

A statutory five-year review of the remedy was conducted in 1993. Because the remedial action was not complete, EPA recommended that another five-year review be conducted by November 22, 1998.

EPA, with concurrence of FDEP, has determined that all appropriate actions at the Northwest 58th Street Landfill Site have been completed, and that no further remedial action is necessary. Therefore, EPA is proposing deletion of the Site from the NPL.

Dated: July 18, 1996.

A. Stanley Meiburg,

Acting Regional Administrator, USEPA
Region IV.

[FR Doc. 96-19432 Filed 8-1-96; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3600, 3610, and 3620

[WO-420-1050-00-24 1A]

RIN 1004-AC68

Mineral Materials Disposal

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Land Management (BLM) proposes to amend the mineral materials sales regulations by accepting qualified certificates of deposits as surety bonds, and by changing bonding requirements for sales of \$2,000 or more. For such sales, the current rule sets the bond amount at \$500 or 20 per cent of the contracted price, whichever is greater. The new rule will be more flexible. The bond will be set at 5 percent of the contract value plus an amount large enough to meet the anticipated reclamation work. The rule still requires \$500 as the minimum amount for the bond. The rule makes the bond amount more realistic and ensures that the amount of bond is adequate to accomplish the projected reclamation work. Other changes simplify certain paragraphs by amending or removing confusing language.

DATES: Comments on the proposed rule must be received by September 3, 1996 to be assured of consideration. Comments received or postmarked after this date may not be considered in the preparation of the final rule.

ADDRESSES: Comments should be sent to: Director (420), Bureau of Land Management, Room 401 LS, 1849 C

Street NW., Washington, DC 20240, or the Internet address:

WoComment@WO0033wp.wo.blm.gov [For Internet, please include "ATTN: AC68", and your name and return address.] You may also hand deliver comments to the Bureau of Land Management Administrative Record, Room 401, 1620 L Street NW., Washington, DC.

Comments will be available for public review at the L Street address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Dr. Durga N. Rimal, Resource Use and Authorization Team, at (202) 452-0350.

SUPPLEMENTARY INFORMATION: The proposed rule would amend 43 CFR Group 3600, subpart 3602, part 3610, and Part 3620 in order to simplify certain paragraphs by amending or removing confusing language. Changes proposed on bonding (§ 3610.1-5) will reduce unnecessary financial burden to some operators, while assuring that the amount of bond required is not less than that projected for the reclamation work. Certificates of deposit issued by Federally insured financial institutions would be acceptable as bonds. Such certificates of deposit would be held by the BLM. Accrued interest would be returned to the purchaser.

The principal author of this proposed rule is Dr. Durga N. Rimal of the Resource Use and Authorization Team, assisted by the Regulatory Management Team, BLM.

BLM has determined that this proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment, and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required. The BLM has determined that this proposed rule is categorically excluded from further environmental review pursuant to 516 Departmental Manual (DM), Chapter 2, Appendix 1, Item 1.10, and that the proposal would not significantly affect the ten criteria for exceptions listed in 516 DM 2, Appendix 2. Pursuant to the Council of Environmental Quality regulations (40 CFR 1508.4) and environmental policies and procedures of the Department of the Interior, "categorical exclusions" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency and for which neither an environmental

assessment nor an environmental impact statement is required.

The proposed rule would have little effect on costs or prices for consumers, nor would there be a need for increasing Federal, State, or local agency budget or personnel requirements. The proposed rule will not have a gross annual effect on the economy of more than \$100 million, nor will it cause major increases in costs or prices for any private or government section of the economy.

The Department has determined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities. The BLM issues or manages an estimated 2,500 mineral materials sales contracts per year, valued at \$4.4 million. The percentage of small entities involved in these contracts is unknown. Small entities such as subcontractors and local construction companies as well as larger companies buy mineral materials. The proposal favors no demographic group, imposes no direct or indirect costs on small entities, and does not change the application process and requirements of contract issuance, which do not favor or disfavor small entities.

The Department certifies that this proposed rule does not represent a governmental action capable of interference with constitutionally protected property rights. The rule will result in no taking of private property. As required by Executive Order 12630, the Department of the Interior has determined that the rule will not cause a taking of private property.

BLM has submitted the information collection requirement contained in this rule to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 *et seq.* The collection of this information would not be required until it has been approved by the Office of Management and Budget.

List of Subjects for 43 CFR Parts 3600, 3610, 3620

Government contracts, Public lands-mineral resources, Appraisal, Reporting and recordkeeping requirements, Surety bonds.

Under the authorities of the Materials Act of July 31, 1947, as amended (30 U.S.C. 601, 602), Parts 3600, 3610, and 3620, Group 3600, subchapter C, chapter II, subtitle B, title 43 of the Code of Federal Regulations is proposed to be amended as follows:

PART 3600—MINERAL MATERIALS DISPOSAL; GENERAL

1. The authority citation for 43 CFR part 3600 continues to read as follows:

Authority: 30 U.S.C. 601, 602.

Subpart 3602—Disposal of Mineral Materials: General

2. Section 3602.1–3 is revised to read as follows:

§ 3602.1–3 Approval and modification of mining and reclamation plans.

(a) After reviewing the mining and reclamation plans, the BLM will promptly notify the applicant of any deficiencies in the plans and will recommend the changes necessary to prevent unnecessary or undue degradation of the lands, and hazards to public health and safety. Mining and reclamation plans as approved, will be attached to, and made a part of the contract or permit.

(b) The permittee's operation must not deviate from the plan approved by the BLM.

(c) The BLM and the permittee may agree to modify an approved mining or reclamation plan to adjust to changed conditions, or to correct any oversight that could result in unnecessary or undue degradation. Any change must be consistent with the requirements of § 3601.1–3.

(d) When a permittee requests to change an approved mining or reclamation plan, the BLM will review the proposed modification and within 30 days will notify the permittee of its approval, needed changes, or denial.

PART 3610—SALES

3. The authority citation for 43 CFR part 3610 is revised to read as follows:

Authority: 30 U.S.C. 601, 602.

Subpart 3610—Mineral Material Sales

4. Section 3610.1–2 is amended by revising paragraph (b) to read as follows:

§ 3610.1–2 Appraisal, reappraisal and measurements.

* * * * *

(b) Two years after the contract or reappraisals the BLM may reappraise the value of mineral materials disposed of and adjust the contract price accordingly.

* * * * *

5. Section 3610.1–5 is amended by revising the heading and paragraph (a), amending paragraphs (b) by removing the phrase "reclamation or" and (c) introductory text by removing the phrase "and reclamation", revising

paragraphs (c)(2) and (c)(3), and adding new paragraph (c)(4), to read as follows:

* * * * *

§ 3610.1–5 Performance bond.

(a) The BLM will require, for contracts of \$2,000 or more, a performance bond of:

(1) at least 5 percent of total contract value, plus; and

(2) an amount large enough to meet the reclamation standards provided for in the contract or permit, but at least \$500. Where contract sales or permits are made from a community pit and a reclamation fee is paid by the permittee, BLM will not require this sum for reclamation for the bond amount.

* * * * *

(c) * * *

(2) Certificate of deposit which:

(i) Is issued by a financial institution whose deposits are Federally insured;

(ii) Does not exceed the maximum insurable amount set by Federal Deposit Insurance Corporation;

(iii) Is made payable or assigned to the United States;

(iv) Grants the BLM authority to demand immediate payment for failure to meet the terms and conditions of the contract or permit;

(v) Indicates that the BLM's approval is required before any party can redeem it; and

(vi) Otherwise conforms to BLM's instructions as found in the contract terms.

(3) Cash bond, with a power of attorney to the BLM to convert it upon the permittee's failure to meet the terms and conditions of the contract or permit; or

(4) Negotiable Treasury bond of the United States of a par value equal to the amount of the required bond, together with a power of attorney to the BLM to sell it upon the permittee's failure to meet the terms and conditions of the contract or permit.

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§ 3610.3–2 [Amended]

6. In § 3610.3–2 paragraph (a) (7) is amended by removing the term "require" and adding in its place "required".

PART 3620—FREE USE

7. The authority citation for 43 CFR part 3620 is revised to read as follows:

Authority: 30 U.S.C. 601, 602.

8. Sec. 3621.1–6 is revised to read as follows:

* * * * *

§ 3621.1–6 Performance bond.

The BLM may require a bond to guarantee faithful performance of the provisions of the permit and applicable regulations.

Dated: July 8, 1996.

Sylvia V. Baca,

Deputy Assistant Secretary for Land and Minerals Management.

[FR Doc. 96–18945 Filed 8–1–96; 8:45 am]

BILLING CODE 4310–84–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 20

[CC Docket No. 94–102; FCC 96–264]

Enhanced 911 Emergency Calling Systems

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission adopts a Report and Order and Further Notice of Proposed Rulemaking regarding the availability of the advanced emergency capabilities of E911 systems to wireless service providers and customers. The Report and Order portion of this decision is summarized elsewhere in this issue of the Federal Register. The Further Notice of Proposed Rulemaking (FNPRM) seeks comment on a variety of relevant issues. The Commission also tentatively concludes that covered carriers should continue to upgrade and improve 911 service to increase its accuracy, availability, and reliability, and that a consumer education program should be initiated to inform the public of the capabilities and limitations of 911 service. This action is taken to ensure that E911 system performance keeps pace with the latest technologies.

DATES: Comments are due on or before August 26, 1996, and reply comments are due on or before September 10, 1996. Written comments by the public on the proposed and/or modified information collections are due by August 26, 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 October 1, 1996.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. 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, DC 20554, or via the