

ENVIRONMENTAL PROTECTION AGENCY

[OPP-00545; FRL-6025-4]

Waiver of Fees Associated With Tolerance Objections

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: EPA has issued an updated policy concerning waivers of fees associated with filing objections to tolerance actions under the Federal Food, Drug, and Cosmetic Act (FFDCA). The policy is available as a Pesticide Registration (PR) Notice entitled "Waiver of Fees Associated with Tolerance Objections." Interested parties may request a copy of the Agency's policy as set forth in the "ADDRESSES" unit of this document.

ADDRESSES: The PR Notice is available from Jim Tompkins; by mail: Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 239, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 305-5697, e-mail: tompkins.jim@epa.gov.

FOR FURTHER INFORMATION CONTACT: By mail: Jim Tompkins, Environmental Protection Agency (7505C), 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 713B, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 305-5697, fax: 703-305-6920, e-mail: tompkins.jim@epa.gov.

SUPPLEMENTARY INFORMATION:**I. Electronic Availability***A. Internet*

Electronic copies of this document and the draft PR Notice also are available from the EPA Home Page at the **Federal Register**-Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/>).

B. Fax-on-Demand

For Fax-on-Demand, use a faxphone to call 202-401-0527 and select item 6117 for a copy of the PR Notice.

II. Summary of the PR Notice

This **Federal Register** document announces the availability of a Pesticide Registration (PR) Notice which updates EPA's policy concerning waivers of fees associated with filing objections to tolerance actions under the FFDCA. Specifically, EPA's tolerance fees regulations require that objections "shall be accompanied by a fee of

\$3,275." The regulations, however, also provide a procedure to request that EPA "waive or refund part or all of any fee imposed by this section" [§ 180.33(m)]. EPA does not construe these provisions as requiring objectors who believe they are entitled to a waiver of fees to file the specified fee with the objections and thereafter seek a refund. Rather, such a person may file a written request for a waiver of the objection fee with the objection. A fee of \$1,600 must accompany the waiver request unless the objector has no financial interest in the matter objected to. If EPA later determines that a fee waiver is inappropriate, that determination will not affect the timeliness of the filing of the objections; however, further action on the objections will not proceed until the fee has been paid. Failure to pay the fee following denial of a waiver would be grounds for denial of the objections.

III. Public Docket

This document is filed in the Office of Pesticide Programs's Docket Office under docket control number "OPP-00545." The public record is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA. To contact the docket office by mail, telephone, or e-mail: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; (703) 305-5805; e-mail: opp-docket@epamail.epa.gov.

List of Subjects

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

Dated: August 25, 1998.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 98-24035 Filed 9-8-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6158-1]

Notice of Proposed Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act, Clear Creek/Central City Superfund Site, Chase Gulch #1 Priority Location

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: Notification is hereby given of a Proposed Prospective Purchaser Agreement (PPA) associated with the Clear Creek/Central City Superfund Site, Chase Gulch #1 Priority Location located at Millsite 50, Bates Road 222, in the City of Black Hawk, Gilpin County, Colorado. This Agreement is subject to final approval after the comment period. The Prospective Purchaser Agreement would resolve certain potential EPA claims under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), against Roger D. Leclerc, the prospective purchaser (the purchaser).

The settlement would require the purchaser to cleanup the Property to the levels set forth in EPA's Record of Decision and to pay the U.S. Environmental Protection Agency \$2,500. The purchaser intends to use the purchased property for housing and housing for others. The purchaser agreed to provide EPA with an irrevocable right of access to the Site, to conduct all activities in compliance with all applicable local, State, and federal laws and regulations, and to exercise due care at the Site. The purchaser will record a copy of the PPA with the local Recorder's Office, and thereafter, each deed, title, or other instrument conveying an interest in the Property shall contain a notice stating that the Property is subject to the Agreement.

For thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the proposed settlement. The Agency's response to any comments received will be available for public inspection at the Superfund Records Center at the U.S. Environmental

Protection Agency, Region VIII, 999 18th Street, Denver, Colorado, 80202.

DATES: Comments must be submitted on or before October 9, 1998.

ADDRESSES: The proposed settlement is available for public inspection at the U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Denver, Colorado, 80202. A copy of the proposed Agreement may be obtained from Mia Wood, Enforcement Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Denver, Colorado, 80202. Comments should reference the "Clear Creek/Central City Superfund Site, Chase Gulch #1 Priority Location Prospective Purchaser Agreement" and should be forwarded to Paul Rogers, Enforcement Specialist, at the U.S. Environmental Protection Agency, Region VIII, 8ENF-T, 999 18th Street, Denver, Colorado, 80202.

FOR FURTHER INFORMATION CONTACT: Paul Rogers, Enforcement Specialist, U.S. Environmental Protection Agency, Region VIII, 8ENF-T, 999 18th Street, Denver, Colorado, 80202, (303) 312-6356.

Dated: August 28, 1998.

Martin Hestmark,

Acting Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, Region VIII.

[FR Doc. 98-24144 Filed 9-8-98; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[DA 98-1705]

Dispatch Interactive Television Request

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: On August 25, 1998, the Public Safety and Private Wireless Division released a public notice seeking comments on a request made by Dispatch Interactive Television, Inc. (DITV), for a declaratory ruling and waiver of the Commission's IVDS service rules. The waiver was requested to permit DITV to provide one-way voice or data transmission services, including paging services, over an interactive video and data service (IVDS) system it proposes to build in Indianapolis, Indiana.

DATES: Comments are due September 15, 1998 and reply comments are due September 30, 1998.

ADDRESSES: Federal Communications Commission, Room 222, 1919 M St., N.W. Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

James Moskowitz, Wireless Telecommunications Bureau, Public Safety & Private Wireless Division, (202) 418-0680, or via E-mail to "jmoskowi@fcc.gov".

SUPPLEMENTARY INFORMATION:

1. On June 9, 1998, Dispatch Interactive Television, Inc. (DITV), filed a Request for Waiver and Declaratory Ruling of §§ 95.855 and 95.859(a) of the Commission's Rules (Waiver Request). DITV seeks to provide one-way voice or data transmission services, including paging services, over an interactive video and data service (IVDS) system it proposes to build in Indianapolis, Indiana. The Commission now invites comment on this request.

2. DITV holds the B Block IVDS license in the Indianapolis Metropolitan Statistical Area (MSA), call sign KIVD0037. DITV is a wholly owned subsidiary of the Dispatch Printing Company, which in turn holds the license for television Channel 13 in Indianapolis, call sign WTHR. The system outlined by DITV in its Waiver Request contains a single cell transmitter station (CTS) co-located upon the antenna used by WTHR. DITV seeks permission to operate this CTS at up to 250 watts effective radiated power (ERP). Section 95.855 of the Commission's Rules, 47 CFR 95.855, limits the ERP of CTSs to 20 Watts ERP and Section 95.859(a), 47 CFR 95.859(a), further limits the ERP of CTS units to below 20 Watts if their antenna height above average terrain (HAAT) exceeds 36.6 meters. DITV's IVDS transmitter will be placed 212.2 meters HAAT.

3. DITV argues that its Waiver Request should be granted because the rules at issue were intended to ensure that IVDS signals would not interfere with TV Channel 13. DITV maintains that the design of its system eliminates this concern because co-locating the IVDS transmitting antenna with the TV Channel 13 antenna will ensure that the transmitting power disparity between WTHR and the IVDS signal will be maintained throughout WTHR's service area at approximately 10,000 to 1. This, DITV states, will ensure that the IVDS transmissions from the CTS will not interfere with the TV Channel 13 signal.

4. DITV further argues that granting its Waiver Request will serve the public interest by facilitating its efforts to obtain the equipment necessary to build and operate its IVDS system. DITV states that it cannot proceed with the development, manufacture, and purchase of equipment until it determines that the proposed system will be allowed to operate.

5. Interested parties may file comments on DITV's Waiver Request no later than September 15, 1998. Parties interested in submitting reply comments must do so no later than September 30, 1998. All comments should reference DITV's Waiver Request, and File No., DA 98-1705, and should be filed with the Office of Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554. A copy of each filing should be sent to International Transcription Service, Inc. (ITS), 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800 and to James Moskowitz, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, 2025 M Street, N.W., Room 8010, Washington, D.C. 20554.

6. The full text of the petition, comments, and reply comments are 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, 2025 M Street, N.W., Room 8010, Washington, D.C. 20554. Copies may also be obtained from International Transcription Service, Inc. (ITS), 1231 20th Street, N.W., Washington, DC 20036, (202) 857-3800.

7. For further information, contact James Moskowitz of the Public Safety and Private Wireless Division at (202) 418-0680 or via E-Mail at jmoskowi@fcc.gov.

Federal Communications Commission.

D'wana R. Terry,

Division Chief, Public Safety & Private Wireless Division.

[FR Doc. 98-24083 Filed 9-8-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1230-DR]

Iowa; Amendment No. 11 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Iowa, (FEMA-1230-DR), dated July 2, 1998, and related determinations.

EFFECTIVE DATE: August 31, 1998.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency