

II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that sites may be deleted from, or recategorized on the NPL where no further response is appropriate. In making a determination to delete a release from the NPL, EPA considers, in consultation with the state, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required;

(ii) All appropriate fund financed response under CERCLA have been implemented, and no further action by responsible parties is appropriate, or

(iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substances, pollutants, or contaminants remain at the site *above* levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. In the case of this Site, where no hazardous wastes are above health based levels and future access does not require restriction, operation and maintenance activities and five-year reviews will not be conducted. However, if new information becomes available which indicates a need for further action, the federal government may initiate remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

III. Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) The Navy has implemented all appropriate response actions required for the Site. The completion of this action the qualified Site for inclusion on the Superfund Site Construction Completion List and may be used to initiate Deletion from the NPL procedures. (2) The Washington State Department of Ecology concurred with the proposed deletion decision. (3) A notice has been published in the local newspaper and has been distributed to appropriate Federal, State, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) All relevant documents have been made

available for public review in the local Site information repositories.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designed primarily for informational purposes to assist Agency management. As mentioned in Section II of this Notice, section 300.425(e)(3) of the NCP states that deletion of a site from the NPL does not preclude eligibility for future response actions.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary if any significant public comments are received.

A deletion occurs when the Regional Administrator places a final notice in the **Federal Register**. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary, if any, will be made available to local residents by the Regional office.

IV. Basis for Intended Site Deletion

The following site summary provides the Agency's rationale for the proposed deletion of this Site from the NPL.

The Seaplane Base was commissioned on September 21, 1942 along with Ault Field. Together they form the Whidbey Island Naval Air Station (NAS) encompassing approximately 7000 acres of rural land on the northern side of Whidbey Island. The NAS is located at the north end of the Puget Sound and the eastern portion of the Strait of Juan de Fuca in the State of Washington.

The Seaplane Base was used for seaplane maintenance, torpedo overhaul, rocket firing training, and patrol operations until 1945, when NAS Whidbey Island was placed on reduced operating status. Maintenance and support activities performed at the Base from the 1940s to the late 1970s generated both hazardous and non-hazardous wastes that were disposed of at their generation points or in the nearby landfill. In some cases wastes accidentally spilled have entered or were threatening to enter the environment.

In the mid 1980s the Navy identified several potentially contaminated areas on the Seaplane Base. On February 21, 1990 the EPA listed the Base on the NPL, making it a Superfund site subject to the requirements of CERCLA. On December 22, 1993, the Record of Decision was signed by the Navy, EPA, and Ecology outlining remedial action to be performed at the site. Surface soil at several localized areas were found to

pose potential risks to future residential use. Excavation of this soil began during the fall of 1994 and continued until 1300 cubic yards were excavated. The final action was the disposal of the investigation-derived waste on November 29, 1994.

The remedial action that occurred at the Seaplane Base removed all contaminated soil that posed a risk to human health or the environment, thus post remediation operation and maintenance activities are not extensive. The only significant operation and maintenance activity to be performed at an area that had been used for disposal of construction debris. While there is no health risk posed by this site, Washington State requires that a notice indicating past use of this site be attached to the site. This consists of a deed notification should the Navy ever sell this property. The deed will contain a notification that the property contains a past construction and demolition debris landfill.

Human health and ecological risk assessments were performed to assess current or future potential adverse human health or ecological effects associated with exposure to chemicals detected in soils, groundwater, surface water and sediments at NAS Whidbey Island Seaplane Base. Based on comparison of site specific analytical data with EPA and State risk-based screening criteria, ecological benchmarks, toxicity values, and the detection frequency and exposure potential of chemical constituents, it was concluded that chemicals at NAS Whidbey Island Seaplane Base do not pose an unacceptable risk to human health or the environment, under any land use scenario. Accordingly, EPA will not conduct "five-year reviews" at this Site.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "the responsible parties or other persons have implemented all appropriate response actions required." EPA, with concurrence of Ecology, believes that this criterion for deletion has been met. Therefore, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the docket.

Dated: July 5, 1995.

Chuck Clarke,

Regional Administrator, Region 10.

[FR Doc. 95-17616 Filed 7-17-95; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 22, 90, and 94**

[WT Docket No. 95-70; DA 95-1563]

Routine Use of Signal Boosters**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule; comment date extension.

SUMMARY: The Commission has released an Order Extending Comment and Reply Comment Periods on a document concerning routine use of signal boosters. This action was initiated by a petition from the American Mobile Telecommunications Association (AMTA) and is necessary to provide AMTA and other commenters additional time to prepare comments.

DATES: Comments must be submitted on or before August 14, 1995, and reply comments on or before September 1, 1995.

ADDRESSES: Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Eugene Thomson, Private Wireless Division, Wireless Telecommunications Bureau, (202) 418-0680.

SUPPLEMENTARY INFORMATION:

Adopted: July 11, 1995.

Released: July 12, 1995.

By the Chief, Private Wireless Division, Wireless Telecommunications Bureau.

In the Matter of Amendment of Parts 22, 90, and 94 of the Commission's Rules to Permit Routine Use of Signal Boosters.

1. On June 22, 1995, the Commission released a *Notice of Proposed Rule Making* in the above-captioned proceeding 60 FR 33782, June 29, 1995. The specified dates were July 14, 1995, for comments and August 1, 1995, for reply comments.

2. On July 6, 1995, the American Mobile Telecommunications Association (AMTA), requested that we extend the comment date in this proceeding to August 14, 1995. In support of its request, AMTA states that some of its members are concerned that widespread use of signal boosters, without significant restrictions, may increase the risk of harmful interference. Accordingly, AMTA's Technology Committee is assembling technical data on the probable impact of signal booster operation. AMTA indicates that an additional thirty (30) days is necessary to complete this process and submit its findings to the Commission.

3. We believe that the public interest would be best served by compiling an accurate and complete record in this proceeding. Accordingly, IT IS ORDERED, pursuant to § 0.331 of the Commission's Rules, 47 CFR 0.331, the Motion for Extension of Comment Date filed by AMTA is GRANTED, and the deadline for filing comments and reply comments in response to the subject *Notice of Proposed Rule Making* is extended to August 14, 1995, and September 1, 1995, respectively.

Federal Communications Commission.

Robert H. McNamara,

Chief, Private Wireless Division, WTB.

[FR Doc. 95-17507 Filed 7-17-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 95-107, RM-8661]

Radio Broadcasting Services; Clark, CO**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by Brian M. Encke, d/b/a BME Broadcasting, requesting the allotment of Channel 225C2 to Clark, Colorado, as that community's first local transmission service. However, additional information is requested to determine whether Clark qualifies as a "community" for allotment purposes. Coordinates used for this proposal are 40-42-22 and 106-55-07.

DATES: Comments must be filed on or before September 5, 1995, and reply comments on or before September 20, 1995.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Brian M. Encke, R.R. #1, Box 225, Linden, PA 17744.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-107, adopted June 29, 1995, and released July 13, 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 contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

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. 95-17573 Filed 7-17-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-106, RM-8655]

Radio Broadcasting Services; Hayden, CO**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Thomas Broadcasting, requesting the allotment of Channel 251A to Hayden, Colorado, as that community's second local FM service. Coordinates used for this proposal are 40-29-42 and 107-15-30.

DATES: Comments must be filed on or before September 5, 1995, and reply comments on or before September 20, 1995.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: William J. Pennington, III, Esq., 5519 Rockingham Road-East, Greensboro, NC 27407.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of*