

There is no reasonable expectation that secondary residues will occur in milk, eggs, or meat of livestock and poultry: there are no livestock feed items associated with snap beans.

There are presently no actions pending against the continued registration of this chemical.

Based on the information and data considered, the Agency has determined that the tolerance established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerance 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 FFDCFA.

A record has been established for this rulemaking under docket number [PP 5E4521/P644] (including 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 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 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.

Under Executive order 12866 (58 FR 51735, Oct. 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 (l) 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).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 29, 1996.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

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

2. Section 180.425 is amended by revising the section heading and in the

table by adding alphabetically the entry for bean, snap to read as follows:

§ 180.425 Clomazone; tolerances for residues.

Commodities	Parts per million
Bean, snap	0.05
* * * *	*

[FR Doc. 96-5889 Filed 3-12-96; 8:45 am]

BILLING CODE 6560-50-F

40 CFR Part 300

[FRL-5434-6]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete the East Bethel Landfill Site from the National Priorities List; Request for Comments.

SUMMARY: The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the East Bethel Landfill Site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which U.S. EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that all Fund-financed responses under CERCLA have been implemented and U.S. EPA, in consultation with the State of Minnesota, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial actions conducted at the Site to date have been protective of public health, welfare, and the environment.

DATES: Comments concerning the proposed deletion of the Site from the NPL may be submitted on or before April 12, 1996.

ADDRESSES: Comments may be mailed to Rita Garner-Davis (SR-6J) Associate Remedial Project Manager, Office of Superfund, U.S. EPA, Region V, 77 W.

Jackson Blvd., Chicago, IL 60604. Comprehensive information on the site is available at U.S. EPA's Region V office and at the local information repository located at: East Bethel City Hall and the Minnesota Pollution Control Agency Public Library, 520 Lafayette Rd., St. Paul, MN 55155-4194. Requests for comprehensive copies of documents should be directed formally to the Region V Docket Office. The address and phone number for the Regional Docket Officer is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

FOR FURTHER INFORMATION CONTACT: Rita Garner-Davis (SR-6J), Associate Remedial Project Manager, Office of Superfund, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-2440 or Eileen Deamer (P-19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-1728.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

I. Introduction

The U.S. Environmental Protection Agency (EPA) Region V announces its intent to delete the East Bethel Landfill Site from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on the proposed deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare or the environment, and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to Section 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if the conditions at the site warrant such action.

The U.S. EPA will accept comments on this proposal for thirty (30) days after publication of this notice in the Federal Register.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the history of this site and explains how the site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations.

Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

II. NPL Deletion Criteria

The NCP establishes the criteria the Agency uses to delete Sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making this determination, U.S. EPA will consider, 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; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further response 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, remedial measures are not appropriate.

III. Deletion Procedures

Upon determination that at least one of the criteria described in 300.425(e) has been met, U.S. EPA may formally begin deletion procedures once the State has concurred. This Federal Register notice, and a concurrent notice in the local newspaper in the vicinity of the Site, announce the initiation of a 30-day comment period. The public is asked to comment on U.S. EPA's intention to delete the Site from the NPL. All critical documents needed to evaluate U.S. EPA's decision are included in the information repository and the deletion docket.

Upon completion of the public comment period, if necessary, the U.S. EPA Regional Office will prepare a Responsiveness Summary to evaluate and address comments that were received. The public is welcome to contact the U.S. EPA Region V Office to obtain a copy of this responsiveness summary, if one is prepared. If U.S. EPA then determines the deletion from the NPL is appropriate, final notice of deletion will be published in the Federal Register.

IV. Basis for Intended Site Deletion

The East Bethel Landfill is located in north-central Anoka County, approximately a half mile east of Minnesota Highway 65 along 217th Avenue. The East Bethel Landfill is a

mixed municipal solid waste and demolition waste disposal facility. The Landfill ceased general acceptance of mixed municipal solid waste in 1974, and thereafter until April 9, 1994, accepted only demolition debris, certain industrial wastes, and mixed municipal solid waste from residents of the City of East Bethel. From April 9, 1994 until April 30, 1995, the Landfill accepted for disposal only demolition waste in accordance with the limitations set forth in a Minnesota Statute dated October 7, 1994.

The first set of ground water samples collected from existing monitoring wells in 1982 indicated the presence of VOCs in the ground water near the Site. Subsequent sampling confirmed the presence of VOCs in the ground water.

In October, 1984, the Site was placed on Minnesota's Permanent List Priorities (PLP) and U.S. EPA's National Priorities List (NPL) (Federal Register 51 page 21054).

The Remedial Investigation (RI) Report was submitted in February, 1990, and approved by MPCA on May 23, 1990. There were three phases of the Feasibility Study (FS). The first phase of the FS, the Establishment of Response Action Objectives Report, was approved on May 16, 1991. The second phase of the FS the Alternatives Report (AR) was developed and submitted to MPCA on June 17, 1991. The AR was developed to review the various response actions that were outlined in the Objectives Report. The AR was approved by the MPCA on October 3, 1991. The third phase of the FS the Detailed Analysis Report (DAR) was submitted January, 1992. There was a DAR addendum to supply additional information. The DAR Addendum was approved on August 10, 1992. In 1989, an Interim Response Action Pumping, (IRAP) system was installed at the site. The IRAP operated during the summer and fall of 1990, but could not operate during 1991 due to operational problems. The operational problems were corrected and the system operated from May to October 16, 1992.

The Record of Decision (ROD) was signed by U.S. EPA on December 30, 1992. The December 30, 1992, ROD identified two operable units to be addressed as a part of the remediation of the East Bethel Landfill Site. Operable unit one is the ground water contamination and operable unit two is the source of contamination, the landfill.

The remedy selected in the 1992 ROD for operable unit one (ground water contamination) consists of withdrawal of contaminated ground water, treatment of ground water, and discharge of treated water as well as

continued monitoring of the contaminated aquifers. This remedy addresses remediation of ground water by eliminating or reducing the risks posed by the site, through ground water pump and treat. The final report for the completion of construction of the ground water remedial action was approved by letter of the MPCA dated September 26, 1995.

The second operable unit is the Landfill (the source of contamination). The owners of the landfill are constructing a landfill cap using Responsible Parties' monies. Under the Landfill Cleanup Program, the MPCA would maintain the cap, operate the ground-water pump-and-treat system, and monitor the ground water and the passive gas system.

The Remedial Investigation/Feasibility Study (RI/FS) and the Proposed Plan for the Site were released to the public for comment on August 12, 1992. The notice of availability for the RI/FS and the Proposed Plan was published in the August 7, 1992 edition of the Anoka County Union, the local newspaper. The public comment period began on August 12, 1992 and ended on September 10, 1992. A public meeting was held on August 27, 1992, at the Cedar Creek Elementary School located in East Bethel. At this meeting representatives from the MPCA, Minnesota Department of Health (MDH), and Environmental Protection Agency (EPA) answered questions about problems at the Site and the remedial alternatives under consideration. No person requested an extension to the public comment period.

All the components of the remedy have been fully implemented. On October 31, 1995, the site was issued a Notice of Compliance (NOC) from the State under the Minnesota Landfill Cleanup Law. The State has now assumed full responsibility for the remedy at this site. There are no additional cleanup levels to achieve for the remedy. U.S. EPA will proceed in deleting the site from the NPL.

Upon completion of construction of the landfill cap, the following will occur: (1) a certificate of construction completion of the remedial action will be issued in accordance with the RA design plan, and (2) a final report documenting the completion of construction will be prepared in accordance with the MPCA Consent Order.

EPA, with concurrence from the State of Minnesota, has determined that all appropriate Fund-financed responses under CERCLA at the East Bethel Landfill Superfund Site have been completed, and no further CERCLA

response is appropriate in order to provide protection of human health and the environment. Therefore, EPA proposes to delete the site from the NPL.

Dated: February 8, 1996.
David A. Ullrich,
*Acting Regional Administrator, USEPA,
Region V.*
[FR Doc. 96-6012 Filed 3-12-96; 8:45 am]
BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96-32; RM-8719]

Radio Broadcasting Services; Canton, IL and Canton, MO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Bick Broadcasting Co., proposing the substitution of Channel 265C2 for Channel 265C3 at Canton, Missouri, and modification of the license for Station KRRY to specify the higher class channel. The coordinates for Channel 265C2 at Canton, Missouri, are 40-07-33 and 91-31-42. To accommodate the upgrade at Canton, Missouri, we shall propose to substitute Channel 252A for vacant Channel 265A at Canton, Illinois, at coordinates 40-32-46 and 90-04-59. In the event there is no interest expressed for retention of a channel in Canton, Illinois, during the comment cycle in this proceeding, we shall delete the channel. We shall propose to modify the license for Station KRRY in accordance with Section 1.420(g) 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 April 29, 1996, and reply comments on or before May 14, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Bud James, President, Bick Broadcasting Co., 119 North Third Street, Hannibal, Missouri 63401.

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

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

Proposed Rule Making, MM Docket No. 96-32, adopted February 21, 1996, and released March 6, 1996. 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. 96-5900 Filed 3-12-96; 8:45 am]
BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 96-29; RM-8731]

Radio Broadcasting Services; Chester and Richmond, VA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Hoffman Communications, Inc., licensee of Station WDYL(FM), Channel 289A, Chester, Virginia, proposing the substitution of Channel 266A for Channel 289A and modification of Hoffman's construction permit to specify operation on the alternate Class A channel. In order to accommodate the substitution at Chester, we also propose to substitute Channel 289A for unoccupied but applied for Channel 266A at Richmond, Virginia. See Supplementary Information, *infra*.