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 reallotment 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).

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 95–32, adopted March 20, 1995, and released March 20, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, 1919 M Street, NW, Room 246, or 2100 M Street, NW, Suite 140, Washington, D.C. 20037.

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95–7122 Filed 3–22–95; 8:45 am]

BILLING CODE 6712–01–F

DEPARTMENT OF DEFENSE

48 CFR Parts 245 and 252

Defense Federal Acquisition Regulation Supplement; Demilitarization

AGENCY: Department of Defense (DoD).

ACTION: Supplementary notice of proposed rulemaking with request for public comments.

SUMMARY: The Defense Acquisition Regulations Council is proposing changes to the Defense FAR Supplement (DFARS) to cover control of Munitions List items (MLI) and Strategic List items (SLI) and demilitarization of excess property.

DATES: Comments on the proposed rule should be submitted to the address shown below on or before May 22, 1995 to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Directorate, ATTN: IMD 3D139, PDUSD (A&T), 3062 Defense Pentagon, Washington, D.C. 20301–3062. FAX (703) 602–0350. Please cite DFARS Case 92–D024 in all correspondence related to this case.

FOR FURTHER INFORMATION CONTACT: LTC Ed King; (703) 602–0131.

SUPPLEMENTARY INFORMATION:

A. Background

A proposed rule was published in the **Federal Register** on March 16, 1994 (59 FR 12223). The rule proposed amendments to the DFARS by adding a subsection at 245.604–70 and a clause at 252.245–7XXX, and by revising 245.601, 245.604, 245,610–4, and 245.7310–1 to improve control of Munitions List items (MLI) and Strategic List items (SLI) and demilitarization of excess contractor inventory. Twenty comments from four respondents were received during the public comment period. After evaluating the public comments, the DAR Council agreed to publish another proposed rule incorporating the following changes:

—The term ''Security Trade Controls'' is changed to read ''Trade Security Controls.''

—DFARS 245.604–70(a) and 252.245–7XXX(b) are rewritten for clarity.

—Subparagraph (b)(4) to DFARS 252.245–7XXX is added to cover those situations where contractor acquired property is transferred to another Government contract and is treated as Government-Furnished Property.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act applies, but the proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the vast majority of property to be demilitarized, including MLI and SLI, is in the custody of large contractors. An initial Regulatory Flexibility Analysis (IRFA) has therefore not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and should cite DAR Case 92–D024 in all correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act applies because the proposed rule imposes additional reporting requirements which require the approval of OMB under 44 U.S.C. 3501, *et seq.* On May 10, 1994, OMB approved OMB Clearance 0704–0363 for 17,500 hours. That clearance covered the reporting requirements associated with the proposed rule published on March 16, 1994 (59 FR 12223). This supplemental proposed rule imposes an additional reporting requirement at 252.245–7XXX(b)(4). As a result, a request for revision to the previously approved clearance has been submitted to OMB reflecting an increase of 2500 hours.

List of Subjects in 48 CFR Parts 245 and 252

Government procurement.

Claudia L. Naugle,

Executive Editor, Defense Acquisition Regulations Directorate.

Therefore it is proposed that 48 CFR Parts 245 and 252 be amended as follows:

1. The authority citation for 48 CFR Parts 245 and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

2. Section 245.601 is amended by revising paragraph (2) to read as follows:

§ 245.601 Definitions

* * * * *

(2) *Demilitarization* is defined in the clause at 252.245–7XXX, Demilitarization and Trade Security Controls.

* * * * *

§ 245.604 [Amended]

3. Section 245.604 is amended by removing paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4).

4. Section 245.604–70 is added to read as follows:

§ 245.604–70 Demilitarization and security trade controls.

(a) Contracting officers shall ensure that solicitations and contracts include a demilitarization code for each item of Government-furnished property in accordance with DoD 4160.21–M–1, Defense Demilitarization Manual.

(b) *Contract clause.*

Use the clause at 252.245–7XXX, Demilitarization and Trade Security Controls, in solicitations and contracts whenever Government property is either furnished to contractors, or whenever the contractor is authorized to acquire/manufacture items for the Government's