

3. The approximate amount of time required for the presentation;
4. The issues that will be addressed;
5. A brief statement of the position that will be taken with respect to each issue; and,
6. Whether the party intends to submit documentary evidence and, if so, a brief summary of that evidence.

Mail the notice of intention to appear to: Docket Office, Docket S-042, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210. The telephone number of the Docket Office is (202) 693-2350.

You may also transmit your notice of intention to appear by facsimile to (202) 693-1648 (Attention: Docket S-042), by July 16, 1999, provided that you send an original and 3 copies of the notice to the Docket Office postmarked no more than 3 days later.

Filing of Testimony and Evidence Before the Hearing

If you request more than 10 minutes for your presentation at the hearing, or if you will be submitting documentary evidence, you must provide us with four copies of the complete text of the testimony and documentary evidence. One copy must not be stapled or bound and must be suitable for copying. You must provide the Docket Office with these materials postmarked no later than July 23, 1999.

We will review all testimony and evidence in light of the amount of time requested in the notice of intention to appear. If the information contained in a submission does not justify the amount of time requested, we will allocate a more appropriate amount of time and notify the participant of that fact prior to the informal public hearing.

If you do not submit your materials in accordance with the schedule and other requirements, we may limit your presentation to 10 minutes. We may also ask you to return for questioning at a later time.

Any party who has not filed a notice of intention to appear may be allowed to testify for no more than 10 minutes as time permits, at the discretion of the Administrative Law Judge, but will not be allowed to question witnesses.

Notices of intention to appear, testimony, and evidence will be available for copying at the Docket Office at the address noted above.

Signed at Washington, DC, this 21 day of June 1999.

Charles N. Jeffress,

Assistant Secretary of Labor.

[FR Doc. 99-16142 Filed 6-23-99; 8:45 am]

BILLING CODE 4510-26-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-6364-5]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete Hebelka Auto Salvage Yard site from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region III announces its intent to delete the Hebelka Auto Salvage Yard Site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended. EPA and the Pennsylvania Department of Environmental Protection (PADEP) have determined that all appropriate CERCLA response actions have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and PADEP 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 this site from the NPL may be submitted on or before July 26, 1999.

ADDRESSES: Comments may be submitted to Deanna Moultrie, (3HS21), Project Manager, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania, 19103, (215) 814-5125.

Comprehensive information on this site is available for viewing at the Site information repositories at the following locations: U.S. EPA, Region 3, Public Reading Room, 1650 Arch Street, Philadelphia, PA 19103, (215) 814-3157; Weisenberg Township Building, 2175 Seipstown Road, Fogelsville, PA 18051, (610) 285-6660.

FOR FURTHER INFORMATION CONTACT: Ms. Deanna Moultrie (3HS21), U.S. Environmental Protection Agency, Region 3, 1650 Arch Street, Philadelphia, PA, 19103, (215) 814-5125.

SUPPLEMENTARY INFORMATION:

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- I. Introduction
- II. NPL Deletion Criteria
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- IV. Basis for Intended Site Deletion

I. Introduction

The Environmental Protection Agency (EPA) Region III announces its intent to delete the Hebelka Auto Salvage Yard Site, Lehigh County, Pennsylvania, from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and requests comments on this deletion. The 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 § 300.425(e) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

EPA will accept comments on the proposal to delete this site from the NPL for thirty calendar days after publication of this document in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the Site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that 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 whether any of the following criteria have been met:

(i) EPA, in consultation with PADEP, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA, in consultation with PADEP, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with PADEP, has determined that the release poses no significant threat to public health or the environment and therefore, taking remedial measures is not appropriate.

III. Deletion Procedures

In the NPL rulemaking published on October 15, 1984 (49 FR 40320), the Agency solicited and received comments on whether the notice of comment procedures followed for adding sites to the NPL should also be used before sites are deleted. Comments were also received in response to the amendments to the NCP proposed on February 12, 1985 (50 FR 5862). Deletion of sites from the NPL does not itself create, alter, or revoke any individuals rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management.

EPA Region III will accept and evaluate public comments before making a final decision to delete. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community may be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of this site:

(1) EPA Region III has recommended deletion and has prepared the relevant documents.

(2) PADEP has concurred with the deletion decision.

(3) Local notice will be published in local newspapers and distributed to appropriate federal, state and local officials and other interested parties. This local notice presents information on the site and announces the thirty (30) day public comment period on the deletion package.

(4) The Region has made information supporting the proposed deletion available in the Regional Office and local site information repository.

The comments received during the notice and comment period will be evaluated before the final decision to delete. The Region will prepare a Responsiveness Summary, which will address significant comments received during the public comment period. A deletion will occur after the EPA Regional Administrator places a document in the **Federal Register**. The NPL will reflect any deletions in the final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by Region III.

IV. Basis for Intended Site Deletion

The Hebelka Auto Salvage Yard Superfund Site occupies approximately 20 acres within the headwaters of the Iron Run subdrainage basin in Lehigh County, Pennsylvania. The Site is the location of a former automobile junkyard and salvage operation

involving junk cars, used storage tanks and miscellaneous scrap metals and debris with periods of activity between 1958 and 1979. The Pennsylvania Department of Environmental Resources reported that operations ceased in 1979.

The Site was purchased in 1958 by Mr. and Mrs. Joseph Hebelka, now deceased. The property is currently a part of the estate of Lovie Hebelka. In December 1985, the EPA Region III Field Investigation Team (FIT III) visited the Site for the purpose of conducting a Site Inspection (SI). The SI revealed the presence of two battery piles at the Site, termed the eastern pile and the western pile. The major contaminant identified at this site was lead in soils downgradient from the battery piles. The Site was proposed for inclusion on the Superfund National Priorities List on June 1, 1986 and finalized on that list on August 21, 1987.

Operable Unit 1 (OU1) addressed the areas of the Site with lead in soil concentrations above 560 mg/kg and the piles of scrap battery casings lying on top of these soil areas. Operable Unit 2 (OU2) addressed the soils outside of this high concentration area, the air in the vicinity of the Site, the groundwater in the vicinity (including nearby home well water), the nearby stream water and the stream sediments.

A Remedial Investigation and Feasibility Study (RI/FS) was conducted between March 1987 and July 1991 to define the nature and extent of contamination and to identify alternatives for remediating the Site conditions. Remedies for the Operable Units were selected and described in separate Records of Decision (ROD). ROD 1 was issued March 31, 1989 for OU1 and ROD 2 was issued September 30, 1991 for OU2. The remedy selected in ROD 1 was designed to prevent ingestion of lead-contaminated particles and soil in excess of health-based levels by removing them from the Site and treating and/or disposing of them. This was done by removing battery casings and recycling them. Recycling was proven to be impractical so they were disposed of in a RCRA landfill. Soil above health-based risk levels was excavated, stabilized offsite and deposited in a RCRA Subtitle D municipal landfill. Clean soil was then backfilled and revegetated. EPA determined that no further action was necessary at the Site for OU2 because contamination pathways via the site media posed no current or potential threat to human health and the environment. Therefore, the remedy chosen in ROD 1, eliminated the need for further action.

Because the remedies chosen for OU1 and OU2 did not result in hazardous substances remaining onsite above health-based levels, the five-year review process will not apply to this site.

The remedies selected for this site have been implemented in accordance with the Records of Decision. As a result of these remedies, human health threats and potential environmental impacts at this site have been eliminated. EPA and PADEP find that the remedies implemented continue to provide adequate protection of human health and the environment.

EPA, in concurrence with PADEP believes that the criteria stated in section II(i) for deletion of this site has been met. Therefore, EPA is proposing the deletion of this site from the NPL.

Dated: April 19, 1999.

Diana Esher,

Acting Regional Administrator, Region III.

[FR Doc. 99-15833 Filed 6-23-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket Nos. 96-45 and 97-21; FCC 99-49]

Changes to the Board of Directors of the National Exchange Carrier Association, Inc., Federal-State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Further notice of proposed rulemaking.

SUMMARY: In this document, the Commission proposes a method for allocating funds in the event that the Administrator's initial denial of a request for support is reversed by the Administrator or the Commission. The Commission proposes a method for allocating support when there is sufficient funding to support all telecommunications service and Internet access (priority one services) appeals, but not sufficient funding to support all internal connection appeals. The Commission also proposes a method for allocating support in the unlikely event that sufficient funds are not available for all priority one service appeals.

DATES: Comments are due on or before June 30, 1999.

ADDRESSES: All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission,