

develops potential remedial alternatives for cleanup of the site. These remedial alternatives, which are aimed at protecting human health and the environment, should specify the acceptable level of contaminants of concern in a particular media as well as the associated exposure route(s). Knowing the projected future use of the land affects the determination of the exposure route(s) and receptor(s) of concern for the remedial action objectives.

Many people believe that EPA "chooses" residential land use in the risk assessment and remedy selection steps regardless of whether that use is relevant to the site. At many sites, the risk assessment evaluates the future residential scenario as a point of information to aid the decisionmaker in assessing the consequences of remedy selection. This is different from premising the final remedy, or even the baseline risk assessment, on future residential use. Many sites, while not currently residential, have residences adjacent or in close proximity. Consequently, current residential use is not assessed, while future residential use may be very relevant in the context of the site.

Analyses by the Office of Solid Waste and Emergency Response (OSWER) show that residents currently live on 15% of NPL sites, that 31% of NPL sites are used currently for industrial use, and that 25% of NPL sites are used currently for commercial use. For those sites where EPA has looked at potential future land use(s), 26% of the sites are expected to be residential, 35% of the sites are expected to be industrial, and 24% of the sites are expected to be commercial. These statistics represent the land uses at the facility itself; however, approximately 80% of the NPL sites have residents surrounding the site which would lead the Agency to consider residential use as a reasonably anticipated future land use for the site.

Given the diversity of land uses at and surrounding the site, determining the "reasonably anticipated" future land uses may be a challenge. Therefore, EPA believes that it is useful to involve the affected community and stakeholders in the scoping stage of the RI/FS process to begin discussions of what the future "reasonably anticipated" land uses might be.

OSWER analyzed the post-remedial land use at completed NPL sites and compared that with the projected future land use at the time the Record of Decision was signed. The analysis showed that approximately 50% of the sites with future residential land use

predicted are currently vacant. In comparison, only 23% of the sites with future industrial or commercial use predicted are vacant. The land use directive promotes discussions between the local land use authorities, the community groups, and the land owner(s) which may assist in avoiding vacant lots in the future and instead, to facilitate productive reuse of the property.

#### **B. Summary of the Directive**

The directive recommends early community involvement during the scoping phase of the Remedial Investigation/Feasibility Study (RI/FS) to develop reasonable assumptions regarding future land use(s) anticipated at a Superfund site. EPA believes that early community involvement, with a particular focus on the community's desired future uses of a property associated with the CERCLA site, should result in a more participatory and better informed decisionmaking process; greater community support for remedies selected as a result of this process; and, more expedited cleanups. Where there are environmental justice concerns, extra efforts should be made to reach out to and consult with affected community members who may not be reached through conventional outreach and communication vehicles. The directive is generally consistent with, and will help to implement, principles that were discussed and widely agreed upon in last year's CERCLA reauthorization debate. The directive is not as specific as some of last year's proposed legislation with respect to the degree of deference that EPA should give the community in determining reasonably anticipated land uses at the site, but clearly calls for a substantial community role.

The directive also recommends meeting with local land use planning officials and identifies sources of information to which one might look regarding the history and likely future of the property. Where the local planning process has involved thorough and broad-based public participation, EPA will be able to rely on planned uses resulting from that process with a greater degree of certainty than where that is not the case. At some sites there are environmental justice concerns and the local residents near the Superfund site may feel disenfranchised from the local land use planning and development process. In these instances, the directive calls attention to the need for special efforts to involve the full range of community residents.

In addition, the guidance describes how anticipated land uses are

considered in the RI/FS and remedy selection process. Remedial action alternatives developed in the RI/FS process should generally reflect the reasonably anticipated land use or uses. In some instances, concerns about cost or practicability may make it necessary to consider other possible uses. Land uses that will be available following completion of remedial action are determined as part of the remedy selection process. During this process, the goal of realizing reasonably anticipated future land use potential is considered along with other factors. Any combination of unrestricted uses, restricted uses, or use for long-term waste management may result.

#### **Goals**

EPA's goal is to issue this land use directive to assist EPA's Regional offices in developing reasonable assumptions regarding anticipated future land uses at a site for use in the RI/FS.

Please contact individuals and offices listed in the sections of this notice entitled **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** to learn more about the Land Use Directive.

Dated: May 30, 1995.

**Elliott P. Laws,**

*Assistant Administrator.*

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **Public Information Collection Approved by Office of Management and Budget**

May 26, 1995.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collection pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96-511. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418-1379.

#### **Federal Communications Commission**

*OMB Control No.:* 3060-0355.

*Expiration Date:* 05/31/98.

*Title:* Rate of Return Reports, FCC Forms 492 and 492A.

*Estimated Annual Burden:* 1544 total annual hours; 8 hours per response.

*Description:* Filing of FCC Form 492 and FCC Form 492A is required by Sections 1.795 and 65.600 of the FCC Rules and Section 219 of the Communications Act of 1934, as

amended. Filing of the FCC Form 492 on a quarterly basis is required from each local exchange carriers or group of affiliated carriers which is not subject to Sections 61.41 through 61.49 of the Commission's Rules and which has filed individual access tariffs during the enforcement period. Each local exchange carrier or group of affiliated carriers subject to the previously stated sections shall file the FCC Form 492A report with the Commission for the calendar year. The forms are necessary to enable the Commission to monitor the access tariffs and to enforce maximum rate of return prescriptions and price cap earnings levels. A copy of each report must be retained in the principal office of the respondent and shall be filed in such manner as to be readily available for reference and inspection. FCC Form 492 and FCC Form 492A have been updated to display the current expiration date and are available for public use. Copies of the forms may be obtained by call 202-418-FORM.

*OMB Control No.:* 3060-0422.

*Expiration Date:* 05/31/98.

*Title:* Waivers (Application for Waiver of Hearing Aid Compatibility Requirement), Section 68.5.

*Estimated Annual Burden:* 30 total annual hours; 3 hours per response.

*Description:* Section 710(b) of the Communications Act requires that almost all telephones manufactured in or imported into this country after August 16, 1989 be hearing aid compatible. Refurbished, repaired or resold telephones, telephones used with public and private mobile radio services, and secure telephones used for classified communications are exempt. The HAC Act provides a three year grace period for cordless telephones before they must comply with the requirement. Congress recognized, however, that there may be technological and/or economical reasons some new telephones may not meet the hearing aid compatibility requirement. Therefore, it provided for a waiver requirement for new telephones base on technological and economical grounds. Section 68.5 of the Commission's rules provides the criteria to be used to assess waivers. Applicants seeking waivers must submit sufficient information for the Commission to make an informed decision.

Federal Communications Commission.

**LaVera F. Marshall,**

*Acting Secretary.*

[FR Doc. 95-13563 Filed 6-2-95; 8:45 am]

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### Public Information Collection Requirement Submitted to Office of Management and Budget for Review

May 26, 1995.

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of these submissions may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW, Suite 140, Washington, DC 20037, (202) 857-3800. For further information on this submission contact Dorothy Conway, Federal Communications Commission, (202) 418-0217 or via internet at DConway@FCC.GOV. Persons wishing to comment on this information collection should contact Timothy Fain, Office of Management and Budget, Room 10214 NEOB, Washington, DC 20503, (202) 395-3561.

*OMB Number:* 3060-0031.

*Title:* Application for Consent of Assignment of Broadcast Station Construction Permit or License.

*Form No.:* FCC 314.

*Action:* Extension of a currently approved collection.

*Respondents:* Businesses or other for-profit.

*Frequency of Response:* On occasion.

*Estimated Annual Burden:* 1060 responses; 83.42 hour burden per response; 88,246 hours total annual burden.

*Needs and Uses:* Section 154(j), 308 and 310(d) of the Communications Act of 1934, as amended require FCC Form 314 to be filed when applying for assignment of a broadcast station construction permit. This information is used by FCC staff to determine whether the assignee meets basic statutory requirements to become a Commission permittee or licensee.

*OMB Number:* 3060-0032.

*Title:* Application for Consent to Transfer Control of Corporation Holding Broadcast Construction Permit or License.

*Form No.:* FCC 315.

*Action:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Frequency of Response:* On occasion.

*Estimated Annual Burden:* 1060 responses; 83.42 hours burden per response; 88,246 hours total annual burden.

*Needs and Uses:* Sections 154(i), 308 and 310(d) of the Communications Act of 1934, as amended require FCC Form 315 to be filed when applying for

consent to transfer control of corporation holding an AM, FM or TV broadcast station construction permit or license. The data is used by FCC staff to determine whether transferee meets basic statutory requirements to become a Commission permittee or licensee.

*OMB Number:* 3060-0470.

*Title:* Computer III Remand

Proceeding: Bell Operating Company Safeguards, and Tier 1 Local Exchange Company Safeguards (CC Docket No. 90-623) and Implementation of Further Cost Allocation Uniformity (MO&O).

*Form No.:* N/A.

*Action:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit.

*Estimated Annual Burden:* 90 responses; 300 hours burden per response; 27,00 hours total annual burden.

*Needs and Uses:* Section 201(b) of the Communications Act of 1934, as amended, requires that common carriers establish just and reasonable charges, practices and regulations for the services they provide; the Commission is responsible for regulating the telecommunications industry and ensuring that common carriers abide by its mandate. Since the carriers are allowed to provide nonregulated services the Commission must establish a mechanism to prevent carriers from imposing on ratepayers the costs and risks of nonregulated service. The cost allocation manual is reviewed by the Commission to ensure that all costs are properly classified between regulated and nonregulated activity.

*OMB Number:* 3060-0072.

*Title:* Airborne Mobile Radio Telephone License Application.

*Form No.:* FCC 409.

*Action:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit.

*Estimated Annual Burden:* 3000 responses; 5 minutes burden per response; 252 hours total annual burden.

*Needs and Uses:* FCC 409 is used by Commission staff to license airborne mobile units in the air-ground service to individuals who intend to become subscribers to a common carrier mobile radio service.

*OMB Number:* 3060-0509.

*Title:* Amendments to Parts 21, 22, 23 and 25 of the Commission's rules to require reporting of station frequency and technical parameters for registration by the Commission with the International Frequency Registration Board (IFRB).

*Form No.:* N/A.