

the opportunity to comment. The settlement is intended to resolve a portion of the liability of Commercial Decal, Inc. for costs incurred by EPA at the Commercial Decal, Inc. Site in Mount Vernon, New York.

DATES: Comments must be provided on or before September 6, 1995.

ADDRESSES: Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866 and should refer to: In the Matter of: The Commercial Decal, Inc. Site, Mount Vernon, New York, U.S. EPA Index No. II-CERCLA-95-0202.

FOR FURTHER INFORMATION CONTACT: U.S. Environmental Protection Agency, Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866, (212) 637-3181, Attention: Carl Garvey.

SUPPLEMENTARY INFORMATION: In accordance with Section 122(i)(1) of CERCLA, notice is hereby given of a proposed Administrative Cost Recovery Agreement ("Agreement") concerning the Commercial Decal, Inc. Site (the "Site"), Mount Vernon, New York. Section 122(h)(1) of CERCLA provides EPA with authority to consider, compromise, and settle certain claims for costs incurred by the United States.

This Agreement is a settlement regarding payment for response costs incurred by EPA at the Site. Under the terms of the Agreement, Commercial Decal, Inc. will reimburse \$350,000 of the United States' response costs. The United States Bankruptcy Court for the Southern District of New York (Hon. John J. Connelly) approved the Agreement by Order dated November 17, 1994.

A copy of the proposed Agreement may be obtained in person or by mail from EPA's Region II Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866, Attention: Carl Garvey.

Dated: July 17, 1995.

Jeanne M. Fox,

Regional Administrator.

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[FRL-5274-2]

Pike County Drum; Notice of Proposed Settlement

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement.

SUMMARY: Under Section 122(h)(4) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has offered approximately 12 parties at the Pike County Drum Site (the Site) in Osyka, Mississippi an opportunity to enter into a Cost Recovery Agreement to settle claims for past and future response cost at the Site. EPA will consider public comments on the proposed settlement for thirty (30) calendar days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement and a list of settling parties are available from: Ms. Paula V. Batchelor, Waste Management Division, U.S. EPA, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365, 404/347-5059 x6169.

Written comments may be submitted to Ms. Batchelor within 30 calendar days of the date of publication.

Dated: July 27, 1995.

H. Kirk Lucius,

Chief, Waste Programs Branch, Waste Management Division.

[FR Doc. 95-19403 Filed 8-4-95; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[IC Docket No. 94-31; FCC 95-256]

Preparation for International ITU World Radiocommunication Conferences

AGENCY: Federal Communications Commission.

ACTION: Report.

SUMMARY: The Report contains the Federal Communications Commission's recommended United States Proposals to the 1995 World Radiocommunication Conference to be convened by the International Telecommunication Union from October 23 to November 17, 1995, in Geneva, Switzerland. The Commission's recommended proposals address the introduction of the global mobile-satellite service, the simplification of the international Radio Regulations, and other items on the conference agenda.

EFFECTIVE DATE: June 15, 1995.

FOR FURTHER INFORMATION CONTACT:

Audrey L. Allison, International Bureau, (202) 739-0557, or Damon C. Ladson, International Bureau, (202) 739-0510.

SUPPLEMENTARY INFORMATION: This is a summary of the Federal Communications Commission's Report, IC Docket No. 94-31, FCC 95-256, adopted and released June 15, 1995. The full text of this Report is available for inspection during normal business hours in the Records Room of the Federal Communications Commission, Room 239, 1919 M Street NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, ITS, Inc., 2100 M Street NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

Summary of Report

1. This Report provides the Federal Communications Commission's recommended United States Proposals for the 1995 World Radiocommunication Conference (WRC-95). These recommended proposals seek to improve the international spectrum allocations and related measures necessary for the successful introduction of innovative global non-geostationary orbit communications satellite systems. These proposed actions will foster the implementation of Mobile-Satellite Service (MSS) networks and their inauguration of cost-efficient voice and data mobile communications services to all corners of the globe. These new satellite networks promise to spur multi-billion dollar U.S. industries and to form an integral segment of the Global Information Infrastructure. The Commission's recommended proposals are being transmitted to the Department of State for development of final United States Proposals.

2. WRC-95 will be the first conference under the International Telecommunication Union's new accelerated conference cycle to discuss substantive spectrum allocation and regulatory matters. This conference represents a significant opportunity to build a foundation for advancing near and long-term United States telecommunications goals. In particular, WRC-95 is critical to new commercial telecommunications industries—including the low-Earth orbit (LEO) MSS systems already licensed by the Commission.

3. To accomplish these aims, the Commission's primary recommended proposals for WRC-95 seek: (1) To designate spectrum for feeder links necessary to support MSS systems; (2) to reduce technical constraints on current global MSS spectrum allocations to make them usable for MSS operations; and (3) to obtain additional global spectrum allocations for MSS service links—including 6 MHz below 1

GHz to support non-voice systems known as Little LEOs and an adjustment to the existing 2 GHz allocation necessary to accommodate multiple competing global MSS systems, including those known as Big LEOs. The Report also addresses the simplification of the international Radio Regulations and other issues on the WRC-95 agenda, including space services, international satellite orbit allotment plans, high frequency broadcasting and future conference agendas.

4. The Commission's recommended proposals are based on the work of the WRC-95 Industry Advisory Committee, comments received from the public in response to two Notices of Inquiry, and participation in international preparatory activities for WRC-95, including the 1995 Conference Preparatory Meeting (CPM-95).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-19195 Filed 8-4-95; 8:45 am]

BILLING CODE 6712-01-M

[GN Docket No. 93-252, DA 95-1303]

Implementation of Sections 3(n) and 332 of the Communications Act; Regulatory Treatment of Mobile Services; Foreign Ownership Waiver Petitions

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: As a result of legislation which reclassified certain licensees, waivers were filed to request retention of existing foreign ownership that would otherwise not be permitted. This order resolves those requests for waiver of the foreign ownership rules filed pursuant to the Omnibus Budget Reconciliation Act of 1993 and the First Report and Order in this docket.

EFFECTIVE DATE: September 6, 1995.

FOR FURTHER INFORMATION CONTACT:

Sue McNeil, Wireless Telecommunications Bureau, (202) 418-0660.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Order in GN Docket No. 93-252, DA 95-1303, adopted June 12, 1995 and released June 12, 1995. The full text of Commission decisions are available for inspection and copying during normal business hours in the FCC Docket Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor,

International Transcription Service, Inc., (202) 857-3800, 2100 M Street NW., Washington, DC 20037.

Summary of the Order

Introduction

1. This order resolves thirty-three requests for waiver of the foreign ownership rules filed pursuant to the Omnibus Budget Reconciliation Act of 1993 (Budget Act) and the First Report and Order in this docket (CMRS First and Order) 59 Fed. Reg. 1285 (Jan. 10, 1994). As discussed herein, we (1) grant the petitions filed by MAP Mobile Communications, Geotek Corporation, Nextel Corporation, Pittencrieff Communications, RACOM, and Uniden; (2) dismiss the waiver petition filed by Comcast Corporation as moot; and (3) deny the remaining petitions.

Background

2. Prior to the enactment of the Budget Act, petitioners were regulated as private land mobile radio service providers and therefore were not subject to the foreign ownership restrictions contained in Section 310(b) of the Communications Act (the Act). In the Budget Act, Congress reclassified certain categories of private land mobile radio providers as commercial mobile radio service (CMRS) providers, and provided that they would be treated as common carriers under the Act. As a result of this statutory change, reclassified CMRS providers will become subject to the foreign ownership restrictions applicable to common carriers.

3. To alleviate the potential burden on reclassified licensees of complying with the foreign ownership restrictions, the Budget Act provided for limited grandfathering of existing foreign interests in such licensees. Specifically, Congress provided that any private land mobile service licensee subject to reclassification as a CMRS provider could petition the Commission by February 10, 1994 for waiver of the application of Section 310(b) to any foreign ownership that lawfully existed as of May 24, 1993. The statute further stated that the Commission could grant such waivers to eligible petitioner only upon certain conditions: (a) the extent of foreign ownership interest could not be increased beyond May 24, 1993 levels; and (b) the waiver could not allow any subsequent transfers in violation of Section 310(b).¹ In the

¹ The legislative history accompanying the Budget Act provides that a waiver can extend only to the particular person or entity who holds the foreign ownership on May 24, 1993 and does not transfer to any future foreign owners. H.R. Conf. Rep. No.

CMRS First Report and Order, we indicated that we also would apply the waiver provisions to foreign officers and directors.

4. In the CMRS First Report and Order, the Commission established a petition procedure for affected licensees to request waiver of the foreign ownership restrictions. The Commission acknowledged that because of the February 10, 1994 filing deadline, petitioners might be required to file their waiver requests prior to a final determination of whether they were subject to reclassification. Accordingly, the Commission stated that the filing of a petition would not prejudice a licensee's right at a later date to assert that it should not be reclassified as a CMRS provider. Thirty-three timely-filed requests were received by the February 10 statutory deadline.

5. Following the filing of the petitions, the Commission adopted the Second Report and Order in this docket (CMRS Second Report and Order) 59 Fed. Reg. 18,493 (Apr. 19, 1995), which specified those services that would be regulated as CMRS (and thereby subject to the foreign ownership restrictions). In that Order, the Commission defined CMRS as a mobile service that is: (a) provided for profit, *i.e.*, with the intent of receiving compensation or monetary gain; (b) an interconnected service; and (c) available to the public or to such classes of eligible users as to be effectively available to a substantial portion of the public. A mobile service that does not meet that definition is presumed to be PMRS.

6. On May 24, 1994, the Land Mobil and Microwave Division of the Private Radio Bureau asked all petitioners to provide supplemental information regarding their waiver requests. In particular, the Division asked each petitioner to certify whether, in light of the guidelines set forth in the CMRS Second Report and Order, it was subject to reclassification as a CMRS provider and would therefore qualify for statutory relief from the restrictions contained Section 210(b).

Discussion

A. Waiver Requests of Geotek, MAP Mobile, RACOM, and Uniden

7. In their initial and follow-up filings, petitioners Geotek, MAP Mobile, RACOM and Uniden indicate that they are subject to reclassification as CMRS providers and accordingly request waiver of the foreign ownership restrictions. No opposition to any of these petitions were filed.