

dock pipeline be implemented under the authorities contained in the UST provisions of RCRA. The MPCA is in agreement with this approach.

The transfer of Site clean-up activities from CERCLA to RCRA authority is completed once the NPL and PLP delisting has taken place.

EPA, with concurrence from the State of Minnesota, has determined that all appropriate Fund-financed responses under CERCLA at the Koch Company Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and the environment. Therefore, EPA proposes to delete the site from the NPL.

Dated: March 9, 1995.

**David A. Ullrich,**

*Acting Regional Administrator, U.S. EPA, Region V.*

[FR Doc. 95-7195 Filed 3-22-95; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[MM Docket No. 95-31; FCC 95-79]

#### Reexamination of the Comparative Standards for New Noncommercial Educational Applicants

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** By this *Notice of Proposed Rulemaking*, the Commission seeks additional comments relating to possible modification of the criteria currently used to select among competing applicants for new noncommercial educational broadcast facilities.

**DATES:** Comments are due April 24, 1995; reply comments are due May 10, 1995.

**FOR FURTHER INFORMATION CONTACT:** Michael Wagner, Mass Media Bureau, (202) 418-2720.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rulemaking in MM Docket No. 95-31, adopted February 28, 1995 and released March 17, 1995. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington D.C. The complete text of this decision also may be purchased from the Commission's duplicating contractor, International Transcription Service, Inc., (202) 857-

3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

### Summary of Notice of Proposed Rulemaking

1. In its *Notice of Proposed Rulemaking In the matter of Reexamination of the Policy Statement on Comparative Broadcast Hearings*, GC Docket No. 92-52, 7 FCC Rcd 2664, 2669 [57 Fed. Reg. 14683] (1992) ("1992 NPRM"), the Commission initiated a general proceeding to reform the criteria used to select among mutually exclusive applicants for new broadcast facilities. While primarily concerned with the 1965 Policy Statement on commercial broadcast hearings [1 FCC 2d 393 (1965)], the Commission noted in Paragraph 39 of the 1992 NPRM that the standard used in noncommercial educational ("NCE") proceedings was "vague" and difficult to apply. The Commission "tentatively concluded" that the standard should be eliminated, and invited comments on: (1) whether a modified version of the "point system" proposed for commercial applicants in the 1992 NPRM should be adopted for NCE applicants; (2) whether the criteria used to select commercial applicants are relevant in NCE proceedings; and (3) whether a different comparative approach should be followed for state-owned public broadcasters as opposed to other NCE applicants.

2. Six commenters responded to the 1992 NPRM. Examination of the comments leads the Commission to conclude that the comments received may not be representative of the full range of actual and potential NCE station operators. Furthermore, while most commenters agree on several points, only two commenters described detailed alternatives to the current criteria, and those proposals are widely divergent.

3. For these reasons, the Commission believes it appropriate to seek additional comments regarding both the existing NCE comparative criteria and the two alternatives already submitted. In order to focus the comments and encourage beneficial input, the Commission lists eight specific questions upon which input is sought.

4. Finally, the Commission has imposed a partial freeze on the processing of mutually exclusive NCE applications until it has adopted new or revised NCE comparative criteria: as of the release date of this *Notice*, the Commission will not designate mutually exclusive NCE applications for comparative hearing. Additionally, presiding Administrative Law Judges, the Review Board, and the Commission will no longer issue decisions in

pending hearing proceedings involving competing NCE applicants where those decisions would rely upon the existing NCE comparative criteria. The Judges, Board, and Commission will, however, continue to encourage and, where appropriate, approve settlements among NCE applicants now involved in hearing proceedings provided such settlements comply with current Commission policies governing those agreements.

5. The Commission is sensitive to the need to resolve the issues presented in this proceeding as quickly as possible. It has therefore established a short comment and reply period and will act expeditiously once the comment cycle is completed.

### List of Subjects in 47 CFR Part 1

Administrative practice and procedure.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 95-7121 Filed 3-22-95; 8:45 am]

BILLING CODE 6712-01-M

### 47 CFR Part 73

[MM Docket No. 95-32, RM-8545]

#### Radio Broadcasting Services; Parker and Port St. Joe, Florida

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Southern Broadcasting Companies, Inc., licensee of Station WPBH, Channel 233C, Port St. Joe, Florida, requesting the reallocation of Channel 233C from Port St. Joe, Florida, to Parker, Florida, and the modification of its license to specify Parker as its community of license, in accordance with Section 1.420(i) of the Commission's rules. The coordinates for Channel 233C at Parker are North Latitude 29-49-09 and West Longitude 85-15-34.

**DATES:** Comments must be filed on or before May 11, 1995, and reply comments on or before May 26, 1995.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Gary S. Smithwick, Shaun A. Maher, Smithwick & Belendiuk, P.C., 1990 M Street, NW, Suite 510, Washington, D.C. 20036 (Attorneys for Petitioner).