

no interest in its use was expressed. The counterproposal filed by the G. Weaver Corporation requesting the allotment of Channel 24 to Panama City Beach, Florida, is dismissed as moot. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** October 31, 1988.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 87-114, adopted August 24, 1988, and released September 15, 1988. 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 contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

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

Television broadcasting.

#### PART 73—[AMENDED]

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

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

#### § 73.606 [Amended]

2. Section 73.606(b), the TV Table of Allotments for Florida is amended by amending the entry for Tallahassee by adding Channel 24.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division,  
Mass Media Bureau.

[FR Doc. 88-22050 Filed 9-26-88; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 87-614; RM-5996]

#### Radio Broadcasting Services; Valley Station, KY

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 290A to Valley Station, Kentucky, as its first FM channel at the request of Mid-America Communications, Inc. Coordinates for Channel 290A are 38-06-40 and 85-52-13. With this action, this proceeding is terminated.

**DATES:** Effective October 31, 1988; the window period for filing applications

will open on November 1, 1988, and close on December 1, 1988.

**FOR FURTHER INFORMATION CONTACT:** Nancy J. Walls, Mass Media Bureau, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 87-614, adopted August 24, 1988, and released September 15, 1988. 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]

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

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

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments is amended by adding Valley Station, Kentucky, Channel 290A.

Steve Kaminer,

Deputy Chief, Policy and Rules Division,  
Mass Media Bureau.

[FR Doc. 88-21873 Filed 9-26-88; 8:45 am]

BILLING CODE 6712-01-M

#### DEPARTMENT OF TRANSPORTATION

#### Research and Special Programs Administration

#### 49 CFR Part 172

[Docket No. HM-189G; Amdt. No. 172-113]

#### Hazardous Materials Regulations; Miscellaneous Amendment

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Final rule.

**SUMMARY:** RSPA is amending the Hazardous Materials Regulations (HMR) to relocate the identification number cross reference to proper shipping names which appears as Appendix A to Subpart B in Part 172 (49 CFR Parts 171-179). This cross reference listing will appear as an index in the 1989 edition of the 49 CFR immediately following the Table of Contents to Part 172. This action will allow RSPA to update and publish the listing in the Code of Federal Regulations without the cost and effort

associated with publication in the **Federal Register**. The intended effect of this action is to provide up-to-date cross reference information to users of the HMR.

**EFFECTIVE DATE:** September 30, 1988.

**FOR FURTHER INFORMATION CONTACT:** Jacquelyn F. Smith, Standards Division, Office of Hazardous Materials Transportation, 400 Seventh Street SW., Washington, DC 20590, Telephone (202) 366-4488.

**SUPPLEMENTARY INFORMATION:** An alphanumeric listing, containing a cross reference index of identification numbers and proper shipping names shown in the Hazardous Materials Table in § 172.101 and the Optional Hazardous Materials Table in § 172.102, appears as Appendix A to Subpart B in Part 172. This listing is provided for informational purposes only and as a convenience for users. RSPA has not routinely updated this listing largely due to the effort and cost associated with publishing the listing in the **Federal Register**. Removing the listing as Appendix A to Subpart B of Part 172 and adding it as an index immediately following the Table of Contents to Part 172 allows RSPA to update and publish the index annually in the Code of Federal Regulations without the added burden of publishing it in the **Federal Register**.

Since this amendment imposes no new requirement and is merely procedural in nature, notice and public procedure are unnecessary. For this same reason, this amendment is effective without the customary 30-day delay following publication. This will allow the changes to appear in the next revision of 49 CFR.

The RSPA has determined that this rule, as promulgated, is not a major rule under the terms of Executive Order 12291 or significant under DOT implementing procedures (44 FR 11034). A final regulatory evaluation and environmental assessment were not prepared as this amendment is not a substantive change in the HMR.

Given the fact that this amendment is procedural in nature and imposes no regulatory duties, I certify that this amendment will not, as promulgated, have a significant economic impact on a substantial number of small entities.

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this final rule has no federalism implications.

**List of Subjects in 49 CFR Part 172**

Hazardous materials transportation.  
In consideration of the foregoing, 49 CFR Part 172 is amended as follows:

**PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS**

1. The authority citation for Part 172 continues to read as follows:

Authority: 49 U.S.C. 1803, 1804, and 1806; 49 CFR Part 1, unless otherwise noted.

**Appendix A to Subpart B [Removed].**

2. In Part 172, Appendix A to Subpart B, titled "Identification Number Cross Reference to Proper Shipping Names in §§ 172.101 and 172.102" is removed. Note: The listing will be updated annually by RSPA and published in the 49 CFR as an index immediately following the Table of Contents to Part 172.

Issued in Washington, DC, on September 13, 1988, under authority delegated in 49 CFR Part 1.53.

M. Cynthia Douglass,

Administrator, Research and Special Programs Administration.

[FR Doc. 88-22097 Filed 9-26-88; 8:45 am]

BILLING CODE 4910-60-M

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; Technical Amendments to the Sea Otter Translocation Regulations**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** This rule amends the Translocation Regulations for southern sea otters, a threatened species of marine mammal, that were published in the *Federal Register* on August 11, 1987. The original regulations were promulgated for the translocation of southern sea otters to San Nicolas Island pursuant to Pub. L. 99-625.

The amendment rectifies certain technical problems identified during the first year of the translocation project. The problems concerned the age and number of animals released at any one time, the number of animals with radio transmitters to be captured, the reason for capture, and the retention of animals in temporary holding pens. The changes are expected to promote survival and

reduce dispersal of the translocation sea otters.

**DATES:** This rule takes effect on September 27, 1988.

**ADDRESSES:** The complete file for this final rule is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service (Service), Ventura Endangered Species Recovery Office, 2140 Eastman Avenue, Suite 100, Ventura, California 93003.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey D. Opdycke, Field Supervisor, at the above address (805-644-1766 or FTS 983-6039).

**SUPPLEMENTARY INFORMATION:****Background**

Pursuant to Pub. L. 99-625, the original regulations found at 50 CFR 17.84(d) provided for a four-stage plan for the translocation of southern sea otters (*Enhydra lutris nereis*) from a parent population on the central California coast to a Translocation Zone around San Nicolas Island, California. The process described in the original regulations included techniques for capture, transport, holding, and release. During the first year of translocation, under the original regulations, it became apparent that the techniques could be improved to enhance survival and reduce dispersal of the translocated sea otters, and that improved techniques can be expected to have a lesser impact on the parent population.

Authorization of the translocation enabled the Service to translocate up to 70 sea otters a year, totaling no more than 250 sea otters in a 5-year period. According to the original translocation regulations up to 20 of the animals translocated each year were to be adults; the remainder were to be weaned, immature sea otters. The capture was restricted to the period between August and mid-October, during which time the weather in Southern California is mostly passive.

After capture, the animals were to be inspected by veterinarians and tagged for identification. Each year, up to thirty sea otters were to be captured prior to translocation and surgically implanted with radio transmitters. They were then to be released back into the parent population. Of the thirty radioed sea otters up to fifteen were to be recaptured and translocated to San Nicolas Island.

All of the translocated sea otters were to be transported from their place of capture to be held and observed in specially constructed holding facilities.

A minimum of 20 sea otters were to be translocated at each time; therefore, the captured sea otters were to be held in captivity until at least 20 individuals had been captured. After each sea otter was determined to be fit-to-travel, the group was to be transported by truck, then flown by airplane to San Nicolas Island.

Once at the island, the sea otters were to be transferred to a stationary floating pen, where they were to be held for up to 5 days. Male and female sea otters were to be held separately, and no more than ten sea otters were to be held in any pen. After allowing time for the sea otters to acclimatize to their new surroundings, the nets were to be removed from the pens and the animals allowed to leave at will.

The translocated sea otters were to be monitored to determine the population growth rate, behavior, impact on the marine environment, and dispersal tendencies. Sea otters from either population were to be restricted to their current range on the mainland coast north of Point Conception or to the Translocation Zone around San Nicolas Island. Any sea otter found in the "no otter" Management Zone was captured using non-lethal means and transported back to the Translocation Zone or the current mainland range.

Problems arose with the translocation during the first year of the project. The difficulties occurred primarily because sea otters became wary and increasingly difficult to capture after exposure to capture activities in their home territories. This affected the ability of the Service to select specific individuals for translocation. It also affected the time needed to obtain the correct number and composition of sea otters. As a result, the age ratio of translocated sea otters was very difficult to predetermine, as was the recapture of sea otters with radio transmitters. In addition, the stress imposed upon the animals while awaiting translocation in holding pens on the mainland resulted in several mortalities.

Another problem arose when the sea otters were held in floating pens at the translocation site. Instead of calming the animals and allowing them time to adjust to the new environment, the additional holding period increased stress and unduly agitated the sea otters. As a result, three sea otters died.

The final amendments to the regulations improve the probability for sea otter survival by minimizing stress, thereby enhancing the establishment of the population at San Nicolas Island.