

**DATES:** Comments must be received in writing by October 16, 1996.

**ADDRESSES:** Comments may be mailed to David Arnold, Section Chief, Ozone/CO & Mobile Sources Section, Mailcode 3AT21, Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the EPA office listed above; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

**FOR FURTHER INFORMATION CONTACT:** Rose Quinto, (215) 566-2182, at the EPA Region III office, or via e-mail at [quinto.rose@epamail.epa.gov](mailto:quinto.rose@epamail.epa.gov). While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title (Virginia Emission Inventory) which is located in the Rules and Regulations section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: August 21, 1996.

W. Michael McCabe,

*Regional Administrator, Region III.*

[FR Doc. 96-23263 Filed 9-13-96; 8:45 am]

BILLING CODE 6560-50-P

## 40 CFR Part 52

[VA016-5917b; FRL-5603-4]

### Approval and Promulgation of Air Quality Implementation Plans; Virginia Emission Inventory

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia for the purpose of establishing 1990 ozone base year emission inventories for the Virginia ozone nonattainment areas. In the Final Rules section of this Federal Register, EPA is approving the Commonwealth's SIP revisions as a direct final rule without prior proposal because the Agency views them as noncontroversial SIP revisions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule

will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

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**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title (Virginia Emission Inventory) which is located in the Rules and Regulations section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: August 21, 1996.

W. Michael McCabe,

*Regional Administrator, Region III.*

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## 40 CFR Part 300

[FRL-5608-3]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Intent to Delete the Twin Cities Air Force Reserve Base, Small Arms Range Landfill, Minneapolis-St. Paul International Airport Site, from the National Priorities List.

**SUMMARY:** The United States Environmental Protection Agency (U.S. EPA), Region 5, announces its intent to delete the Twin Cities Air Force Reserve Base, Small Arms Range Landfill, Minneapolis-St. Paul International Airport Site (SARL), from the National Priorities List (NPL) and requests public

comment on this proposed 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 (CERCLA) of 1980, as amended. U.S. EPA and the State of Minnesota Pollution Control Agency (MPCA) have determined that the SARL poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments concerning the proposed deletion of the SARL from the NPL must be submitted on or before October 16, 1996.

**ADDRESSES:** Comments may be mailed to: Thomas Bloom, U.S. Environmental Protection Agency, Region 5, Mail Code SR-6J, 77 West Jackson Boulevard, Chicago, IL 60604. Comprehensive information on the SARL is available for viewing through the site information repositories at the following locations: Southdale Public Library, 7001 York Avenue South, Edina, MN 55435 934th Air Wing/Public Affairs Office, 760 Military Highway, Minneapolis-St. Paul IAP Air Reserve Station, MN 55450-2000

**FOR FURTHER INFORMATION CONTACT:** Thomas Bloom, U.S. Environmental Protection Agency, Region 5, Mail Code SR-6J, 77 West Jackson Boulevard, Chicago, IL 60604, (312) 886-1967

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#### I. Introduction

The U.S. EPA, Region 5 announces its intent to delete the Twin Cities Air Force Reserve Base, Small Arms Range Landfill (SARL) from the National Priorities List (NPL), Appendix B of National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, and requests comments on this deletion. 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 these sites. As described in Sec. 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the site warrant such action.

The U.S. EPA will accept comments on the proposal to delete the SARL for thirty days after publication of this document in the Federal Register.

## II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on the NPL where no further response is appropriate. U.S. EPA, in consultation with the State of Minnesota, has concluded that the Site meets the following criteria for site deletion:

- (i) Responsible parties or other parties have implemented all appropriate response actions required; and
- (ii) All appropriate response under CERCLA has been implemented, and no further action by responsible parties is appropriate.

Even if a site is deleted from the NPL, where hazardous substances remain at the site above levels that allow for unlimited use and unrestricted exposure, U.S. EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site. If new information becomes available which indicates a need for further action, U.S. EPA may initiate remedial actions. Whenever there is significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazardous Ranking System.

## III. Deletion Procedures

The following procedures were used for the intended deletion of the SARL: (1) U.S. EPA, Region 5 issued a Record Of Decision (ROD) which addressed the site conditions, quality assurance and control during construction, and technical criteria for satisfying the completion requirements; (2) a notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials announcing the commencement of a 30-day public comment period on U.S. EPA's Notice of Intent to Delete; (3) All relevant documents have been made available for public review in the local site information repositories; and MPCA has concurred with the proposed deletion decision.

Deletion of the SARL from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for information purposes and to assist Agency management. As mentioned in Section VI of this document, Sec. 300.425(e)(3) of the NCP states that deletion of a site from the NPL does not preclude eligibility for future response actions.

For deletion of the SARL, U.S. EPA's Regional Office will accept and evaluate public comments of U.S. EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary to address any significant public comments received.

A deletion occurs when the Regional Administrator places a final action in the Federal Register. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

## IV. Basis for Intended Site Deletion

The following site summary is the Agency's rationale for the proposal to delete Twin Cities Air Force Reserve Base, SARL, from the NPL.

The SARL is a 2 acre landfill located southeast of the Minneapolis-St. Paul International Airport in Hennepin County, Minneapolis, MN. The SARL is bounded on the south by Interstate Highway 494, on the south and east by the Minnesota River and Fort Snelling State Park, and on the west and north by Minnesota Highway 5, Fort Snelling Military Reservation, and the airport.

There are no residential areas within one mile of the SARL. The SARL is within the 100-year flood plain of the Minnesota River. The last flooding event occurred in 1993.

The SARL was used as a landfill by the USAFR from 1963 to 1972. General base refuse and industrial wastes formed the majority of the material disposed of in the landfill. Industrial wastes included approximately 100 gallons of painting waste sludge, 800 pounds of paint filters, and 100 to 200 gallons of sludge from leaded aviation gasoline (AVGAS). The SARL was closed in 1972 and covered with approximately six inches to one foot of native soil. In 1983, the Minnesota Department of Transportation (MNDOT) completed construction of a stormwater retention and settling pond in the area immediately east of the landfill. The SARL was placed on the National Priorities List (NPL) in 1987.

The Twin Cities Air Force Reserve Base, Minneapolis-St. Paul International Airport, was listed on the Minnesota Permanent List of Priorities (PLP) in November 1986. The SARL is one of fourteen areas of concern on the Twin Cities Air Force Reserve Base. Currently, response actions have been completed at ten of the fourteen areas of concern. Although MPCA concurs with the U.S. EPA's decision to delete the SARL from the NPL, MPCA does not intend to delete the Twin Cities Air Force Reserve

Base from the PLP, until environmental concerns in the three remaining areas of concern are addressed.

The SARL was first identified as a possible hazardous waste site after the Phase I Installation Restoration Program (IRP) investigations were conducted in 1983. Results of preliminary investigations conducted in 1986, indicated that contaminated groundwater was present and possibly migrating from the SARL. The SARL was placed on the NPL because of a suspected release to the groundwater based on the preliminary investigations.

In 1988 and 1989, a Remedial Investigation (RI) was conducted to confirm the suspected release, further characterize the site, perform a baseline risk assessment and obtain data necessary for evaluation of remedial alternatives. Results concluded that inorganic contaminants (arsenic, beryllium, cadmium, lead, nickel, selenium, and vanadium) were present in groundwater at levels exceeding the Safe Drinking Water Act (SDWA), Maximum Contaminant Levels (MCLs), and State of Minnesota groundwater standards.

Under the current risk scenario, human health risks due to carcinogenic and non-carcinogenic contaminants were found to exist in the range considered acceptable to the U.S. EPA and MPCA. Under the future use risk scenario elevated carcinogenic risk and an increased non-carcinogenic risk from ingestion of soil and groundwater was indicated. However, because groundwater is not a current source of drinking water and is not expected to be in the future, potential future risks are considered to be acceptable.

Investigation results of surface water and stormwater runoff indicate that surface water and stormwater are not being effected by site conditions. Therefore, there is no risk to human health and the environment due to surface water and stormwater runoff.

A Feasibility Study (FS) was completed June 1991. An array of remedial alternatives which addressed the two remedial objectives were developed. The remedial objectives are to prevent risks to humans and environmental receptors through contact with landfill components; and to prevent risks to humans and environmental receptors from contaminants in groundwater. Remedial alternatives were evaluated based nine criteria: effectiveness in protecting human health and the environment; compliance with federal and state environmental regulations; short and long-term effectiveness; permanence; reduction of toxicity, mobility, and

volume; implementability; cost; State and community acceptance.

A Record of Decision (ROD) was signed on March 31, 1992, by U.S. EPA Regional Administrator, which selected Natural Attenuation, Maintenance, Site Access Restrictions, and Groundwater and Surface Water Monitoring. The MPCA concurred with the remedy selected in the ROD. The ROD concluded that due to site environmental characteristics, natural attenuation of low level contamination would occur through adsorption, biodegradation, physical/chemical degradation and dispersion. Groundwater and surface water monitoring were necessary to assess the quality of groundwater and surface water immediately downgradient from the landfill and evaluate the effectiveness of natural attenuation. Access restrictions and site maintenance were included to achieve the remedial objective of protecting human health and the environment from contact with landfill components.

Construction of the fence was completed on September 21, 1992. The Sampling and Analysis Plan (SAP) for monitoring the SARL groundwater and surface water and installation of one monitoring well were completed by September 1992.

Groundwater and surface water monitoring was conducted every two months during 1993. A revised monitoring schedule of quarterly monitoring was approved and implemented in 1994. Groundwater and surface water monitoring results, and a review of all data collected during the history of the SARL, confirm that natural attenuation has proven to be an effective remedial action at the site. Site access restrictions (fence) and site maintenance have proven effective in protecting human health and the environment from contact with landfill components.

The RI report was presented to the community in July 1990. The FS report and Proposed Plan were presented to the community in August 1991. These documents were available for public comment through the administrative record in two information repositories. The information repositories are maintained at the Southdale Public Library, Edina, MN, and at the Public Affairs Office located at the Minneapolis-St. Paul IAP Air Reserve Station.

A public meeting to explain the proposed remedial action was held on September 5, 1991. Representatives from the USAFR, U.S. EPA and MPCA answered questions about remedial activities at the site. One member of the

community attended. One comment was received from the MPCA public affairs officer regarding improvement of the USAFR community relations program. A Responsiveness Summary addressing the comment is attached to the ROD.

In 1994, USAFR re-initiated community relation activities for the purpose of forming a Restoration Advisory Board (RAB). The RAB was to consist of USAFR, U.S. EPA, MPCA, Technical Review Committee (TRC) members and the surrounding community. The purpose of the RAB is to enhance community relations at Department of Defense sites.

Notice of formation of the RAB was placed in local newspapers and flyers were sent out to the local community inviting community participation. At that time, there was no response from the community. Newspaper notices inviting community participation have been issued annually. Presently, there has been no response from the community.

#### *How Twin Cities Reserve Air Force Base—SARL Meets NPL Deletion Criteria*

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on the NPL where no further response is appropriate. U.S. EPA, in consultation with the State of Minnesota, has concluded that the Twin Cities Air Force Reserve Base, Small Arms Range Landfill, meets the following criteria for site deletion:

- (i) Responsible parties or other parties have implemented all appropriate response actions required; and
- (ii) All appropriate response under CERCLA has been implemented, and no further action by responsible parties is appropriate.

#### *State Concurrence To Delete Twin Cities Reserve Air Force Base—SARL*

The State of Minnesota concurred with the deletion of the SARL by letter dated August 28, 1996. U.S. EPA, in consultation with the State of Minnesota, has concluded that the SARL meets the following criteria for site deletion: (1) U.S. EPA and the State of Minnesota have implemented all appropriate response actions required; (2) All appropriate response under CERCLA has been implemented; and (3) the confirmation sampling conducted as follow up to the recommendations in the SARL 1994 Annual Report, verifies that the SARL poses no significant threat to public health or the environment and, therefore, taking of further remedial measures is not appropriate. U.S. EPA and the State of

Minnesota believe that the above listed criteria for deletion have been met.

Subsequently, U.S. EPA is proposing deletion of the Twin Cities Reserve Air Force Base—SARL from the NPL. Documents supporting this action are available at the local information repositories.

#### V. Conclusion

U.S. EPA has determined that all appropriate Fund-financed responses under CERCLA at the Twin Cities Air Force Reserve Base, Small Arms Range Landfill, Minneapolis-St. Paul International Airport 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 SARL be deleted from the NPL.

Dated: August 29, 1996.

Jo Lynn Traub,

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

[FR Doc. 96-23518 Filed 9-13-96; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 96-180; RM-8863]

#### Radio Broadcasting Services; Amargosa Valley, NV

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Amargosa Valley Broadcasters seeking the allotment of Channel 266A to Amargosa Valley, NV, as its first local aural transmission service. Channel 266A can be allotted to Amargosa Valley in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 36-38-38 NL; 116-23-58 WL.

**DATES:** Comments must be filed on or before October 28, 1996, and reply comments on or before November 12, 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: Eric S. Kravetz, Esq., Brown Nietert & Kaufman, Chartered, 1920 N Street, NW., Suite 660, Washington, DC 20036 (Counsel to petitioner).