

include rinses of spent caustic and acidic solutions contaminated with cadmium, chromium, zinc and sodium cyanide. According to the operator of the facility, prior to 1980, rinse water was reportedly stored in a concrete waste holding trough in the floor of the facility from which it was pumped into a low pressure steam boiler. The steam was then condensed and reused as process make-up water. The solids from the rinse water were allowed to build up in the boiler tubes until the tubes became plugged, at which time, the boiler would be replaced with a new unit.

The concrete trough had previously been used by the commercial laundry as part of its drainage system. The trough was connected to a septic tank on the north side of the building. Tank overflow fed into a series of six leaching pits on the east side of the building. The bottoms of the pits were reportedly several feet below ground.

During an inspection of the Site by the Suffolk County Department of Health Services (SCDHS) in January 1980, it was discovered that rinse water from AAPP's operation was discharging to the leaching pits rather than the low pressure steam boiler. SCDHS sampled the leaching pits, process tanks, surface soils, and septic tank on the Site. The results showed elevated levels of several metals, notably cadmium, chromium and nickel in the leaching pits. AAPP was told by SCDHS to cease discharge to the leaching pits immediately and remove the soils and sediments of the entire leaching system.

In the spring of 1980, AAPP contracted with the Patterson Chemical Company for the cleanup and closing of the leaching system. This work was supervised and approved by SCDHS. In September 1980, SCDHS notified AAPP that the leaching pits could be back-filled with clean sand and gravel. A 7,500 foot equipment storage area, built in 1984, lies directly on top of the former leaching pits. AAPP reports that its industrial waste is currently hauled off-site for disposal.

In January 1986, the New York State Department of Environmental Conservation (NYSDEC) issued a Phase I Investigation Report which summarized past investigations and included a Hazard Ranking System (HRS) score for the Site. Although groundwater contamination was not documented as part of the Phase I investigation, the potential for groundwater contamination by wastewater discharges to the leaching pools prior to 1980 was the major contributor to the HRS score. Based on the HRS score, the Site was proposed for

inclusion on the NPL in June 1988 and was placed on the NPL in March 1989.

Under the direction of EPA, Malcolm Pirnie, Inc. conducted a remedial investigation (RI) from July 1989 to April 1992 to characterize the geology, groundwater hydrology and chemical quality of the soils and groundwater at the AAPP site. The investigation consisted of drilling borings and constructing monitoring wells, collecting soil and groundwater samples, a geophysical survey, and an air-monitoring survey. All sampling results, both organic and inorganic, were compared with New York State and Federal applicable or relevant and appropriate requirements (ARARs). The data were also utilized to prepare a baseline risk assessment for the site.

The risk assessment indicated that the levels of contaminants in the soil, air and groundwater at the Site presented risks which fell within or below the Superfund remediation range. In addition, sampling results indicated the majority of contaminants did not exceed MCLs in the groundwater, or background levels in the soil and air. It appeared that the 1980 SCDHS-ordered remediation of the leaching pits removed the most significant contamination known to exist at the Site.

EPA released the Proposed Plan, detailing the RI results, on April 3, 1992 and held two public meetings and a public availability session for the community before closing the public comment period. At the conclusion of the RI process, EPA, in consultation with the State of New York, issued a Record of Decision (ROD) on June 30, 1992, which determined that the AAPP site does not pose a significant threat to human health or the environment and that no further action was required. However, the ROD did call for a one-year groundwater monitoring program to ensure that the remedy is protective of human health and the environment.

As specified in the ROD, a groundwater monitoring program, consisting of two rounds of samples from four monitoring wells, was conducted by EPA. Samples from both rounds were analyzed for organic and inorganic contaminants. The first round of sampling was conducted in May 1993. Chromium, which had been of concern during the RI, was not detected above New York State or Federal drinking water or groundwater standards, nor were any other inorganics. No volatiles or semi-volatile organic compounds were detected. Only trace levels of two pesticides, both unrelated to past production activities at the Site, were detected. The second

round of sampling was conducted in March 1994. During the second round, DEC split samples with EPA for analysis of pesticides only. As with the first round, no contaminants were detected above allowable levels. DEC's analysis verified EPA's findings that pesticides are present in trace levels only. EPA and DEC have determined that no further monitoring is necessary. Having met the deletion criteria, EPA proposes to delete the AAPP site from the NPL.

Dated: March 28, 1995.

William J. Muszynski,

Acting Regional Administrator.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-73, RM-8568]

Radio Broadcasting Services; Boonville and Fayette, MO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Big Country of Missouri, Inc. proposing the substitution of Channel 230C3 for Channel 230A at Boonville, Missouri, reallocation of the channel from Boonville, Missouri to Fayette, Missouri, and modification of the license for Station KTLH to specify operation on Channel 230C3 at Fayette, Missouri. The coordinates for Channel 230C3 at Fayette are 39-05-00 and 92-28-30. We shall propose to modify the license for Station KTLH in accordance with Section 1.420(g) and (i) of the Commission's Rules and will not accept competing expressions of interest for the use of the channel or require petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

DATES: Comments must be filed on or before July 24, 1995, and reply comments on or before August 8, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Frederick A. Polner, Rothman Gordon Foreman & Groudin, P.C., Third Floor, Grant Building, Pittsburgh, Pennsylvania 15219.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-73, adopted May 23, 1995, and released June 1, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 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* contact.

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. 95-13761 Filed 6-5-95; 8:45 am]

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47 CFR Part 73

[MM Docket No. 95-74, RM-8579]

Radio Broadcasting Services; Benavides and Bruni, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Benavides Communications, permittee of Station KXTM(FM), Channel 299C2, Benavides, Texas, seeking the reallocation of Channel 299C2 from Benavides to Bruni, Texas, as the community's first local aural transmission service, and the modification of Station KXTM(FM)'s construction permit to specify Bruni as its community of license. In addition, we also propose the allotment of Channel 254A to Benavides, Texas. See Supplemental Information, *infra*.

DATES: Comments must be filed on or before July 24, 1995, and reply comments on or before August 8, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Lee J. Peltzman, Esq., Suite 200, 2000 L Street, Washington, DC 20036 (Counsel for petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-74, adopted May 23, 1995, and released June 1, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Channels 299C2 and Channel 254A can be allotted to Bruni and Benavides, respectively, in compliance with the Commission's minimum distance separation requirements. Channel 299C2 can be allotted to Bruni without the imposition of a site restriction. Channel 254A can be allotted to Benavides with a site restriction of 11.8 kilometers (7.3 miles) south to accommodate Benavides Communications' desired transmitter site. The coordinates for Channel 299C2 at Bruni are 27-25-31 and 98-50-21. The coordinates for Channel 254A at Benavides are 27-29-48 and 98-26-59. In accordance with Section 1.420(i) of the Commission's Rules, we will not accept competing expressions of interest in use of Channel 299C2 at Bruni or require the petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties. In addition, since Bruni and Benavides are located within 320 kilometers (199 miles) of the U.S.-Mexican border, concurrence by the Mexican government has been requested.

Provisions of the Regulatory Flexibility Act of 1980 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. 95-13762 Filed 6-5-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-71; RM-8632]

Radio Broadcasting Services; Pasco, WA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Martin L. Gibbs proposing the allotment of Channel 229A at Pasco, Washington, as the community's third local commercial FM service. Channel 229A can be allotted to Pasco in compliance with the Commission's minimum distance separation requirements with a site restriction of 12.6 kilometers (7.8 miles) southwest to avoid a short-spacing to Station KDRK-FM, Channel 229C, Spokane, Washington. The coordinates for Channel 229A at Pasco are North Latitude 46-09-37 and West Longitude 119-13-07. Since Pasco is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been requested.

DATES: Comments must be filed on or before July 24, 1995 and reply comments on or before August 8, 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: Martin L. Gibbs, 1708 Road 52, Pasco, Washington 99301 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-71, adopted May 17, 1995, and released June 1, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC