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 proposal, 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, October 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 (1) 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.

In addition, this action does not impose any enforceable duty, or contain any ''unfunded mandates'' as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), entitled *Enhancing the Intergovernmental Partnership*, or special consideration as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

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, or establishing or raising food additive regulations 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 Parts 180 and 186

Environmental protection, Administrative practice and procedure, Agricultural commodities, Animal feed, Food additive, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: April 30, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that chapter I of title 40 be amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows:

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

b. In § 180.145, by adding a commodity to paragraph (a) in the table therein and deleting paragraph (c) to read as follows:

§ 180.145 Fluoride compounds; tolerances for residues.

(a) * * *

Commodity	Parts per million
* * * * *	
Potatoes	2.0
* * * * *	

* * * * *

PART 186—[AMENDED]

2. In part 186:

a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 348.

b. Section 186.3375 is revised to read as follows:

§ 186.3375 Fluorine compounds.

A tolerance is established for residues of the insecticidal fluorine compounds cryolite and synthetic cryolite (sodium aluminum fluoride) in the following ready-to-eat animal feed resulting from application of the compounds to growing crops:

Commodity	Parts per million
Potatoes, waste from processing	22.0

[FR Doc. 96–11341 Filed 5–7–96; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 300

[FRL–5500–3]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete the Carter Lee Lumber Company Superfund Site National From Priorities List; Request for Comments.

SUMMARY: The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the Carter Lee Lumber Company Superfund Site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B to 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 Indiana, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities 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 June 7, 1996.

ADDRESSES: Comments may be mailed to Helen Smith (SR–6J) Environmental Protection Assistant, Superfund Division, 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: Hawthorn Community Center, 2440 West Ohio Street, Indianapolis IN and the offices of the Indiana Department of Environmental management, 100 N. Senate Avenue, N1255, Indianapolis, IN. 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 (SMR–7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353–5821.

FOR FURTHER INFORMATION CONTACT: Deborah Orr (SR–6J) Remedial Project Manager at (312) 886–7576, Helen Smith (SR–6J) Environmental Protection Assistant, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886–6229 or David Novak (P–19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886–9840.

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 Carter Lee Lumber Company Superfund Site (Site) from the National Priorities List (NPL), which constitutes Appendix B of the (NCP), and requests comments on the proposed deletion. The U.S. 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 U.S. 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

Decision Summary

I. Site Description

The Site is located west of downtown Indianapolis at 1621 West Washington Street. Eagle Creek is approximately one-half mile southwest and the White River is about one mile east of the site. The Site is located 7 miles upgradient of one of the groundwater pumps used to supplement the drinking water supply for the City of Indianapolis. It is located in a commercial and industrial center primarily composed of heavy industry with the exception of some scattered areas of older single-family residential dwellings. The Site is currently used for storage for a commercial lumber yard and is, therefore, fenced and access is restricted. The Carter Lee Lumber (CLL) Company has been at its present location for over 120 years. The Site occupies only part of the CLL property, a four acre trapezoid in the southeast corner, that was acquired by CLL in 1979 for expansion of lumber storage capabilities.

Lumber and associated materials are stored in three sheds on the Site. The Site is paved with asphalt except for the southeast corner, which is covered with about six inches compacted gravel and soil. The Site is relatively flat. It is bordered on the east and south by Conrail railroad tracks, on the west by Reichwein Avenue and the north by CLL property. The bordering tracks are elevated as much as 6 to 8 feet above the Site. The southeast corner of the property is the lowest elevation point on the Site.

Over 36,000 people live within 2-miles of CLL. The closest residence is across Reichwein Avenue. Demographics from the 1990 census data, show that the area adjacent to the Site has a more culturally diverse population than the general population of Marion County. Thirty-two percent of the residents within a two mile radius of the Site are non-white while twenty-two percent of the residents of Marion County identified themselves as non-white. Census data shows that the average household within a two mile radius of the Site has an income thirty-three percent lower than the average income of a typical Marion County resident.

II. Site History and Enforcement Activities

Prior to 1979, the Site was owned by Penn Central Corporation and, in the period from 1960–1973, leased to several commercial waste hauling

companies that used the Site for industrial waste product disposal. The Site was leased first for the disposal of calcium ferrosulfate (about 30% solid). There is no evidence that this material was hazardous. It was then leased to a series of partnerships that, from court records, state the nature of the business was to purchase lime slurry, a waste product from Union Carbide Corporation, Linde Division, and to sell it to Ford Motor Company, in Indianapolis, Delco Electronics in Kokomo and Jones Laughlin Steel. Neutralized metal plating sludge and neutralized calcium ferrosulfate were reported sprayed on the Site from 1971–1972.

There are unsubstantiated allegations of tank car dumping and disposal of oily filter cakes from Conrail Lines. In addition, from 1940–1985, CLL operated a small quantity, batch-load wood preserving operation immediately off-site, north of the northeast corner of the Site. This operation reportedly used consumer-grade pentachlorophenol.

CCL purchased the Site in 1979. While the property was being developed for lumber storage, red soil was discovered. When the red soil interfered with proper soil compaction, it was moved. The red soil was stored near a trench area dug to hold construction debris. Asphalt was laid on portions of the Site and the storage yard was fenced as part of this work. The soil was later spread over an area covering about 220 by 250 feet in the southeast corner of the Site, where it is currently located.

The Site was investigated by the Environment and Ecology Field Investigation Team (FIT) in 1985 as a result of a CLL Company employee reports of spotting small animals with sores and patchy fur and complaints by employees of skin lesions and weight loss. Neither reports were confirmed by local health officials. Following the FIT investigation which included soil sampling, the Site was scored for NPL listing due to the potential for groundwater contamination and a concern for potential dermal contact should the soils be disturbed.

Research to identify parties responsible for conditions at the Site was completed in June 1988. Potentially responsible owners, operators and generators were identified. Based on information gathered during this search and responses from information requests, special notice letters were sent out during January 1992.

III. Highlights of Community Participation

U.S. EPA hosted a ''kick off'' public meeting on September 3, 1992 at the Presbyterian Church located across the street from the Site. The purpose of the meeting was to inform the local residents of the Superfund process and the work to be conducted under the Remedial Investigation (RI). Thirty-nine people attended the meeting. Two RI update newsletters were issued to individuals on the Site specific mailing list in June 1993 and July 1995.

Information repositories for the Site have been established at Hawthorn Community Center, 2440 West Ohio Street, Indianapolis IN and the offices of the Indiana Department of Environmental Management, 100 N. Senate Avenue, N1255, Indianapolis, IN. The Administrative Record for the Site has been made available to the public at the U.S. EPA Docket Room in Region V and at the Hawthorn Community Center.

The RI was released to the public in May 1995. The proposed plan was mailed July 28, 1995. A public meeting to discuss the remedial investigation and the proposed plan was held on August 10, 1995. Advertisements were placed in the Indiana Star/News and the West-Side Enterprise to announce the public meetings and comment period. Ten people attended the proposed plan meeting. The proposed plan was available for public comments from August 1, 1995 through August 30, 1995.

The public participation requirements of CERCLA Sections 113(k)(2)(I–v) and 117 of CERCLA have been met in the remedy selection process. This decision document presents the selected remedial action for the CLL Company Superfund Site, chosen in accordance with CERCLA, as amended by SARA and, to the extent practicable, the NCP. The decision for this Site is based on the administrative record.

IV. Scope and Role of Operable Units

U.S. EPA has determined that no further action is required at this Site. Because hazardous substances at concentrations above unacceptable risk levels will not remain at the Site, a five-year review will not be necessary.

V. Site Characteristics

During the RI, sampling and analysis of groundwater and subsurface and surface soil occurred which allows a determination of Site conditions to be made. The investigation took place in two phases beginning in November 1992 and ending about one year later in September 1993.

During Phase I in November 1992, all surface and subsurface on-site soil samples were collected, five monitoring wells were installed and sampled and 15 of the 17 off-site soil samples were collected.

Phase II, which occurred in June, August and September of 1993, consisted of two rounds of groundwater samples, 3 rounds of water level measurements and the collection of 2 additional off-site soil samples. A groundwater user survey was implemented during this time period as well. An ecological investigation of the Site was also conducted as part of Phase 2.

Using the U.S. EPA risk assessment guidance and procedures, many contaminants found at the Site, including Semi-volatile Organic Compounds (SVOCs), Volatile Organic Compounds (VOCs), metals and cyanide were eliminated from further consideration primarily because on-site concentrations did not differ significantly from background, or off-site contaminant concentrations.

The ecological investigation consisted of review of current literature to determine whether the area contained protected plants or animals or whether sensitive habitats existed in the area. A Site visit also took place.

Based on the evaluation of Site conditions, U.S. EPA determined that there is no threat to human health and the environment through exposure by ingestion or direct contact with the pesticides/herbicides and PCBs found in the soils and groundwater on and near the Site. The effects of background contamination was not evaluated as part of this study. The following is a result of the findings.

1. Physiography. The Site is located within the commercial and industrial center of the City of Indianapolis, central Marion County. The area is relatively flat and ranges in topographic relief from about 745 feet above mean sea level measured 2.75 miles west of the Site to about 705 feet at the White River, which is 1 mile east. The Site is paved with asphalt except for the southeast corner, which is covered with compacted gravel. Drainage swells, formed by rail road track berms 6 to 8 feet high, run parallel to the eastern and southern Site boundaries and collect surface run-off from the Site. The southeast corner is the lowest elevation point on the Site at an elevation of 691 feet above mean sea level.

2. Geology. An extensive sand and gravel outwash deposit exists under the Site. The outwash is composed of coarse-grained material deposited by glacial meltwater streams during the Wisconsian glaciation. Discontinuous silt and clay deposits are numerous. The outwash extends along the White River, Eagle Creek and Fall Creek and it is

about 6.5 miles wide from east to west. At the outer edges of the outwash, the deposits integrate with deposits of till. Sand and gravel deposits are discontinuous in the till plain. The thickness of the unconsolidated deposits in Marion County ranges from less than 15 feet to more than 300 feet. Within the vicinity of the Site, the bedrock beneath the outwash deposits consists of Silurian and Devonian age limestones and dolomites. Depth to bedrock is about 120 feet. West of the Site, Mississippian age shale separates the outwash deposits from the limestones and dolomites. The bedrock surface slopes gently to the west.

The Site geology is characterized by a series of fill layers starting at about 12 inches below the ground surface This fill material varies across the Site but generally consists of sandy gravel and clayey silty sand with miscellaneous debris including bricks, concrete and wood. Some areas of the Site are filled with black dense sand similar to a foundry sand mixed with what appeared to be fly ash.

3. Hydrology. There are two groundwater systems beneath the Site. The outwash deposits along the White River comprise the upper, unconfined aquifer. The thickness of the aquifer ranges from 30 to more than 80 feet. The limestone and dolomite formations comprise the uppermost bedrock aquifer. The average horizontal hydraulic conductivity is about 300 feet/day for the outwash aquifer and about 10 feet/day for the bedrock aquifer. The hydraulic conductivity in the bedrock aquifer can be considerably greater in areas where solution channeling has occurred.

Wells in the outwash aquifer have produced as much as 3,000 gallons per minute (gpm). Bedrock wells may yield 75 to 250 gpm. The bedrock is most productive in the upper 100 feet where it was once exposed to weathering elements and where the greatest amount of solution development has occurred.

At the Site the unconfined, shallow water table was encountered at about 20 to 25 feet below ground surface. Typically, groundwater flows toward the southeast. Through the well users survey, a cone of depression was identified southeast of the Site. Most of the wells within 1 mile of the Site are used exclusively for manufacturing processes. Marion County depends on surface water for 92% of its drinking water supply, the remainder comes from groundwater. The use of groundwater to supplement drinking water is expected to increase to 19% by the year 2000.

Groundwater elevations in Marion County range from about 830 feet in the northwestern portion of the county to less than 680 feet near the White River in the central portion of the county. Regional groundwater flow in the western half of Marion County is to the east-southeast toward Eagle Creek and the White River. In eastern Marion County, groundwater flow is to the west-southwest toward Fall Creek and the White River.

4. Contamination. a. Soils. SVOCs and heavy metals were detected in on-site soil at depths ranging from 4 to 8 feet below the ground surface. Several pesticides were also detected in on-site soil. The findings were similar to those resulting from FIT sampling. The concentration of SVOCs and metals in on-site soils were within the ranges previously found by the FIT and the distribution of SVOCs on-site was consistent with the presence of red soil and with the black cinder fill material.

b. Groundwater. Sampling of the groundwater identified low concentrations of some SVOCs including phenol, phenanthrene, di-n-butylphthalate, pyrene, and bis(2-ethyl-hexyl)phthalate. These were found sporadically in groundwater samples. Low concentrations of arsenic and cyanide were detected in several Site ground-water monitoring wells during one sampling event. Low concentrations of beryllium were also detected in two sampling events.

5. Ecological. The investigation determined that the area south of the Site by virtue of plant community composition and evidence of hydrology typical of wetlands, appeared to consist of palustrine emergent or scrub/shrub communities. Through research and observations during the Site visit, it was determined that this area is not a sensitive or high-value ecological habitat. Wildlife and plant communities are limited because of the urban nature of the area. During the Site visit gross evidence of adverse impacts on the plant and animal communities from the Site were not apparent.

VI. Summary of Site Risks

Given that most of the contaminated soil on-site is either covered by asphalt or six inches of compacted gravel and soil, no worker or nearby residents are currently exposed to contaminants through inhalation of dust emissions.

Volatilization of some contaminants to the air can pose a risk if present at the soil surface. Because contaminants on-site are covered as described above, volatilization is not considered a transport mechanism at this Site.

The analytical results for SVOCs and metals for on-site and off-site samples were evaluated using a statistical comparative analysis. It was verified statistically, that there is no significant difference between the SVOCs and the heavy metal concentrations found in on-site soils compared with those found in off-site soils. The Site is located in an area with many industries which may have contributed to the metals and PAHs found. These facts lead to the conclusion that the source of PAH and metals contamination are not solely attributable to the site. Based on this, PAHs and metals were not carried forward in the Site related risk evaluation. The berms surrounding the Site on the east and southern boundary are an effective barrier to overland flow of contaminants into surface water via Site run off. For this reason, the risk for the surface water pathway was determined to be negligible.

During the analysis, infiltration of rainwater to groundwater was considered as a potential transport mechanism that could leach contaminants from deeper soils into the groundwater. The remedial investigation identified some Site characteristics that makes this unlikely. The soils are covered with compacted gravel and this decreases the amount of rain through infiltration. The soils underlying contaminants consist of clayey sands. Since contaminants tend to sorb more tightly to clay, contaminants are less likely to be released. In addition, a fate and transport analysis of the effects of the PAHs, arsenic and beryllium determined that groundwater does not appear to be threatened by Site contaminants. Based on these findings, it was determined that this pathway did not present an unacceptable risk.

The contaminants of concern evaluated quantitatively for the Site include heptachlor and arochlor-1254 in on-site soils and alpha BHC and 4,4'-DDT, both in groundwater.

The risk assessment determined that the Site contaminants do not pose a significant risk to those who may come in contact with them. Risk was evaluated for on-site worker exposure and residential exposure as well. The risk to a hypothetical future worker exposed to on-site soil and groundwater was calculated. The calculated numbers are well below U.S. EPA's acceptable risk range. A reasonable future land use anticipates the land will continue to be used as commercial/industrial property. Notwithstanding this assumption, the same calculation is performed for the hypothetical on-site resident. The estimate of cumulative excess cancer risk is at the low end of U.S. EPA's acceptable risk range for exposure to

soils. For groundwater, the number is below the lower end of U.S. EPA's acceptable risk range.

Given the above, the no action alternative was chosen since it has been demonstrated that the contamination found could not be attributed solely to CLL and the level of contamination attributable to the Site results in negligible risk. U.S. EPA issued its finding in the document *Remedial Investigation Report* dated May 1995. U.S. EPA executed a Record of Decision requiring no action on September 29, 1995. The State concurred with this ROD on October 13, 1995.

U.S. EPA, with concurrence from the State of Indiana, has determined that all appropriate Fund-financed responses under CERCLA at the Carter Lee Lumber Company Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and the environment. Therefore, U.S. EPA proposes to delete the site from the NPL.

Dated: April 25, 1996.

Valdas V. Adamkus,

Regional Administrator, U.S. EPA, Region V.

[FR Doc. 96–11311 Filed 5–7–96; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96–96; RM–8791]

Radio Broadcasting Services; Castana, IA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Gene Zortman proposing the allotment of Channel 298A to Castana, Iowa, as the community's first local aural transmission service. Channel 298A can be allotted to Castana in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 298A at Castana are 42–04–24 and 95–54–36.

DATES: Comments must be filed on or before June 20, 1996, and reply comments on or before July 5, 1996.

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: Gene Zortman, Chairman, Onawa Radio Committee, 1112 Emerald Street, Onawa, Iowa 51040 (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. 96–96, adopted April 10, 1996, and released April 29, 1996. 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.

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.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96–11382 Filed 5–7–96; 8:45 am]

BILLING CODE 6712–01–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 628

[Docket No. 960315079–6079–01; I.D. 031296D]

RIN 0648–AI16

Bluefish Fishery; Proposed Removal of Regulations; Comment Period Extension

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; extension of comment period.

SUMMARY: NMFS announces that it is extending the public comment period for the proposed rule to withdraw approval of the Fishery Management Plan (FMP) for the Bluefish Fishery and remove implementing regulations. The end of the public comment period for the proposed withdrawal of the FMP for the Bluefish Fishery is extended from May 13, 1996, to June 7, 1996.

DATES: Written comments must be received on or before June 7, 1996.

ADDRESSES: Comments on the proposed rule should be sent to Dr. Andrew A. Rosenberg, Regional Director, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930–3799.

Copies of the environmental assessment and regulatory impact review are also available from the same address.

FOR FURTHER INFORMATION CONTACT: Myles Raizin, 508–281–9104.

SUPPLEMENTARY INFORMATION:

As a result of comments and a request received from the Atlantic States Marine Fisheries Commission (ASMFC) in a letter dated April 10, 1996, NMFS is extending the comment period for the proposed rule that announced an initial determination by NMFS to withdraw approval of the FMP for the Bluefish Fishery (March 28, 1996, 61 FR 13810). The ASMFC advised NMFS that it needs additional time to consider the proposal to withdraw the FMP for the Bluefish Fishery and that it can make recommendations and provide meaningful comment only after its Bluefish Management Board has met during the ASMFC's Spring 1996 meeting of May 28–31, 1996. Therefore, NMFS is extending the public comment period for the proposed rule to June 7, 1996.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 2, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 96–11412 Filed 5–7–96; 8:45 am]

BILLING CODE 3510–22–F