program, if such action is determined to be a prudent response.

A violation (more than one exceedance within a one-year period) shall trigger the implementation of the oxygenated fuel program (2.7% oxygen), as soon as practical but no later than the following winter season.

A second violation shall trigger the re-implementation of the New Source Review requirements, LAER (lowest achievable emission rate), and offsets for major new (and major modifications of existing) CO industrial sources.

E. Subsequent Maintenance Plan Revisions

In accordance with section 175A(b) of the CAA, Washington has agreed to submit a revised maintenance SIP eight years after the area is redesignated to attainment. Such revised SIP will provide for maintenance for an additional ten years.

5. Meeting Applicable Requirements of Section 110 and Part D

In Section III.2. above, EPA sets forth the basis for its conclusion that Washington has a fully approved SIP which meets the applicable requirements of Section 110 and Part D of the CAA.

IV. This Action

EPA is proposing to approve the Vancouver area CO maintenance plan because it meets the requirements set forth in section 175A of the CAA. In addition, the Agency is proposing to approve the request to redesignate the Vancouver CO area to attainment, because Washington has demonstrated compliance with the requirements of section 107(d)(3)(E) for redesignation. EPA is also proposing to approve Washington's 1990 base year CO emissions inventory.

V. Administrative Review

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2224), as revised by a July 10, 1995, memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

The CO SIP is designed to satisfy the requirements of part D of the CAA and to provide for attainment and maintenance of the CO NAAQS. This proposed redesignation should not be interpreted as authorizing or proposing to authorize Washington to delete, alter, or rescind any of the CO emission limitations and restrictions contained in the approved CO SIP. Changes to CO SIP regulations rendering them less stringent than those contained in the EPA approved plan cannot be made unless a revised plan for attainment and maintenance is submitted to and approved by EPA. Unauthorized relaxations, deletions, and changes could result in both a finding of non-implementation (section 179(a) of the CAA) and in a SIP deficiency call made pursuant to sections 110(a)(2)(H) and 110(k)(2) of the CAA.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. SIP approvals under section 110 and subchapter I, part D, of the CAA do not create any new requirements, but simply approve requirements that the state is already imposing. Therefore, because the federal SIP approval does not impose any new requirements, it does not have any economic impact on any small entities. Redesignation of an area to attainment under section 107(d)(3)(E) of the CAA does not impose any new requirements on small entities.

Redesignation is an action that affects the status of a geographical area and does not impose any regulatory requirements on sources. Accordingly, I certify that the approval of the redesignation request will not have an impact on any small entities.

VI. Unfunded Mandates

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 25, 1995, EPA must undertake various actions in association with proposed or final rules that include a federal mandate that may result in estimated costs of $100 million or more to the private sector, or to state, local, or tribal governments in the aggregate.

Through submission of this state implementation plan or plan revision, Washington and any affected local or tribal governments have elected to adopt the program provided for under section 175A and section 187(a)(1) of the Clean Air Act. The rules and commitments proposed for approval in this action may bind State, local, and tribal governments to perform certain actions and also may ultimately lead to the private sector being required to perform certain duties. To the extent that any mandate is imposed upon the State, local, or tribal governments either as the owner or operator of a source or as mandate upon the private sector, EPA's proposed action will impose no new requirements under State law; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, results from this action. EPA has also determined that this final action does not include a mandate that may result in estimated costs of $100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Authority: 42 U.S.C. 7401–7671q.

Dated: July 15, 1996.

Chuck Clarke,

Regional Administrator.

[FR Doc. 96–19196 Filed 7–26–96; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 300

[FRL–5542–9]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Intent to Delete the Oak Grove Sanitary Landfill Site from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region V announces its intent to delete the Oak Grove Township, Anoka County, Minnesota

from the National Priorities List (NPL) and requests public comment. The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which 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 EPA, because it has been determined that all Fund-financed response under CERCLA has been implemented and EPA, in consultation with the State of Minnesota has determined that no further cleanup is appropriate. Moreover, 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 until August 28, 1996.

ADDRESSES: Comments may be mailed to Timothy Prendiville (SR–6J) Remedial Project Manager, Office of Superfund, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604. The comprehensive information on the site is available at the local information repositories located at: Oak Grove Township Hall, Cedar, MN. and the St. Francis Branch of the Anoka Public Library, St. Francis, MN.

Requests for comprehensive copies of documents should be directed formally to the appropriate Regional Docket Office. Address for the Regional Docket Office is Jan Pfundheller (H–7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353–5821.

FOR FURTHER INFORMATION CONTACT: Timothy Prendiville, Remedial Project Manager, Office of Superfund, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886–5122 or Don DeBlasio (P–19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886–4360.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

The U.S. Environmental Protection Agency (EPA) Region V announces its intent to delete the Oak Grove Sanitary Landfill Site from the National Priorities List (NPL), Appendix B to the National Oil and Hazardous Substances Contingency Plan, 40 CFR Part 300 (NCP), and requests comments on the deletion. The EPA identifies sites which 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 Superfund (Fund) Fund-Financed remedial actions. Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for additional Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action.

The EPA will accept comments on this proposal for 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.

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, 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;

(ii) All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate;

(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.

Before EPA can delete a site from the NPL, the state in which the site was located must concur on the proposed deletion. EPA shall provide the state 30 working days for review of the deletion notice prior to its publication in the Federal Register.

As noted above, deletion of a site from the NPL does not preclude eligibility for subsequent additional Fund-financed actions if future site conditions warrant such actions.

Deletion of sites from the NPL does not itself create, alter, revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

III. Deletion Procedures

Upon determination that at least one of the criteria described in § 300.425(e) has been met, EPA may formally begin deletion procedures. 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 EPA's intention to delete the site from the NPL. All critical documents needed to evaluate EPA's decision are generally included in the information repository and the deletion docket.

Upon completion of the public comment period, the EPA Regional Office will, if necessary prepare a Responsiveness Summary to evaluate and address concerns which were raised. The public is welcome to contact the EPA Regional Office to obtain a copy of this responsiveness summary, when available. If EPA still determines that 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 following summary provides the Agency's rationale for intending to delete the site from the NPL: The Oak Grove Sanitary Landfill was entered on the NPL approximately June 10, 1986, (51 FR 111). The 45-acre Oak Grove Sanitary Landfill is a former municipal and industrial solid waste landfill in Oak Grove Township, Anoka County, Minnesota. Land consists of low regions of uplands and sand dunes intersperse among numerous lakes and wetlands. The nearby developed land use in the area is agricultural and residential. The site overlies two aquifers, which are separated by a semi-confining layer. The deeper aquifer provides regional potable water and supplies many area residential wells. Landfill operations began in 1967 and continued until 1984, when the operating license was suspended. An estimated 2.5 million cubic yards of waste is present in the landfill including acidic oil sludge, paint and solvent waste, foundry sands and sludge, inorganic acids, metal sludge, and chlorinated and unchlorinated organic compounds from pesticide manufacturing. In addition, lime sludge was used as a cover material on two thirds of the landfill. A 1988 Record of Decision (ROD) addressed the sources of contamination by containing the onsite waste and contaminated soil with a cover. EPA investigations in 1989 determined that the contaminated shallow aquifer discharges directly to

the surface water of the adjoining wetlands where ground water contamination is being reduced by natural attenuation, and thus, limiting migration of contaminants to the surface water.

This ROD addresses remediation of contaminated shallow ground water, prevention of significant impacts on surface water from the discharge of contaminated shallow ground water, and provides for continued use of the deep aquifer as a drinking water supply. The primary contaminants of concern affecting the ground water are VOCs including benzene, toluene, and xylenes; and metals including arsenic.

On October 15, 1990, the Remedial Investigation/Feasibility Study (RI/FS Report) and the Proposed Plan for the Oak Grove Sanitary Landfill Site were released to the public for comment.

The selected remedial action for this site includes long term monitoring of the shallow and deep aquifers, surface water, and sediment at a frequency of three times per year for the first year and semi-annually thereafter; natural attenuation of shallow ground water; abandoning non-essential wells; and implementing institutional controls including ground water use restrictions.

During Phase 1 of the Remedial Action, debris was removed from the site and a security fence was installed around the perimeter off the Landfill. Warnings signs were posted along the fence to provide site information as well as telephone number for further information. This was completed by August 1993.

Phase II began and consisted of soil excavation, installation of monitoring wells, groundwater, surface water, and sediment sampling; air monitoring, and construction of the Landfill Cover. The process began approximately on August 1992 and final inspection was completed on September 2, 1993, by representatives of MPCA and EPA.

In 1994, the Legislature of the State of Minnesota enacted the Landfill Cleanup Law, Minnesota Laws 1994, ch. 639, codified at Minnesota Stat. § § 115B.39 to 115B.46 (the Act), authorizing the Commissioner of the Minnesota Pollution Control Agency (MPCA) to assume responsibility for future environmental response actions at qualified landfills that have receive notices of compliance from the Commissioner of MPCA. Additionally, the Act established funds to enable the MPCA to perform all necessary response, operation and maintenance at such landfills. At sites where no response for issuing a notice of compliance, all work would be expected, (under a state order or under state closure requirements) to be completed.

A notice of compliance was issued by MPCA for the Oak Grove Sanitary Landfill on May 14, 1996. MPCA has since assumed all responsibility for the Oak Grove Sanitary Landfill under the Act. Therefore, no further response actions under CERCLA are appropriate at this time. Consequently, U.S. EPA proposes to delete the site from the NPL.

V. Conclusion

EPA, with concurrence of the State of Minnesota has determined that all appropriate Fund-financed responses under CERCLA at the Oak Grove Sanitary Landfill Site have been completed, and no further Superfund response is appropriate in order to provide protection of human health and the environment. Therefore, it is proposed that the site be deleted from the NPL.

Dated: July 16, 1996.

Michelle D. Jordan,

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

[FR Doc. 96–19088 Filed 7–26–96; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[CC Docket No. 96–152, FCC 96–310]

Implementation of the Telecommunications Act of 1996: Telemessaging, Electronic Publishing, and Alarm Monitoring Services

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission is issuing this Notice of Proposed Rulemaking (NPRM) which seeks comment on proposed regulations to clarify, where necessary, and to implement the non-accounting separate affiliate and nondiscrimination safeguards prescribed by Congress in sections 274, 275 and 260 of the Telecommunications Act of 1996 (47 U.S.C. 274, 275 and 260) with respect to BOC and/or LEC provision of electronic publishing, alarm monitoring and telemessaging services, respectively. In the NPRM, the Commission seeks to promote competition in the provision of electronic publishing, alarm monitoring, and telemessaging services by minimizing the burden of the rules it must adopt pursuant to the requirements of the new law.

DATES: Comments are due on or before September 4, 1996 and Reply Comments are due on or before September 20, 1996. Written comments by the public on the proposed and/or modified information collections are due September 4, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before September 27, 1996.

ADDRESSES: Comments and Reply Comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554, with a copy to Janice Myles of the Common Carrier Bureau, 1919 M Street, N.W., Room 544, Washington, D.C. 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, D.C. 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725—17th Street, N.W., Washington, D.C. 20503 or via the Internet to fain__t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Michelle Carey, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418–1557, Robert MacDonald, Attorney, Common Carrier Bureau, Policy and Program Planning Division (202) 418–2764, or Raelynn Tibayan, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418–2698. For additional information concerning the information collections contained in this NPRM contact Dorothy Conway at 202–418–0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking adopted July 18, 1996 and released July 18, 1996 (FCC 96–310). This NPRM contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding. The full text of this Notice