rulemaking should be specific as to where an application for an airport grant should be filed. The proposed rulemaking and the existing regulations provide that an application be filed with the Bureau of Land Management. The existing practice is for the Federal Aviation Administration ~~to~~ file an application with the Washington Office of the Bureau of Land Management, which sends it to the appropriate State office for action. The final rulemaking amends the proposed rulemaking to require that an application be filed in the State Office of the Bureau of Land Management having jurisdiction of the lands covered by the application. This change recognizes that an application must be handled at the appropriate State office and should make the processing of an application more efficient.

Several comments made the point that unsurveyed public lands cannot be transferred until they have been surveyed. In recognition of this fact, the final rulemaking amends § 2641.2(c) of the proposed rulemaking to include the requirement that unsurveyed lands cannot be conveyed until surveyed and to specifically include the payment of any required survey costs as part of the administrative costs that an applicant must bear before a conveyance document can be issued. The final rulemaking also amends this section of the proposed rulemaking to make it clear that the processing of an application for an airport grant will be without cost to the Bureau of Land Management.

In connection with § 2641.2 of the proposed rulemaking, one comment objected to the use of the phrase "not inconsistent" and suggested a change in the section. After careful review of the comment and the language of the proposed rulemaking and the Airport and Airway Improvement Act, the final rulemaking continues to use the phrase. The phrase is a repeat of the test established in the Act and is appropriate in the final rulemaking. One further comment on this section suggested the removal of the reference to the Wilderness Preservation System or wilderness study areas in the proposed rulemaking because they are not included in the Airport and Airways Improvement Act. It is true that the Act does not make reference to the Wilderness Preservation System or wilderness study areas, but the Congress has provided statutory protection for areas included in the Wilderness Preservation System and wilderness study areas. This provision of the proposed rulemaking, which has been continued by the final rulemaking, makes it clear that public lands included in the Wilderness Preservation System and wilderness study areas are not available for conveyance for airport purposes.

Several comments suggested that the final rulemaking amend § 2641.3 to incorporate the notice of realty action as the form of notice for this part and that the notice allow for segregation of the lands covered by the application if requested by the Administrator of the Federal Aviation Administration. The final rulemaking has adopted the notice of realty action, which is used as the form of notice by the Bureau of Land Management for lands transactions that require notice. In addition, the final rulemaking amends this section to authorize the segregation of the lands covered by an application for a period of one year or until the conveyance document is issued, whichever occurs first.

It was pointed out by the comments that the final sentence of section 2641.4 of the proposed rulemaking was incomplete. The final rulemaking has added the word "shall" to complete the sentence.

Needed editorial and grammatical corrections have been made.

The principal author of this final rulemaking is Gary Rowe, Division of Lands, assisted by the staff of the Office of Legislation and Regulatory Management, all of the Bureau of Land Management.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

There are no information collection requirements contained in this final rulemaking which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 43 CFR Part 2640

Administrative practice and procedure, Airports, Public lands—grants.

Under the authority of section 516 of the Airport and Airways Improvement Act of September 3, 1982 (49 U.S.C. 2215), Subparts 2640 and 2641, Part 2640,

Group 2600, Subchapter B, Chapter II of Title 43 of the Code of Federal Regulations are amended as set out below.

Dated: July 1, 1986.

J. Steven Griles,

Assistant Secretary of the Interior.

Part 2640 consisting of Subparts 2640 and 2641, is revised to read:

PART 2640—FAA AIRPORT GRANTS

Subpart 2640—Airport and Airway Improvement Act of September 3, 1982

Sec.

2640.0–1 Purpose.
2640.0–3 Authority.
2640.0–5 Definitions.
2640.0–7 Cross reference.

Subpart 2641—Procedures

2641.1 Request by Administrator for conveyance of property interest.
2641.2 Action on request.
2641.3 Publication and payment.
2641.4 Approval of conveyance.
2641.5 Reversion.

Authority: Section 516, Airport and Airway Improvement Act of 1982 (49 U.S.C. 2215).

Subpart 2640—Airport and Airway Improvement Act of September 3, 1982

§ 2640.0–1 Purpose.

This subpart sets forth procedures for the issuance of conveyance documents for lands under the jurisdiction of the Department of the Interior to public agencies for use as airports and airways.

§ 2640.0–3 Authority.

Section 516 of the Airport and Airway Improvement Act of September 3, 1982 (49 U.S.C. 2215).

§ 2640.0–5 Definitions.

As used in this subpart, the term:

(a) "Act" means section 516 of the Airport and Airway Improvement Act of September 3, 1982 (49 U.S.C. 2215).

(b) "Secretary" means the Secretary of the Interior.

(c) "Authorized officer" means any employee of the Bureau of Land Management who has been delegated the authority to perform the duties described in this subpart.

(d) "Administrator" means the person authorized by the Secretary of Transportation to administer the Act.

(e) "Applicant" means any public agency as defined in § 153.3 of title 14 of the Code of Federal Regulations, which, either individually or jointly with other such public agencies, submits to the Administrator an application requesting that lands or interests in lands under the jurisdiction of the Department of the Interior be conveyed to such applicant under the Act.

(f) "Property interest" means the title to or any other interest in lands or any easement through or other interest in air space.

(g) "Conveyance document" means a patent, deed or similar instrument which transfers title to lands or interests in lands.

§ 2640.0–7 Cross reference.

The regulations of the Federal Aviation Administration under the Act are found in 14 CFR Part 153.

Subpart 2641—Procedures

§ 2641.1 Request by Administrator for conveyance of property interest.

Each request by the Administrator in behalf of the applicant for conveyance of a property interest in lands under the jurisdiction of the Department of the Interior shall be filed with the State Office of the Bureau of Land Management having jurisdiction of the lands or interests in lands in duplicate, and shall contain the following:

(a) A copy of the application filed by the requesting public agency with the Administrator.

(b) A description of the lands or interests in lands, if surveyed, by legal subdivisions, specifying section, township, range, meridian and State. Unsurveyed lands shall be described by metes and bounds with a tie to a corner of the public-land surveys if within two miles; otherwise a tie shall be made to some prominent topographic feature and the approximate latitute and longitude shall be provided.

§ 2641.2 Action on request.

(a) Upon receipt of the request from the Administrator, the authorized officer shall determine whether the requested conveyance is inconsistent with the needs of the Department of the Interior, or any agency thereof, and shall notify the Administrator of the determination within 4 months after receipt of the request. On determining that the conveyance is not inconsistent with the needs of the Department of the Interior, the authorized officer also shall determine what, if any, convenants, terms, conditions and reservations should be included in the conveyance, if made. Any conveyance shall be made subject to valid existing rights of record, and to those disclosed as a result of publication or otherwise.

(b) Unless otherwise specifically provided by law, no conveyance shall be made of Federal lands within any national park, national monument, national recreation area, or similar area under the administration of the National Park Service; within any unit of the National Wildlife Refuge System or similar area under the jurisdiction of the United States Fish and Wildlife Service; within any area designated part of the National Wilderness Preservation. System or any area designated as a wilderness study area; or within any national forest or Indian reservation.

(c) The applicant shall, upon request by the authorized officer, submit a deposit in an amount determined by the authorized officer, to cover the administrative costs of processing the application, including the cost of survey, if one is necessary, and issuing of a document of conveyance. No document of conveyance shall be issued for unsurveyed lands. The processing of applications under this part shall be accomplished without any expense to the Bureau of Land Management.

(d) Each applicant also shall pay the cost of publication of a notice in the **Federal Register** and in a newspaper of general circulation in the area in which the lands are located.

§ 2641.3 Publication and payment.

(a) Prior to issuance of a conveyance document, the authorized officer shall publish a notice of realty action in the **Federal Register** and in a newspaper of general circulation in the area of the lands to be conveyed. The notice shall identify the lands proposed for conveyance and contain the terms, covenants, conditions and reservations to be included in the conveyance document. The notice shall provide public comment period of 45 days from the date of publication in the **Federal Register.** Comments shall be sent to the Bureau of Land Management office issuing the notice.

(b) The notice of realty action may segregate the lands or interests in lands to be conveyed to the extent that they will not be subject to appropriation under the public land laws, including the mining laws. The segregative effect of the notice of realty action shall terminate either upon the issuance of a document of conveyance or 1 year after the date of publication, whichever occurs first.

(c) The determination concerning the granting or denial of an application shall be sent by the authorized officer to the applicant and to any party who commented on the application.

(d) The authorized officer shall advise the applicant whether any balance is due on the payments required of the applicant and of the time within which payment shall be made. Failure to pay the required amount within the allotted time shall constitute grounds for

rejection of the application. If the applicant has deposited with the authorized officer an amount in excess of the payments required, the authorized officer shall so advise the applicant and return the excess payment.

§ 2641.4 Approval of conveyance.

(a) Each conveyance document shall contain appropriate covenants, terms, conditions and reservations requested by the Administrator, and those required for protection of the Department of the Interior or any agency thereof.

(b) Upon receipt of the payment required by §§ 2641.2 (c) and (d) of this title and after consideration of comments received, the authorized officer shall make a decision upon the application. If the decision is to make a conveyance, the authorized officer shall send the conveyance document to the Attorney General of the United States for consideration. Upon approval by the Attorney General, the authorized officer shall issue the conveyance document.

§ 2641.5 Reversion.

A conveyance shall be made only on the condition that, at the option of the Administrator, the property interest conveyed shall revert to the United States in the event that the lands in question are not developed for airport or airway purposes or are used in a manner inconsistent with the terms of the conveyance. If only a part of the property interest conveyed is not developed for airport purposes, or is used in a manner inconsistent with the terms of the conveyance, only that particular part shall, at the option of the Administrator, revert to the United States.

[FR Doc. 86-16775 Filed 7-25-86; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 22

[CC Docket No. 85-388; RM 5167]

Amendment of the Rules Concerning Rural Cellular Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has determined that the rules governing the filing and processing of cellular applications should be modified for Rural Service Areas (RSAs), those areas outside defined Metropolitan Statistical Areas (MSAs) and New England County Metropolitan Areas (NECMAs). Specifically, the Commission has established defined boundaries proposed by United TeleSpectrum, Inc. (United) subject to future modification, raised the antenna height-power limitations, prescribed application rules and coverage requirements and prohibited coverage extensions beyond the defined areas. This action is taken in response to comments received as a result of our Notice of Proposed Rulemaking, published January 6, 1986, 51 FR 405.

EFFECTIVE DATE: August 25, 1986.

FOR FURTHER INFORMATION CONTACT: Carolyn J. Tatum, Mobile Services Division, Common Carrier Bureau (202) 632-6450.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, CC Docket 85-388, Adopted June 26, 1986, and released July 18, 1986.

The Complete text of Commission decisions are available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 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, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Summary of Report and Order:

1. On December 17, 1985, the Commission adopted a Notice of Proposed Rulemaking (Notice) which solicited comments concerning a change in the cellular filing rules for Rural Service Areas (RSAs). The Commission carefully considered the comments and adopted a First Report and Order which establishes fixed boundaries for RSA areas, and tentatively adopts the boundary lines drawn by United. (A copy of United's county lists and maps depicting the proposed RSA boundaries have been placed in the public file for this Docket, FCC Dockets Branch, Room 230, 1919 M Street NW., Washington, DC)

2. The Commission notes, however, that interested parties may file suggestions for modifications to the United plan within 30 days of publication of this summary. Once these modification proposals are filed, interested parties will have 15 days to file their response or opposition to the proposed modifications. The modification proposals will be reviewed by Commission staff and unopposed modification plans will generally be made to the United plan. Where a modification is contested, the parties will have 15 days from the date the oppositions are due for filing to effect a settlement with parties who challenge their proposed modifications or make conflicting suggestions. In the event no settlement is reached, the Commission will generally follow the United plan without modifications unless it is determined that the public interest would be better served otherwise. The Commission notes that definitive RSA boundary lines and a filing timetable will be announced in a future Public Notice. Under this order, the RSAs have been grouped together by states into five filing blocks and these will be filed at roughly two-month intervals.

3. Applications will be subject to the same filing standards set forth for MSA markets 121-305 with a few minor exceptions. First, the Commission has eliminated the need to initially file an original paper application. Instead, three exact microfiche copies of the original application and microfiche jackets including a label clearly identifying the applicant's name, market number, market name and frequency block designation will be required. Tentative lottery selectees will have 15 days after Public Notice of their selection to supply a properly executed paper copy original. Secondly, the date for filing amendments required by § 1.65 of the Commission's rules has been changed from 14 to 30 days from the date of Public Notice of the lottery results for all RSA applicants. Thirdly, extensions beyond RSA boundaries will no longer be allowed. Finally, the antenna height-power limitations have been changed. In a related matter, the Commission also denied the developmental application filed by Central Nebraska Cellular Systems.

4. *Final Regulatory Flexibility Analysis.* Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. section 605(b) it is certified that the final rule will not have a significant impact on a substantial number of small entities. This action is expected to promote efficient and expedient authorization of cellular licenses in the RSAs and lower the administrative costs associated with the process of granting licenses in these RSAs.

5. Authority for this rulemaking is contained in sections 1, 4(i) and (j), 301, 303 and 309 of the Communications Act of 1934, as amended, and section 553 of the Administrative Procedure Act.

Ordering Clause

6. It is ordered, That the application of Central Nebraska Cellular Systems, File No. 27979-CL-P-86, is hereby denied.

Federal Communications Commission.
William J. Tricarico,
Secretary.

List of Subjects in 47 CFR Part 22

Cellular radio service.

Rules Section

Part 22 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 22—PUBLIC MOBILE SERVICE

1. The authority citation continues to read:

Authority: Sections 4, 303, 48 Stat. 1066, 1082, as amended (47 U.S.C. 154, 303).

2. Section 22.2 is amended by adding a definition as follows:

§ 22.2 Definitions.

* * * * *

Rural Service Area (RSA). An area not included in either a Metropolitan Statistical Area or a New England County Metropolitan Area for which a common carrier may have a license to provide cellular service. (Also referred to in the Rules as non-MSA or non-NECMA areas.)

* * * * *

3. Section 22.902(b) is amended by revising the existing text to read as follows:

§ 22.902 Frequencies.

* * * * *

(b) For cellular systems the assignment of frequencies will be divided into two blocks. Assignments will be made from the frequencies listed for cellular Systems A and B. Common carriers not also engaged in the business of affording public landline message telephone service will be assigned frequencies from Cellular System A. Common carriers engaged directly or indirectly in the business of affording public landline message telephone service will be assigned frequencies from cellular System B in those areas in which they are certificated in some portion of the cellular market; except that, in the final cellular application phase for any initially unapplied for or unlicensed area, either within or without a Metropolitan Statistical Area (MSA) or New England County Metropolitan Area (NECMA), a cellular applicant may apply for either frequency block and the applicant shall indicate in its application which it prefers to be assigned.

* * * * *

4. Section 22.903 is amended by revising paragraph (a) to read as follows:

§ 22.903 Cellular system service areas.

(a) The Cellular Geographic Service Area (CGSA) of the cellular system shall be defined by the applicant as the area intended to be served. At the time of initial application filing, no CGSA or 39 dBu contour which includes area within a Metropolitan Statistical Area (MSA), or in New England, a New England County Metropolitan Area (NECMA), as modified in paragraph (e), of this section, may extend beyond the boundaries of the MSA or NECMA, except where any such extensions are *de minimis* and do not include area within another central MSA or NECMA. No CGSA or 39 dBu contour may extend beyond the boundaries of the Rural Service Area (RSA). For MSAs and NECMAs below the top 90 and for RSAs, the boundaries of the CGSA must include at least 75% of either the land area or population of the MSA, NECMA or RSA. The CGSA must be drawn on one or more U.S. Geological survey map(s) with a scale of 1:250,000. Within the CGSA the applicant must depict each base station site and its respective 39 dBu contour as determined by the methods described in paragraph (c) of this section. An applicant must demonstrate that the combined 39 dBu contours of all base stations will cover at least 75% of the total CGSA.

* * * * *

5. Section 22.904 is amended by adding new paragraphs (b) and (c) as follows:

§ 22.904 Power limitations.

* * * * *

(b) Stations serving Rural Service Areas will not be permitted to exceed the effective radiated power indicated below.

Base stations—500 watts (ERP)
Mobile stations—7 watts (ERP)
Auxiliary test stations—7 watts (ERP)

(c) Stations serving Rural Service Areas will be required to operate at the effective radiated power listed in paragraph (a) of this section in the event the base station is located 100 miles or less from an adjacent MSA. If interference is alleged to adjacent MSAs or NECMAs, the Rural Service Area stations will be required to reduce power immediately to the power limitations specified in § 22.905(a) until the Commission has authorized operation at an increased power.

* * * * *

6. Section 22.905 is amended by revising the existing text and adding new paragraphs (a) and (b) as follows:

§ 22.905 Antenna height-power for base stations.

In view of the fact that the predominant characteristic of cellular systems is frequency reuse within a given service area, the effective radiated power of base stations with transmitting antennas in excess of 500 feet above average terrain (AAT) must be reduced as shown in the table below.

(a) For MSA, NECMA and RSA facilities located 100 miles or less from an MSA or NECMA.

Antenna height (AAT) (feet)	Effective radiated power (ERP) (watts)
500	100
550	79
600	65
700	45
800	33
900	25
1000	20
1250	11
1500	7
2000	4
2500	3
3000 and above	2

For AAT's between the above listed values, linear interpolation should be used.

(b) For RSA facilities located more than 100 miles from an MSA or NECMA.

Antenna height (AAT) (feet)	Effective radiated power (ERP) (watts)
500	500
550	397
600	323
700	223
800	166
900	126
1000	98
1250	57
1500	37
2000	20
2500	13
3000	10
3500	9
4000	8
5000	7

For AATs between the above listed values, linear interpolation should be used.

7. Section 22.913 is amended by revising (b)(1) and (b)(2) and adding a new paragraph (c) to read as follows:

§ 22.913 Content of applications.

* * * * *

(b) Forms of applications. Applications for construction permits for initial cellular systems in markets beyond the top-120 and for Rural Service Areas shall be filed as set forth below:

(1) Hard copies must be enclosed in stiff covers and fastened securely along the left edge without exposed sharp edges (e.g. looseleaf binders, plastic binding strips, covered metal clasps).

(2) The applicant's name and the market, market number and frequency block applied for must appear on the cover of the application and those applications for Rural Service Areas should also have this information clearly printed on the top of the microfiche, on the microfiche jacket, and on the envelope.

* * * * *

(c) Copies. Each applicant for an initial construction permit in markets beyond the top-120 shall submit an original and one paper copy of its application. In addition, each applicant shall submit two microfiche copies of its application using a 4 x 6 inch positive or negative copy microform, 24X reduction, and enclosed in a paper jacket. The following information must be printed on the jacket: the name of the applicant, the name and number of the market applied for and the frequency block designation. The two jacketed microfiche must be in an envelope accompanying the original application. The envelope must be labeled with the name of the applicant, the name and number of the market applied for and the frequency block designation. Applications for Rural Service Areas must have an executed original application, but will initially be required to file three true black and white microfiche copies of the application containing an original signature, and a certification as defined in § 22.913(b). Applicants will keep the original of the application until after lottery. The prevailing applicant in the lottery will then be required to submit the original hard copy application within fifteen (15) days of notice of the lottery results. Applicants for other forms of cellular authorizations shall submit an original and two paper copies.

* * * * *

8. Section 22.916 is amended by revising paragraph (c) to read as follows:

§ 22.916 Evaluation of cellular applications.

* * * * *

(c) Evaluation of cellular applications for markets below the top-30 and for Rural Service Areas. Mutually exclusive cellular applications for markets below the top-30 and for Rural Service Areas shall be randomly selected according to the procedures set forth in § 22.33 and § 1.822 et. seq.

* * * * *

9. Section 22.918 is amended by revising paragraph (b) and by removing paragraph (c)(1) and redesignating paragraphs (c)(2) through (c)(4) as (c)(1) through (c)(3) respectively.

§ 22.918 Amendment of cellular applications.

* * * * *

(b) Markets below the top-90 and Rural Service Areas. Amendments for applications for below-90 cellular markets may not be filed prior to conduct of the lottery for the market applied for. The tentative selectee may file minor amendments, but no major amendments except for those listed in § 22.23(g). Information required by § 1.65 shall be filed within 14 days of publication of the Public Notice announcing the tentative selectee in markets below the top-90 and within 30 days of the Public Notice announcing the lottery results for all applications to serve Rural Service Areas.

* * * * *

[FR.Doc. 86-16871 Filed 7-25-86; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 85-375; RM-4972]

Radio Broadcasting Services; Shingle Springs, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots FM Channel 271A to Shingle Springs, California, as that community's first local broadcast service, in response to a petition filed by Eric R. Hilding. With this action, this proceeding is terminated.

DATES: Effective August 28, 1986; The window period for filing applications will open on August 29, 1988, and close on September 29, 1986.

FOR FURTHER INFORMATION CONTACT: Nancy V. Joyner, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 85-375, adopted July 14, 1986, and released July 22, 1986. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 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, (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

47 CFR Part 73 is amended as follows:

1. The authority citation for Part 73 continues to read:

Authority: 47 U.S.C. 154, 303.

2. Section 73.202(b) is amended by adding the following:

§ 73.202 FM Table of Allotments.

* * * * *

(b) * * *

California	Channel No.
Shingle Springs	271A

* * * * *

Federal Communications Commission.

Charles Schott,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 86-16872 Filed 7-25-86; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 85-342; RM-5045, RM-5282]

Radio Broadcasting Services; Little Falls and Sartell, MN

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allocates FM Channels 231A to Little Falls, Minnesota, and 241A to Sartell, Minnesota, in response to petitions filed by Little Falls Broadcasting Company and Sartell Communications, respectively. The allotments could provide a first FM service to Sartell and a second FM service to Little Falls. With this action, this proceeding is terminated.

DATES: Effective August 28, 1986. The window period for filing applications will be open on August 29, 1986, and close on September 29, 1986.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 85-342, adopted July 14, 1986, and released July 22, 1986. The full text of this Commission decision is available for inspection and copying during normal business hours in