

responsibilities between the Federal Government and Indian tribes.” This proposed rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this proposed rule.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 21, 2011.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR chapter I be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

2. Section 180.491 is amended by revising the “Nut, tree, group 14” commodity in the tables in paragraphs (a)(1) and (a)(2) to read as follows:

§ 180.491 Propylene oxide; tolerances for residues.

(a) *General.* (1) * * *

Commodity	Parts per million
* * * * *	*
Nutmeat, processed, except peanuts	300
* * * * *	*

(2) * * *

Commodity	Parts per million
* * * * *	*
Nutmeat, processed, except peanuts	10.0
* * * * *	*

* * * * *
[FR Doc. 2011-7462 Filed 3-29-11; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 87

[WT Docket No. 10-61; FCC 11-25]

Aviation Service Regulations

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document considers a petition for rulemaking requesting comment on a petition for rulemaking filed by OCAS, Inc. (OCAS) regarding audio visual warning systems (AVWS). OCAS, Inc. installs such technology under the trademark OCAS®. AVWS are integrated air hazard notification systems that utilize radar frequencies and VHF voice frequencies to activate obstruction lighting and transmit audible warnings to aircraft on a potential collision course with obstacles such as power lines, wind turbines, bridges and towers. OCAS requests that we amend part 87 of the Commission’s rules to permit AVWS stations to operate radar units, and to transmit audible warnings to pilots. We seek comment on operational, licensing, eligibility and equipment certification issues regarding AVWS stations and technology.

DATES: Submit comments on or before May 31, 2011 and reply comments are due June 28, 2011.

ADDRESSES: You may submit comments, identified by WT Docket No. 10-61; FCC 11-25, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Federal Communications Commission’s Web site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Tim Maguire, Mobility Division, Wireless Telecommunications Bureau, (202) 418-2155.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s *Further Notice of Proposed Rulemaking*

(“FNPRM”) in WT Docket No. 10-61, FCC 11-25, adopted February 22, 2011, and released March 4, 2011. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission’s copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room Cy-B402, Washington, DC 20554. The full text may also be downloaded at: www.fcc.gov. Alternative formats are available to persons with disabilities by sending an e-mail to fcc504@fcc.gov or by calling the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

I. Procedural Matters

A. Ex Parte Rules-Permit-but-Disclose Proceeding

1. This is a permit-but-disclose notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission’s Rules.

B. Comment Dates

2. Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using: (1) The Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/> or the Federal eRulemaking Portal: <http://www.regulations.gov>.

- *Paper Filers:* Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the

Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW., Room TW-A325, Washington, DC 20554. The filing hours are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW., Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

C. Paperwork Reduction Act

3. This *FNPRM* does not contain any proposed information collection(s) subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

II. Initial Regulatory Flexibility Analysis

4. As required by the Regulatory Flexibility Act (RFA), the Commission has prepared this present Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed and set forth in Appendix B. We request written public comments on this IRFA which must be filed in accordance with the same filing deadlines as the comments on the rest of the *FNPRM*. The Commission shall send a copy of this *FNPRM*, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration. In addition, a copy of this *FNPRM* and IRFA (or summaries thereof) will also be published in the **Federal Register**.

III. Ordering Clauses

5. Pursuant to §§ 4(i), 4(j), and 303(r) of the Communications Act of 1934, as amended, and 47 U.S.C. 154(i), 154(j), and 303(r), *notice is hereby given* of the proposed regulatory changes described in the *FNPRM*, and *comment is sought* on the proposed regulatory changes as set forth below.

6. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this *FNPRM*, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 87

Air transportation, Communications equipment, Radio.

Federal Communications Commission.
Marlene H. Dortch,
Secretary.

Proposed Rule Changes

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 87 as follows:

PART 87—AVIATION SERVICES

1. The authority citation for part 87 continues to read as follows:

Authority: 47 U.S.C. 154, 303 and 307(e), unless otherwise noted.

2. Section 87.171 is amended by revising the section heading and by adding "AVW—Audio visual warning systems" under the revised section heading to read as follows:

§ 87.171 Class of station symbols.

* * * * *
 AVW—Audio visual warning systems
 * * * * *

3. Section 87.173 is amended by revising the entries for "122.700 MHz," "122.725 MHz," "122.750 MHz," "122.800 MHz," "122.850 MHz," "122.900 MHz," "122.950 MHz," "122.975 MHz," "123.000 MHz," "123.025 MHz," "123.050 MHz," "123.075 MHz," "123.300 MHz," "123.500 MHz," in the table in paragraph (b) to read as follows:

§ 87.173 Frequencies.

* * * * *

(b) Frequency table:

Frequency or frequency band	Subpart	Class of station	Remarks
122.700 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.
122.725 MHz	G, L, Q	MA, CAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.
122.750 MHz	F, Q	MA2, AV	Private fixed wing aircraft air-to-air communications.
122.800 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.
122.850 MHz	H, K, Q	MA, FAM, FAS, AVW	
122.900 MHz	F, H, L, M, Q	MA, FAR, FAM, MOU, AVW	
122.950 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with control tower; Aeronautical utility stations.
122.975 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.
123.000 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.

Frequency or frequency band	Subpart	Class of station	Remarks
123.025 MHz	F, Q	MA2, AVW	Helicopter air-to-air communications; Air traffic control operations.
123.050 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.
123.075 MHz	G, L, Q	MA, FAU, MOU, AVW	Unicom at airports with no control tower; Aeronautical utility stations.
	*	*	*
123.300 MHz	K, Q	MA, FAS, AVW	
	*	*	*
123.500 MHz	K, Q	MA, FAS, AVW	
	*	*	*

4. Section 87.483 is added under Subpart Q to read as follows:

§ 87.483 Audio visual warning systems.

An audio visual warning system (AVWS) is a radar-based obstacle avoidance system. AVWS activates obstruction lighting and transmits VHF audible warnings to alert pilots of potential collisions with land-based obstructions. The continuously operating radar calculates the location, direction and groundspeed of nearby aircraft that enter one of two warning zones reasonably established by the licensee. As aircraft enter the first warning zone, the AVWS activates obstruction lighting. If the aircraft continues toward the obstacle and enters the second warning zone, the VHF radio transmits an audible warning describing the obstacle.

(a) Radio determination (radar) frequencies. Frequencies authorized under § 87.475(b)(7) of this part are available for use by an AVWS. The frequency coordination requirements in § 87.475(a) of this part apply.

(b) VHF audible warning frequencies. Frequencies authorized under § 87.187(j), § 87.217(a), § 87.241(b) and § 87.323(b) (excluding 121.950 MHz) of this part are available for use by an AVWS. Multiple frequencies may be authorized for an individual station, depending on need and the use of frequencies assigned in the vicinity of a proposed AVWS facility. Use of these frequencies is subject to the following limitations:

(1) The output power shall not exceed - 3 dBm watts for each frequency authorized.

(2) The antenna used in transmitting the audible warnings must be omni directional with a maximum gain equal to or lower than a half-wave centerfed dipole above 30 degree elevation, and a maximum gain of +5 dBi from horizontal up to 30 degrees elevation.

(3) The audible warning shall not exceed two seconds in duration. No more than six audible warnings may be transmitted in a single warning cycle, which shall not exceed 12 seconds in duration. An interval of at least twenty seconds must occur between transmit cycles.

* * * * *

[FR Doc. 2011-7382 Filed 3-29-11; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Federal Motor Carrier Safety Administration

49 CFR Parts 177 and 392

[Docket Numbers PHMSA-2010-0319 (HM-255) & FMCSA-2006-25660]

RIN 2137-AE69 & 2126-AB04

Highway-Rail Grade Crossing; Safe Clearance

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), and Federal Motor Carrier Safety Administration (FMCSA), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM); reopening of comment period.

SUMMARY: On March 1, 2011, the Commercial Vehicle Safety Alliance (CVSA) requested that PHMSA and FMCSA extend the comment period for the Highway-Rail Grade Crossing; Safe Clearance Notice of Proposed Rulemaking, which was published on January 28, 2011, by 60 days. CVSA believes the extension is necessary to gain feedback from its members who will be attending the CVSA Spring Workshop Meeting from April 11-14, 2011. This notice reopens the public

comment period for the NPRM from March 29, 2011, to April 29, 2011.

DATES: Comments on the NPRM are due by April 29, 2011.

FOR FURTHER INFORMATION CONTACT: At FMCSA: Mr. Thomas Yager, Driver and Carrier Operations; or MCPSD@dot.gov. Telephone (202) 366-4325. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays. At PHMSA: Mr. Ben Supko, Office of Hazardous Materials Standards, (202) 366-8553, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 0001.

SUPPLEMENTARY INFORMATION:

On March 1, 2011, the Commercial Vehicle Safety Alliance (CVSA) requested that PHMSA and FMCSA extend the comment period for the Highway-Rail Grade Crossing; Safe Clearance Notice of Proposed Rulemaking, which was published on January 28, 2011 (76 FR 5120), by 60 days. CVSA believes the extension is necessary to gain feedback from its members who will be attending the CVSA Spring Workshop Meeting from April 11-14, 2011.

PHMSA and FMCSA believe that other potential commenters to this rulemaking will benefit from an extension as well, and that 30 days is sufficient time to allow CVSA to gain feedback from its members during its Spring Workshop and prepare its comments. Accordingly, PHMSA and FMCSA reopens the comment period for all comments on the NPRM and its related documents to April 29, 2011.

Issued in Washington, DC, on March 25, 2011, under authority delegated in 49 CFR part 1.