

**40 CFR Part 300**

[FRL-5458-9]

**National Oil and Hazardous Substances Contingency Plan National Priorities List****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of deletion of Lee's Lane Superfund Site, Louisville, Kentucky from the National Priorities List.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) announces the deletion of the Lees Lane Superfund Site in Louisville, Kentucky, from the National Priorities List (NPL), which is Appendix B of 40 CFR Part 300 of the National Oil and Hazardous Substances Contingency Plan (NCP). EPA and the Commonwealth of Kentucky have determined that all appropriate Fund-financed responses under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, have been implemented and that no further cleanup is appropriate. Moreover, EPA and the Commonwealth of Kentucky determined that response actions conducted at the site to date have been protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** May 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Liza Montalvo, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, North Superfund Remedial Branch, 345 Courtland Street NE., Atlanta, GA 30365, (404) 347-7791, extension 2030.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Lees Lane Landfill Superfund Site, Louisville, Kentucky.

A Notice of Intent to Delete for this site was published on May 16, 1988 (SW-FRL-3380-7). A Revised Notice of Intent to Delete was published on February 14, 1992 (FRL-4102-6). The closing date for comments on the Revised Notice of Intent to Delete was March 16, 1992. EPA received two comment letters, one from the Kentucky Resources Council (KRC) and the other from the Kentucky Natural Resources and Environmental Protection Cabinet (KNREPC). The KRC expressed its opposition to the Site's deletion stating that the remedy was not fully protective of the environment. EPA responded that the selected remedy protected human health and the environment by mitigating human exposures to contaminated Site media, and reducing continued uncontrolled releases to the environment. The KNREPC stated in its

letter that the drums of hazardous waste which were discovered and removed from the Site in March 1992 by KNREPC were apparently left from the original disposal activities but had not been addressed by EPA's response action. EPA replied that such drums were likely placed there in the months preceding their discovery, and were not left on the Site at the close of EPA's response actions, or during the conduct of O&M activities. The KRC and the KNREPC expressed in their respective letters that the scope of waste disposal activities were never fully characterized at the Site. EPA responded that the estimated volume of waste buried at the Site was 2,400,000 yd<sup>3</sup>. EPA also explained the basis for this estimate, and how the Site was characterized. These comments and EPA's responses are documented in more detail in the Responsiveness Summary which is available through the EPA Region 4 public docket located at EPA's Region 4 Office, 345 Courtland, St. N.E., Atlanta, Ga., 30365.

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action in the future. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: March 25, 1996.

Phyllis P. Harris,

*Acting Regional Administrator, USEPA Region 4.*

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757; 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

## Appendix B [Amended]

2. Table 1 of appendix B to part 300 is amended by removing the site Lees Lane Landfill, Louisville, Kentucky.

[FR Doc. 96-10100 Filed 4-24-96; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL EMERGENCY MANAGEMENT AGENCY****44 CFR Part 64**

[Docket No. FEMA-7639]

**List of Communities Eligible for the Sale of Flood Insurance****AGENCY:** Federal Emergency Management Agency (FEMA).**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

**EFFECTIVE DATES:** The dates listed in the third column of the table.

**ADDRESSES:** Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street SW., room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated

in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map. The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

**National Environmental Policy Act**

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act**

The Acting Associate Director certifies that this rule will not have a

significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U. S. C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

**Regulatory Classification**

This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

**Paperwork Reduction Act**

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

**Executive Order 12612, Federalism**

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

**PART 64—[AMENDED]**

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 64.6 [Amended]**

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date
<b>New Eligibles—Emergency Program</b>			
Michigan: Green, charter township of, Mecosta County	260951		Mar. 11, 1996
New York: Victor, village of, Ontario County .....	361648		Mar. 12, 1996
Nebraska:			
Nuckolls County, unincorporated areas .....	310461		Mar. 20, 1996
Thayer County, unincorporated areas .....	310479	.....do .....	
Texas: Angelina County, unincorporated areas .....	480007	Mar. 29, 1996 .....	May 22, 1979.
Michigan: Reading, township of, Hillsdale County .....	260410	Mar. 27, 1996 .....	Oct. 28, 1977.
<b>New Eligibles—Regular Program</b>			
Mississippi: Itawamba County, unincorporated areas ...	280290	Mar. 12, 1996 .....	Sept. 4, 1991.
Illinois: Crawford County, unincorporated areas .....	170939	Mar. 14, 1996 .....	June 3, 1986.
Florida:			
Ebro, town of, Washington County .....	120629	Mar. 19, 1996 .....	June 17, 1991.
Esto, town of, Holmes County .....	120630	.....do .....	Dec. 5, 1990.
Noma, town of, Holmes County .....	120631	.....do .....	Do.
<b>Reinstatements</b>			
Pennsylvania: White Oak, borough of, Allegheny County.	420089	Jan. 30, 1975, Emerg; Sept. 14, 1979, Reg; Oct. 4, 1995, Susp; Mar. 8, 1996 Rein.	Oct. 4, 1995.
New York:			
Plainfield, town of, Otsego County .....	361278	May 13, 1977, Emerg; Nov. 4, 1983 Reg; Nov. 4, 1992 Susp; Mar. 12, 1996 Rein.	Nov. 4, 1983.
Taylor, town of, Cortland County .....	361330	May 19, 1977, Emerg; May 15, 1985 Reg; June 15, 1988 Susp; Mar. 12, 1996 Rein.	May 15, 1985.
Pennsylvania: West Mifflin, borough of, Allegheny County.	420085	Aug. 7, 1974, Emerg; Feb. 15, 1980, Reg; Oct. 4, 1995, Susp; Mar. 13, 1996, Rein.	Oct. 4, 1995.
Florida: Ponce de Leon, town of, Holmes County .....	120117	Oct. 30, 1975, Emerg; Dec. 5, 1990, Reg; Dec. 5, 1990, Susp; Mar. 19, 1996, Rein.	Dec. 5, 1990.
Minnesota: St. Vincent, city of, Kittson County .....	270232	Dec. 17, 1974, Emerg; Sept. 2, 1982, Reg; June 2, 1994, Susp; Mar. 19, 1996, Rein.	Sept. 2, 1982.

State/location	Community No.	Effective date of eligibility	Current effective map date
West Virginia: Newburg, town of, Preston County .....	540268	June 9, 1975, Emerg; Aug. 1, 1987, Reg; Aug. 1, 1987, Susp; Mar. 19, 1996, Rein.	Aug. 1, 1987.
New York: Leicester, village of, Livingston County .....	361456	Sept. 15, 1980, Emerg; Aug. 27, 1982, Reg; June 15, 1988, Susp; Mar. 21, 1996 Rein.	Aug. 27, 1982.
West Virginia: Paw Paw, town of, Morgan County .....	540252	Oct. 2, 1975, Emerg; Nov. 2, 1984, Reg; Mar. 5, 1996, Susp; Mar. 22, 1996, Rein.	Mar. 5, 1996.
Nebraska: Elgin, city of, Antelope County .....	310002	Apr. 18, 1975, Emerg; June 17, 1986, Reg; June 17, 1986, Susp; Mar. 29, 1996, Rein.	June 17, 1986.

**Regular Program Conversions**

<b>Region VI</b>			
Texas: Terrell, city of, Kaufman County .....	480416	Mar. 4, 1996, Suspension Withdrawn .....	Mar. 4, 1996.
<b>Region II</b>			
New York: Clarence, town of, Erie County .....	360232	Mar. 5, 1996, Suspension Withdrawn .....	Mar. 5, 1996.
<b>Region III</b>			
Pennsylvania: North Charleroi, borough of, Washington County.	422137	.....do .....	Do.
West Virginia:			
Bath, town of, Morgan County .....	540005	.....do .....	Do.
Morgan County, unincorporated areas .....	540144	.....do .....	Do.
<b>Region V</b>			
Indiana: Tipton, city of, Tipton County .....	180255	.....do .....	Do.
Michigan:			
Plymouth, city of, Wayne County .....	260236	.....do .....	Jan. 5, 1996.
Plymouth, charter township of, Wayne County .....	260237	.....do .....	Do.
Minnesota:			
Aitkin County, unincorporated areas .....	270628	.....do .....	Feb. 2, 1996.
Hopkins, city of, Hennepin County .....	270166	.....do .....	Dec. 19, 1995.
Wisconsin:			
Cadott, village of, Chippewa County .....	550043	.....do .....	Mar. 5, 1996.
Dane County, unincorporated areas .....	550077	.....do .....	Do.
Madison, city of, Dane County .....	550083	.....do .....	Do.
Middleton, city of, Dane County .....	550087	.....do .....	Do.
<b>Region VI</b>			
Louisiana: Duson, town of, Lafayette County .....	220104	.....do .....	Feb. 2, 1996.

**Notice—New Eligible—Regular Program**

The Township of Pembina, North Dakota is participating in the Regular Program under Pembina County's application effective March 12, 1996. Pembina County's Community Identification Number is 380079.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: April 18, 1996.

Richard W. Krimm,  
Acting Associate Director, Mitigation  
Directorate.

[FR Doc. 96-10237 Filed 4-24-96; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR PARTS 1 and 73**

[FCC 96-172]

**Implementation of Sections 204(a) and 204(c) of the Telecommunications Act of 1996 (Broadcast License Renewal Procedures)**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final Rule,

**SUMMARY:** The Commission is implementing Sections 204(a) and 204(c) of the Telecommunications Act of 1996, which eliminate comparative renewal hearings for broadcast applications filed after May 1, 1995 and direct the Commission to grant a broadcaster's renewal application if statutory renewal standards are met. The action is necessary in order to conform the Commission's rules to Section 204(a) and (c) of the Telecommunications Act, and the intended effect of the action is to conform the rules to those statutory provisions.

**EFFECTIVE DATE:** April 25, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mania K. Baghdadi, Mass Media Bureau, Policy and Rules Division (202) 418-2130.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Order (In the Matter of Implementation of Sections 204(a) and 204(c) of the Telecommunications Act of 1996 (Broadcast Renewal Procedures)), adopted April 12, 1996, and released April 12, 1996. The complete text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

**Synopsis of Order**

1. This Order implements Sections 204(a) and 204(c) of the Telecommunications Act of 1996 ("Telecom Act") [Pub. L. No. 104-104,