

ACTION: Notice of proposed administrative order on consent, Osage Metals Superfund Site, Kansas City, Kansas.

SUMMARY: Notice is hereby given that a proposed administrative order on consent regarding the Osage Metals Superfund Site, was signed by 21 private parties, approved by the United States Department of Justice (DOJ) on January 13, 1999, and signed by the United States Environmental Protection Agency (EPA) on February 25, 1999.

DATES: EPA will receive comments relating to the proposed agreement and covenant not to sue until April 28, 1999.

ADDRESSES: Comments should be addressed to Audrey Asher, Senior Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101 and should refer to *the Osage Metals Superfund Site Administrative Order on Consent, EPA Docket No. CERCLA-7-99-0010*.

The proposed agreement may be examined or obtained in person or by mail at the office of the United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, KS 66101 (913) 551-7255.

SUPPLEMENTARY INFORMATION: The proposed agreement concerns the 1.7-acre Osage Metals Superfund Site ("Site"), located at 120 Osage Avenue in Kansas City, Kansas. The Site was the location of metals salvage and reclamation facilities between 1948 and 1993. Samples taken at the Site in 1994 found polychlorinated biphenyls ("PCBs") in surface soils at levels as high as 334 mg/kg, and lead contamination in levels as high as 56,600 mg/kg. The EPA approved a removal action at the Site on February 13, 1995, and began cleanup in March of 1995. EPA completed its work in October 1995. No further response action is anticipated.

As of May 31, 1998, EPA and DOJ had incurred costs in excess of \$1.3 million exclusive of interest. Each of the proposed settlers arranged for disposal of capacitors contaminated with PCBs with PCB Treatment, Inc. PCB Treatment, Inc. then arranged for disposal at the Site of scrap metal from the capacitors.

EPA has determined that any party who arranged for disposal of between 206 and 89,387 pounds of capacitors contributed a *de minimis* volume of waste to the Site and that such wastes are not more toxic than any other hazardous substance at the Site.

Each settlor will pay a share of costs based on its volumetric share of

capacitor weight compared to all capacitor weight with an additional premium of 15%.

Through this settlement EPA will recover \$14,000. EPA has recovered \$80,000 through a consent decree with the former owner/operator and over \$194,000 through Administrative Orders on Consent with other potentially responsible parties at the Site. Negotiations of other settlements with potentially responsible parties are pending.

Dated: March 15, 1999.

Dennis Grams,

Regional Administrator, Region VII.

[FR Doc. 99-7334 Filed 3-26-99; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

[DA 99-537]

Request for Waiver by San Mateo County, California, to Obtain a License for Thirty-one Frequencies Allocated for Paging Control Operations

AGENCY: Federal Communications Commission.

ACTION: Notice; comments requested.

SUMMARY: This document seeks comment on a waiver request by San Mateo County, California, to permit it to use thirty-one frequencies for public safety purposes that are now allocated for point-to-multipoint paging control operation in the San Francisco, California, area.

DATES: Comments are due on or before March 29, 1999, and reply comments are due on or before April 5, 1999.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 Twelfth Street, S.W., TW-325, Washington, D.C. 20554. SW, Washington, D.C. 20554. A copy of each filing should be sent to International Transcription Services, Inc. (ITS), 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800, and Peter J. Daronco, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, Policy and Rules Branch, 445 Twelfth Street, S.W., Room 4-C431, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Peter J. Daronco at the Public Safety and Private Wireless Division, Policy and Rules Branch (202) 418-0680.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Public Notice*, DA 99-537, released on March

18, 1999 (DA 99-357). The full text of the *Public Notice* is available for inspection and copying during normal business hours in the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, Federal Communications Commission, 445 Twelfth Street, S.W., Room 4-C207, Washington, D.C. 20554. The complete text of this *Public Notice* may also be purchased from the Commission's duplicating contractor, International Transcription Services, 1231 20th Street, NW, Washington, DC 20036, 202-857-3800. Alternative formats (computer diskette, large print, audio cassette and Braille) are available to persons with disabilities by contacting Martha Contee at (202) 418-0260, TTY (202) 418-2555, or at mcontee@fcc.gov.

1. On January 28, 1999, the County of San Mateo, California ("San Mateo County" or "the County") filed applications and a Request for Waiver ("Waiver Request") of section 22.621 of the Commission's rules, 47 CFR 22.621. San Mateo County requests a waiver to permit it to use thirty-one frequencies for public safety purposes that are now allocated for point-to-multipoint paging control operation in the San Francisco, California, area. The County states that these thirty-one frequencies are currently unassigned and it proposes to utilize this spectrum in the form of thirteen narrowband (12.5 kHz) channel pairs.

2. The County requests waiver of section 22.621, and any other Commission rules necessary to grant its applications, pursuant to Section 337(c) of the Communications Act of 1934, as amended, 47 U.S.C. 337(c). Section 337(c) states that the Commission shall grant an application by an entity seeking to provide public safety services to the extent necessary to permit the use of unassigned frequencies, if the Commission makes five specific findings: (1) No other spectrum allocated for public safety use is immediately available; (2) there will be no harmful interference to other spectrum users entitled to protection; (3) public safety use of the frequencies is consistent with other public safety spectrum allocations in the geographic area in question; (4) the unassigned frequencies were allocated for their present use not less than two years prior to the grant of the application at issue; and (5) the grant of the application is consistent with the public interest. "Public safety services" are defined by 47 U.S.C. 337(f)(1) as services, the sole or principal purpose of which is to protect the safety of life, health, or property, that are provided by state or local governmental entities or by non-

governmental entities authorized by the governmental entity whose primary mission is the provision of such services, and that are not made commercially available to the public by the provider.

3. San Mateo County avers that the subject spectrum will be used to provide "public safety services" as defined by Section 337(f)(1), because it is a local governmental entity proposing a trunked system to serve its Sheriff's Department, Park Police, Emergency Medical Services Department, and perhaps other public safety agencies within the county. The County states that the public safety services at issue will not be made commercially available to the public by the County and that its application meets the other requirements of Section 337(c) in the following particulars: (a) no existing, suitable frequencies allocated to public safety are available to satisfy the requested public safety service use; (b) no harmful interference to other Commission licensees will occur and the County's proposed channel plan preserves a "guard" channel to avoid any potential for harmful interference; (c) use of the subject frequencies for public safety services is consistent with other allocations for the provision of such services in the geographic area for which the application is made because the requested frequencies are part of the 470-512 MHz band, which is already used extensively for public safety operations in the San Francisco area; (d) the Commission allocated the subject frequencies for paging control operations over five years prior to the date of the filing of the Request; and (e) the public interest will be served because the proposed system will allow the County to provide effective and efficient communications capability for its public safety communications operations whereas absent a waiver, the County will continue to face severe limitations in its ability to protect the safety of life, health and property.

4. Interested parties may file comments on the Waiver Request on or before March 29, 1999. Parties interested in submitting reply comments must do so on or before April 5, 1999. All comments should reference the subject Waiver Request by San Mateo County, California, DA 99-537, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., TW-325, Washington, D.C. 20554. A copy of each filing should be sent to International Transcription Services, Inc. (ITS), 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800, and Peter J. Daronco, Federal

Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, Policy and Rules Branch, 445 Twelfth Street, S.W., Room 4-C431, Washington, D.C. 20554.

5. The full text of the Waiver Request, comments, and reply comments will be available for inspection and duplication during regular business hours in the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, Federal Communications Commission, 445 Twelfth Street, S.W., Room 4-C207, Washington, D.C. 20554. Copies also may be obtained from ITS.

6. Unless otherwise provided, requests for waiver of the Commission's rules are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under section 1.1208 of the Commission's rules, 47 CFR 1.1208. Because of the policy implications and potential impact of this proceeding on persons not parties to the waiver request, we believe it would be in the public interest to treat this case as a permit-but-disclose proceeding under the *ex parte* rules. See sections 1.1200(a) and 1.1206 of the Commission's rules, 47 CFR 1.1200(a), 1.1206. Therefore, subsequent to the release of this Public Notice, *ex parte* presentations that are made with respect to the issues involved in the subject Waiver Request will be allowed but must be disclosed in accordance with the requirements of section 1.1206(b) of the Commission's rules, 47 CFR 1206(b). Federal Communications Commission.

Herbert W. Zeiler,

Deputy Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

[FR Doc. 99-7783 Filed 3-26-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4445-N-07]

Notice of Proposed Information Collection: Comment Request

AGENCY: Office of the Assistant Secretary for Housing, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments due date:* May 28, 1999.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Wayne Eddins, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Mark Holman, Chief, Mortgage Underwriting and Insurance Branch, Office of Insured Single Family Housing, Department of Housing and Urban Development, 451 7th Street, SW, Washington, D.C. 20410, telephone (202) 708-2121. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Builder's Certification of Plans, Specifications and Site.

OMB Control Number, if applicable: 2502-0496.

Description of the need for the information and proposed use: This Notice requests an amendment to HUD-92541, Builder's Certification of Plans, Specifications, and Site to include an option for the builder to provide an evaluation certificate in lieu of a Letter of MAP Amendment (LOMA) or Letter of MAP Revision (LOMR) thus making it easier to comply with new regulations.

Agency Form Numbers, if applicable: HUD-92541.