

K. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801, et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A Major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as

defined by 5 U.S.C. 804(2). This rule will be effective July 12, 2002.

List of Subjects in 40 CFR Part 268

Environmental protection, Hazardous waste, Reporting and recordkeeping requirements.

Dated: May 13, 2002.

Michael H. Shapiro,  
Deputy Assistant Administrator, Office of  
Solid Waste and Emergency Response.

For the reasons set out in the preamble, title 40, chapter I of the Code of Federal Regulations is amended as follows:

PART 268—LAND DISPOSAL RESTRICTIONS

1. The authority citation for part 268 continues to read as follows:

**Authority:** 42 U.S.C. 6905, 6912(a), 6921, and 6924.

2. In § 268.44, the table in paragraph (o) is amended by: a. Removing the entry for "Ball Foster Glass Container Corp, El Monte, CA";

b. Adding in alphabetical order a new entry for "St. Gobain Containers, El Monte, CA"; and

c. Revising footnote 7.

The revision and addition read as follows:

§ 268.44 Variance from a treatment standard.

\* \* \* \* \*  
(o) \* \* \*

TABLE—WASTES EXCLUDED FROM THE TREATMENT STANDARDS UNDER § 268.40

Facility name <sup>(1)</sup> and address	Waste code	See also	Regulated hazardous constituent	Wastewaters		Nonwastewaters	
				Concentration (mg/L)	Notes	Concentration (mg/kg)	Notes
* St. Gobain Containers, El Monte, CA <sup>(6)</sup> <sup>(7)</sup> .	* D010	* Standards under § 268.40.	* Selenium .....	* NA	* NA	* 25	* NA

<sup>(1)</sup> A facility may certify compliance with these treatment standards according to provisions in 40 CFR 268.7.

<sup>(6)</sup> Alternative D010 selenium standard only applies to dry scrubber solid from glass manufacturing wastes.

<sup>(7)</sup> D010 wastes generated by these two facilities are subject to the following conditions: (a) the wastes must be treated by Chemical Waste Management, Inc. at their Kettleman Hills facility in Kettleman City, California; and (b) this treatment variance will be valid until July 12, 2005.  
**Note:** NA means Not Applicable.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[DA 02–494]

FCC Registration Number Rules

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** On August 31, 2001 the Commission released final rules amending its rules to require persons and entities doing business with the Commission to obtain a unique identifying number called the FCC Registration Number (FRN) and to supply it when doing business with the Commission. The Commission is revising those rules to correct nonsubstantive errors.

**DATES:** Effective May 28, 2002.

FOR FURTHER INFORMATION CONTACT:

Laurence H. Schecker, Office of General Counsel (202) 418–1720.

**SUPPLEMENTARY INFORMATION:** This order adopted February 29, 2000 revises 47 CFR 1.8002 and 1.8004 to make nonsubstantive, editorial revisions. The Commission's rules are amended as set forth:

Ordering Clause

According, pursuant to § 0.231(b) of the Commission's rules, 47 CFR 0.231(b), that sections 1.8002(b)(1), 1.8004(c), and 1.8004(d) of the Commission's rules, 47 CFR 1.8002(b)(1), 1.8004(c), and 1.8004(d), are AMENDED as set forth in the rule changes.

List of Subjects in 47 CFR Part 1

Practice and procedure.

Federal Communication Commission.

Marlene H. Dortch,  
Secretary.

Rule Changes

For the reasons discussed in the preamble, the Federal Communications

Commission amends 47 CFR Part 1 as follows:

PART 1—PRACTICE AND PROCEDURE

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

**Authority:** 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e).

§ 1.8002 [Amended].

2. In § 1.8002(b)(1), remove the words "THE CORES" and add in their place the words "the CORES".

3. Revise § 1.8004(c) and (d) to read as follows:

§ 1.8004 Penalty for Failure to Provide the FRN.

\* \* \* \* \*

(c) Where the Commission has not established a filing deadline for an application, a missing or invalid FRN on such an application may be corrected and the application resubmitted. Except as provided in paragraph (d) of this section or in other Commission rules, the date that the resubmitted application is received by the

Commission with a valid FRN will be considered the official filing date.

(d) Except for the filing of tariff publications (see 47 CFR 61.1(b)) or as provided in other Commission rules, where the Commission has established a filing deadline for an application and that application may be filed on paper, a missing or invalid FRN on such an application may be corrected with ten (10) business days of notification to the filer by the Commission staff and, in the event of such timely correction, the original date of filing will be retained as the official filing date.

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571.121

[Docket No. NHTSA-02-12053]

RIN No. 2127-AI48

### Federal Motor Vehicle Safety Standards; Air Brake Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA, DOT.)

**ACTION:** Final rule; technical amendment.

**SUMMARY:** In a May 3, 1989 final rule, NHTSA changed the brake applications and release timing requirements of the Federal motor vehicle safety standard on air brake systems. The changes to these requirements resulted in the addition of a new schematic diagram of a trailer test rig, labeled as Figure 1, to the standard. A pre-existing trailer test rig schematic was re-labeled as Figure 1(a) and retained for use until the new brake application and release timing requirements and the new figure became effective May 3, 1991. We are now deleting the obsolete Figure 1(a). A provision describing the pressure characteristics of the trailer test rig depicted in Figure 1(a) is also being deleted. We are also taking this opportunity to correct various minor errors and omissions in the standard.

**DATES:** *Effective Date:* The amendment made by this final rule is effective June 27, 2002.

*Petitions:* Petitions for reconsideration must be received by July 12, 2002.

**ADDRESSES:** Petitions for reconsideration should refer to the docket number of this rule and be submitted to: Administrator, National Highway Traffic Safety Administration, 400

Seventh Street, SW, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590:

*For non-legal issues:* Mr. Jeffrey Woods, Safety Standards Engineer, Office of Crash Avoidance Standards, Vehicle Dynamics Division, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590; telephone (202) 366-8525, fax (202) 493-2739, electronic mail "jwoods@nhtsa.dot.gov".

*For legal issues:* Otto Matheke, Office of the Chief Counsel, NCC-20, telephone (202) 366-5253, facsimile (202) 366-3820, electronic mail "omatheke@nhtsa.dot.gov".

**SUPPLEMENTARY INFORMATION:** On May 3, 1989, we published a final rule (54 FR 18890) amending the brake applications and release timing requirements of Standard No. 121, Air brake systems. Under Standard 121, pneumatic brake systems must meet a number of performance requirements when subjected to testing that includes both on-road and dynamometer testing. One of the aspects of brake system performance measured by Standard No. 121 is how quickly brakes are applied once the brake pedal is depressed and how quickly the brakes release after the brake pedal is allowed to return to its original position. The 1989 final rule modified the existing application and release timing requirements and made several changes in how these application and release times are measured. One of the changes involved the test device, the trailer test rig, used in the timing tests. Due to this change, a schematic diagram of the test device to be used until the new timing requirements became effective on May 3, 1991, was re-labeled as Figure 1(a).

Mr. Robert J. Crail submitted a petition for rulemaking to NHTSA dated July 17, 2000 requesting that Figure 1(a) be deleted from Standard No. 121. Mr. Crail's petition correctly indicated that Figure 1(a) depicts a trailer test rig no longer used in the standard. The petition requested that Figure 1(a) be deleted because Figure 1 depicts the only trailer test rig now used in the standard. NHTSA granted the petition on April 6, 2001, indicating that it would review the issue to determine if further action would be appropriate.

The agency has reviewed this issue and concluded that Figure 1(a), which is now obsolete, should be deleted. NHTSA also has reviewed Standard No. 121 for other errors and omissions and

is correcting these matters in this technical amendment. The agency believes that none of these corrections will change the substantive requirements of the Standard or have any effect on manufacturers of vehicles subject to Standard No. 121.

As noted above, this technical amendment deletes Figure 1(a) depicting an obsolete trailer test rig. S6.1.13(b) which describes the pressure characteristics of the old trailer test rig depicted in Figure 1(a), is also being deleted. S6.1.13(a) which references the currently-used trailer test rig in Figure 1, is renumbered as S6.1.13.

NHTSA is also correcting other typographical errors and omissions. The last sentence of S5.4.1.1 currently states "after each stop, rotate the brake drum or disc until the temperature of the brake falls to between 125 °F. And 200 °F." This sentence is being corrected by deleting the period after "125 °F" and removing the capitalization of the A in "and" to join the two sentences. As corrected, the last section of the sentence states "between 125 °F and 200 °F." S6.1.2 states that "the inflation pressure is as specified by the vehicle manufacturer for the GVWR." The word "tire" is now being inserted before the word "inflation." Prior to this technical amendment, S6.1.8 included this sentence:

If the vehicle cannot attain a speed of 40 mph in 1 mph, continue to accelerate until the vehicle reaches 40 mph or until the vehicle has traveled 1.5 miles from the initial point of the previous brake application, whichever occurs first.

We are now correcting S6.1.8 by replacing "1 mph" with "1 mile" so the sentence states "If the vehicle cannot attain a speed of 40 mph in 1 mile, continue \* \* \*". Prior to the technical corrections set forth in this notice, S6.2.5 stated, in part, that "the rate of brake drum or disc rotation on a dynamometer or responding to the rate of rotation \* \* \*". This phrase contained a typographical error as the words "or responding" were originally intended to be the single word "corresponding." NHTSA now amends this section of S6.2.5 to state "the rate of brake drum or disc rotation on a dynamometer corresponding to the rate of rotation \* \* \*".

Several errors in tables and figures are also being corrected. Table III specifies brake chamber pressures that relate to brake retardation forces in the dynamometer test requirements in S5.4.1 *Brake retardation force*. NHTSA is modifying Table III to remedy a typographical error in the heading for the first column of the table. The