

to amend the location restriction requirements in the criteria for municipal solid waste landfills in order to incorporate new landfill siting requirements enacted in the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century. We stated in that **Federal Register** document that if we received adverse comment by August 12, 2002, we would publish a timely notice of withdrawal in the **Federal Register**. We subsequently received adverse comment on that direct final rule. We will address those comments in a subsequent final action based on the parallel proposal also published on July 11, 2002 (67 FR 45948). As stated in the parallel proposal, we will not institute a second comment period on this action. Although EPA is issuing this withdrawal of its direct final rule, the new siting requirements enacted in the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century continue to remain in effect.

**DATES:** As of October 8, 2002, EPA withdraws the direct final rule published at 67 FR 45915, on July 11, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mary Moorcones, Office of Solid Waste and Emergency Response, Office of Solid Waste, Municipal and Industrial Solid Waste Division (mail code 5305W), U.S. Environmental Protection Agency Headquarters (EPA HQ), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; telephone: 540-338-1348; e-mail: <moorcones.mary@epamail.epa.gov>.

Dated: October 2, 2002.

**Christine Todd Whitman,**  
Administrator, Environmental Protection Agency.

[FR Doc. 02-25582 Filed 10-7-02; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CG Docket No. 02-278, CC Docket No. 92-90, FCC 02-250]

### Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission announces that it will terminate and close CC Docket No. 92-90. On September 12, 2002, the

Commission adopted a Notice of Proposed Rulemaking (NPRM) on its rules implementing the Telephone Consumer Protection Act of 1991 (TCPA). The NPRM seeks comment on whether the Commission's rules governing unsolicited advertising using the telephone and facsimile machine need to be revised in order to more effectively carry out Congress's directives in the TCPA. The Commission will close and terminate CC Docket No. 92-90 and open a new docket to address the issues raised in this proceeding.

**DATES:** Effective October 8, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Erica H. McMahon or Richard D. Smith at 202-418-2512, Consumer & Governmental Affairs Bureau.

#### SUPPLEMENTARY INFORMATION:

On September 12, 2002, the Commission adopted an NPRM and Memorandum Opinion and Order in CG Docket No. 02-278 and CC Docket No. 92-90, FCC 02-250. In the NPRM, the Commission seeks comment on whether to revise, clarify or adopt any additional rules pursuant to the TCPA on the use of telephone and facsimile machines to deliver unsolicited advertisements. The Commission also seeks comment on whether to reconsider the option of establishing a national do-not-call list. In the Memorandum Opinion and Order, the Commission notes that the telemarketing marketplace has undergone significant changes. In addition, the Commission has received thousands of complaints from consumers who allege violations of the TCPA and our rules and orders. Based on these complaints, the changes in the way telemarketing is conducted, and our decision to revisit the option of establishing a national do-not-call list, it is clear that the focus of this proceeding has changed significantly from when the 1997 TCPA Reconsideration Order (62 FR 19686, April 23, 1997) was released. Therefore, the Commission announces that it will close and terminate CC Docket No. 92-90 and open a new docket to address the issues raised in this proceeding. Only pending Petitions and Requests for Clarification from CC Docket 92-90 will be incorporated into the instant proceeding. The full text of this document is available on the Commission's website Electronic Comment Filing System and for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW, Washington, DC 20554.

#### List of Subjects in 47 CFR Part 64

Telephone.

Federal Communications Commission.

**Marlene H. Dortch,**

Secretary.

[FR Doc. 02-25568 Filed 10-7-02; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-2149, MB Docket No. 02-101, RM-10429]

### Digital Television Broadcast Service; Reliance, SD

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Young Broadcasting of Sioux Falls, Inc., licensee of station KPLO-TV, substitutes DTV channel 13 for DTV channel 14 at Reliance, South Dakota. See 67 FR 34670, May 15, 2002. DTV channel 13 can be allotted to Reliance, South Dakota, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 43-57-57 N. and 99-36-11 W. with a power of 40, HAAT of 338 meters and with a DTV service population of 53 thousand. With this action, this proceeding is terminated.

**DATES:** Effective October 25, 2002.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 02-101, adopted September 4, 2002, and released September 10, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Digital television broadcasting, Television.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows: