

applicable principles of Federal Indian law, to enforce its laws against existing and potential pollution sources within any geographical area for which it seeks program approval, that such approval would constitute sound administrative practice, and that those sources are not subject to the jurisdiction of any Indian Tribe.

This interim approval, which may not be renewed, extends for a period of up to 2 years. During the interim approval period, the State is protected from sanctions for failure to have a program, and EPA is not obligated to promulgate a Federal permits program in the State. Permits issued under a program with interim approval have full standing with respect to Part 70, and the 1-year time period for submittal of permit applications by subject sources begins upon interim approval, as does the 3-year time period for processing the initial permit applications.

Requirements for approval, specified in 40 CFR 70.4(b), encompass section 112(l)(5) requirements for approval of a program for delegation of section 112 standards as promulgated by EPA as they apply to part 70 sources. Section 112(l)(5) requires that the State's program contain adequate authorities, adequate resources for implementation, and an expeditious compliance schedule, which are also requirements under part 70. Therefore, EPA is also proposing to grant approval under section 112(l)(5) and 40 CFR part 63.91 of the State's program for receiving delegation of section 112 standards that are unchanged from Federal standards as promulgated. This program for delegations applies to sources covered by the part 70 program, as well as non-part 70 sources.

### III. Administrative Requirements

#### A. Request for Public Comments

The EPA is requesting comments on all aspects of this proposed interim approval. Copies of the State's submittal and other information relied upon for the proposed interim approval are contained in a docket maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed interim approval. The principal purposes of the docket are:

- (1) To allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and
- (2) To serve as the record in case of judicial review. The EPA will consider any comments received by May 30, 1995.

#### B. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

#### C. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR Part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

#### List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

**Authority:** 42 U.S.C. 7401-76719.

Dated: April 19, 1995.

**William P. Yellowtail,**

*Regional Administrator.*

[FR Doc. 95-10504 Filed 4-27-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 180, 185 and 186

[PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560 and 7H5543/P615; FRL-4951-9]

RIN 2070-AC18

#### Pesticide Tolerances for Lambda-Cyhalothrin

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to establish time-limited tolerances with an expiration date of November 15, 1997, for residues of the synthetic pyrethroid lambda-cyhalothrin in or on the raw agricultural commodities (RACs) soybeans, wheat, forage, hay, straw, grain dust; sweet corn; sunflower, seeds and forage; sorghum grain and dust; corn (grain field and pop); corn fodder and forage; peanuts; meat, fat, and meat byproducts (mbyp) and eggs of poultry and increase tolerances in milk, fat, meat and mbyp of cattle, goats, hogs, horses and sheep; and in or on the processed food/feed items corn grain flour, sunflower hulls, sunflower oil, and wheat bran. Zeneca Ag Products, Inc., and Coopers Animal Health, Inc., submitted petitions to EPA under the Federal Food, Drug and Cosmetic Act (FFDCA) proposing tolerances and regulations to establish maximum permissible levels for residues of the insecticide.

**DATES:** Comments, identified by the document control numbers, [PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560 and 7H5543/P615], must be received on or before May 30, 1995.

**ADDRESSES:** By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560 and 7H5543/P615]. No CBI should be submitted through e-mail. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

**FOR FURTHER INFORMATION CONTACT:** By mail: George T. LaRocca, Product Manager (PM) 13, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Second Floor, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6100; e-mail: larocca.george@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA issued notices, published in the **Federal Register** of March 18, 1987 (52 FR 8527), November 25, 1987 (52 FR 45238), November 1, 1989 (54 FR 46119), December 13, 1991 (56 FR 65080), and June 10, 1992 (57 FR 24644), which announced that Zeneca, Inc. (formerly ICI Americas, Inc.), 1800 Concord Pike, Wilmington, DE 19897, had submitted pesticide petitions 7F3488, 7F3560, 1F3992, 2F4109, 2F4114, 7H3560, and 7H5543 and that Coopers Animal Health, Inc., P.O. Box 419167, Kansas City, MO 64141-0167, had submitted PP 9F3770 to EPA requesting that the Administrator, pursuant to sections 408(d) and 409(b) of the FFDCFA, 21 U.S.C. 346a(d) and 348(e), establish tolerances and food/feed additive regulations for residues of the pyrethroid lambda-cyhalothrin in or on the raw agricultural commodities (RACs) soybeans at 0.01 part per million (ppm); poultry meat, fat, and meat byproducts (mbyp) (PP 7F3488); wheat grain at 0.01 ppm, sunflower seeds at 0.03 ppm; sweet corn at 0.01 ppm; poultry meat and mbyp at 0.01 ppm (PP 7F3560); sorghum grain at 0.2 ppm; milk at 0.1 ppm; meat of cattle, goats, horses, and sheep at 0.04 ppm, fat at 2.0 ppm, liver at 0.1 ppm and kidney at 0.1 ppm (PP 1F3992); corn grain (field, pop, and seed) at 0.05 ppm, corn fodder at 3.0 ppm, corn silage at 1.0 ppm and corn grain dust at 0.1 ppm (PP 2F4109); peanut hulls and peanut nutmeats at 0.05 ppm; peanut hulls and peanut nutmeats at 0.05 (PP 2F4114); cattle meat and mbyp at 0.1 ppm; cattle fat at 1.0 ppm from direct dermal treatment of cattle (PP 9F3770); sunflower hulls at 0.7 ppm; and sunflower oil at 0.05 ppm (PP 7H5543).

The tolerance expression for lambda-cyhalothrin has been revised and now includes combined residues of parent compound and its epimer. (See the **Federal Register** of March 27, 1995 (60 FR 15683).) The correct commodity expression for peanut nut meat is peanuts. Corn silage is covered under the commodities for corn fodder and forage. Based upon submitted residue data and because residues in corn grain were nondetected, EPA concluded that a tolerance in/on corn grain dust is not required. Since residues concentrate when corn grain is processed into flour, EPA concluded that a food additive tolerance of 0.15 ppm for corn grain flour is required.

At the request of Zeneca Ag products, EPA issued in the **Federal Register** of March 5, 1992 (57 FR 10353), an amendment to PP 7F3560 to increase the proposed tolerance level for the insecticide in or on wheat grain to 0.03

and proposed establishing tolerances for residues of the insecticide lambda cyhalothrin in or on the RACs wheat forage at 2.0 ppm and wheat straw at 2.0 ppm, and the document amended FAP 7H5543 by adding the processed commodity wheat bran at 0.2 ppm and wheat shorts, germ at 0.05 ppm.

After evaluation of the wheat processing study, EPA concluded that the residues in midlings, shorts, germs resulting from the product use rate are no greater than the proposed tolerance on whole wheat grain, and thus no food/feed additive tolerances are required for the processed commodities wheat, shorts and germs.

In June 29, 1994, Zeneca, Inc., requested that certain petitions be amended by increasing the proposed tolerances for the RACs corn, forage (PP 2F4109) to 6.0 ppm; corn, sweet (kernel + kernel with husk removed (k + kwhr)) (PP 7F3560) to 0.05 ppm; sorghum, grain (PP 1F3992) to 0.2 ppm; establish tolerance for sorghum, grain dust (PP 1F3992) at 1.5 ppm; corn grain flour (FAP 7H5543) at 0.15 ppm; increase tolerance for sunflower, seeds (PP 7F3560) to 0.2 ppm; establish proposed tolerance in or on wheat hay and grain dust (PP 7F3560) at 2.0 ppm; increase the tolerance for milk, fat (reflecting 0.2 ppm in whole milk) to 5.0 ppm; meat mbyp of cattle, goats, hogs, horses, and sheep to 0.2 ppm; fat of cattle, goats, hogs, horses, and sheep to 3.0 ppm; meat, fat, mbyp and eggs of poultry to 0.01 ppm, and processed food/feed items sunflower, hulls (FAP 7H5543) to 0.5 ppm and sunflower, oil (7H5543) to 0.3 ppm.

In a letter dated February 10, 1995, Zeneca Ag Products requested that a tolerance be established in or on sunflower, forage (PP 7F3560) at 0.2 ppm.

The scientific data submitted in the petitions and other relevant material have been evaluated. The toxicological data considered in support of the tolerances have been discussed in the **Federal Register** published March 29, 1995 (58 FR 15683).

The acceptable Reference Dose (RfD) based on a NOEL of 0.1 mg/kg/body weight/day from the chronic dog study and a safety factor of 100 is 0.001 mg/kg/body weight/day. A chronic dietary exposure/risk assessment has been performed for lambda-cyhalothrin using the above RfD. Available information on anticipated residues and percent crop treated was incorporated into the analysis to estimate the Anticipated Residue Contribution (ARC). The ARC is generally considered a more realistic estimate than an estimate based on tolerance level residues. The ARC from

established tolerances and pending action are estimated to be 0.000192 mg/kg/bwt/day and utilize 19.24 per cent of the RfD for the U.S. population. The ARC for children, aged 1 to 6 years old, and nonnursing infants (subgroups most highly exposed) utilizes 32 and 58 percent of the RfD, respectively.

Generally speaking, the Agency has no cause for concern if anticipated residues contribution for all published and proposed tolerances is less than the RfD.

The metabolism of the chemical in plants and livestock is adequately understood for this use. Any secondary residues occurring in meat and meat by-products will be covered by the existing tolerances. There is no reasonable expectation of finite residues in poultry commodities; therefore, no tolerances are necessary at this time. An adequate analytical method (gas liquid chromatography with an electron capture detector) is available for enforcement purposes. The enforcement methodology has been submitted to the Food and Drug Administration for publication in the Pesticide Analytical Manual, Vol. II (PAM II). Because of the long lead time for publication of the method in PAM II, the analytical methodology is being made available in the interim to anyone interested in pesticide enforcement when requested from: Calvin Furlow, Public Response and Program Resources Branch, Field Operations Divisions (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., Washington, DC 20460. Office location and telephone number: Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington VA 22202, (703) 305-5232.

The Agency issued a conditional registration for lambda-cyhalothrin for use on cotton with an expiration date of August 30, 1990 (see the **Federal Register** of May 24, 1988 (53 FR 18558)). The conditional registration was subsequently amended and extended to November 15, 1996 (see the **Federal Register** of February 22, 1995 (60 FR 9783)). The registrations were amended and extended to allow time for submission and evaluation of additional environmental effects data. To evaluate the effects of the synthetic pyrethroids on fish and aquatic organisms and its fate in the environment, additional data were required to be collected and submitted during the period of conditional registration. Such requirements included a sediment bioavailability and toxicity study and a small-plot runoff study that must be submitted to the Agency by July 1, 1996. Because of the conditional status of the registration, tolerances have been established for lambda-cyhalothrin on a

time-limited basis (until November 15, 1997) on cottonseed, meat, fat and meat-byproducts of hogs, horses, cattle, goats, sheep, and milk to cover residues expected to present from use during the period of conditional registration. To be consistent with the conditional registration and extension on cotton, the Agency is proposing to issue a conditional registration with an expiration date of November 15, 1996, and establishing a time-limited tolerance on field corn, peanuts, sorghum, soybeans, sweet corn, sunflowers, wheat including livestock meat, fat and milk and processed commodities with an expiration date of November 15, 1997, to cover residues expected to result from use during the period of conditional registration.

There are currently no actions pending against the continued registration of this chemical and its epimer. The pesticide is considered useful for the purposes which it is sought and capable of achieving the intended physical or technical effect. Based on the information and data considered, the Agency has determined that the tolerances established by amending 40 CFR parts 180, 185, and 186 would protect the public health. Therefore, it is proposed that the tolerances be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the FFDCA.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control numbers, [PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, and FAP 7H3560 and 7H5543/P615]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines

"significant" as those actions likely to lead to a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not "significant" and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

A record has been established for this rulemaking under docket number [1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560 and 7H5543/P615] (including any comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Rm. 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at: opp-Docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept

in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

**List of Subjects in 40 CFR Parts 180, 185, 186**

Environmental Protection, Administrative practice and procedure, Agricultural commodities, Food additives, Feed additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: April 21, 1995.

**Stephen L. Johnson,**

*Director, Registration Division, Office of Pesticide Programs.*

Therefore, it is proposed that chapter I of title 40 of the Code of Federal Regulations be amended as follows:

**PART 180—[AMENDED]**

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

**Authority:** 21 U.S.C. 346a and 371.

b. By amending § 180.438, by revising the table therein, to read as follows:

**§ 180.438 Lambda-cyhalothrin; tolerance for residues.**

| Commodity  | Parts per million |
|--|-------------------|
| Broccoli .....                                     | 0.4               |
| Cabbage .....                                      | 0.4               |
| Cattle, fat .....                                  | 3.0               |
| Cattle, meat .....                                 | 0.2               |
| Cattle, mbyp .....                                 | 0.2               |
| Corn, grain (field and pop) .....                  | 0.05              |
| Corn, fodder .....                                 | 1.0               |
| Corn, forage .....                                 | 6.0               |
| Corn, sweet (K + kwhr) .....                       | 0.05              |
| Cottonseed .....                                   | 0.05              |
| Dry bulb onion .....                               | 0.1               |
| Eggs .....   | 0.01              |
| Garlic .....                                       | 0.02              |
| Goats, fat .....                                   | 3.0               |
| Goats, meat .....                                  | 0.2               |
| Goats, mbyp .....                                  | 0.2               |
| Hogs, fat .....                                    | 3.0               |
| Hogs, meat .....                                   | 0.2               |
| Hogs, mbyp .....                                   | 0.2               |
| Horses, fat .....                                  | 3.0               |
| Horses, meat .....                                 | 0.2               |
| Horses, mbyp .....                                 | 0.2               |
| Lettuce, head .....                                | 2.0               |
| Milk, fat (reflecting 0.2 ppm in whole milk) ..... | 5.0               |
| Peanuts .....                                      | 0.05              |
| Peanut, hulls .....                                | 0.05              |

| Commodity                 | Parts per million |
|---------------------------|-------------------|
| Poultry, fat .....        | 0.01              |
| Poultry, meat .....       | 0.01              |
| Poultry, mbyop .....      | 0.01              |
| Sheep, fat .....          | 3.0               |
| Sheep, meat .....         | 0.2               |
| Sheep, mbyop .....        | 0.2               |
| Soybeans .....            | 0.01              |
| Sorghum, grain .....      | 0.2               |
| Sorghum, grain dust ..... | 1.5               |
| Sunflower, seeds .....    | 0.2               |
| Sunflower, forage .....   | 0.20              |
| Tomatoes .....            | 0.1               |
| Wheat, grain .....        | 0.05              |
| Wheat, forage .....       | 2.0               |
| Wheat, hay .....          | 2.0               |
| Wheat, straw .....        | 2.0               |
| Wheat, grain dust .....   | 2.0               |

**PART 185—[AMENDED]**

2. In part 185:

a. The authority citation for part 185 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 348.

b. By redesignating § 185.1310 as § 185.3765, by revising the heading, and by adding new paragraph (c), to read as follows:

**§ 185.3765 Lambda-cyhalothrin.**

\* \* \* \* \*

(c) A tolerance, to expire on November 15, 1997, is established for the combined residues of the insecticide lambda-cyhalothrin and its epimer expressed as lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and its epimer of lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate in or on the following food commodities:

| Food                    | Parts per million |
|-------------------------|-------------------|
| Corn, grain flour ..... | 0.15              |
| Sunflower, oil .....    | 0.30              |
| Wheat, bran .....       | 0.2               |

**PART 186—[AMENDED]**

3. In part 186:

a. The authority citation for part 186 continues to read as follows:

**Authority:** 21 U.S.C. 348.

b. By revising § 186.3765, to read as follows:

**§ 186.3765 Lambda-cyhalothrin.**

A tolerance, to expire on November 15, 1997, is established for the combined residues of the insecticide lambda-cyhalothrin and its epimer expressed as lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and its epimer of lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate in or on the following feed commodities:

| Food                            | Parts per million |
|---------------------------------|-------------------|
| Sunflower, hulls .....          | 0.50              |
| Tomato pomace (dry or wet) .... | 6.0               |
| Wheat, bran .....               | 0.2               |

[FR Doc. 95-10612 Filed 4-26-95; 3:36 pm]  
BILLING CODE 6560-50-F

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Chapter I**

[CC Docket No. 94-54, FCC 95-149]

**Interconnection and Resale Obligations of Commercial Mobile Radio Service Providers**

**AGENCY:** Federal Communications Commission.

**ACTION:** Second notice of proposed rule making.

**SUMMARY:** This action invites comment to assist the Commission in formulating broad policy guidelines involving the common carrier obligations of commercial mobile radio service (CMRS) providers with respect to CMRS-to-CMRS interconnection. The NPRM also tentatively concludes that its policy regarding the resale obligations of cellular carriers should be extended to most CMRS providers. This NPRM was issued to continue the proceeding initiated by the Commission last year in a Notice of Inquiry regarding interconnection and resale obligations of CMS providers.

**DATES:** Comments must be filed on or before June 14, 1995, and reply comments on or before July 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Judy Argentieri or Barbara Esbin, Wireless Telecommunications Bureau, Policy Division, (202) 418-1310.

**ADDRESSES:** Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Second Notice of Proposed Rule Making (Notice) in CC Docket No. 94-54, FCC 95-149, adopted April 5, 1995, and released April 20, 1995.

The complete text of this Notice is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS, Inc.), at (202) 857-3800, 1919 M Street, N.W., Room 246, Washington, D.C. 20554.

**Synopsis of Notice**

1. The Notice concludes that at present it would be premature for the Commission to propose or adopt rules of general applicability requiring direct interconnection arrangements between CMRS providers. The Notice also finds that present market conditions fail to indicate that it is necessary to impose a general CMRS-to-CMRS interconnection obligation at this time. The Notice seeks comment on several potential relevant product and geographic market definitions for purposes of analyzing the interconnection obligations of CMRS providers under Section 201(a) of the Communications Act of 1934, as amended (the Act). The Notice also seeks comment on criteria to consider in resolving interconnection disputes under Sections 201(a), 208, and 332 of the Act. Finally, the Notice seeks additional comment on the question of preemption of state-imposed interconnection obligations.

2. The Notice makes similar conclusions regarding the prematurity of imposing the sort of general interconnection obligations needed to support roaming services. The Notice seeks comment on several technical issues related to the provision of roaming service.

3. In addition, the Notice seeks comment on whether Section 22.901 of the Commission's Rules, 47 CFR § 22.901 requires cellular carriers to provide service to other CMRS roamers.

4. The Notice also tentatively concludes that the existing obligation