

Bureau of Prisons will contact the Parole Commission for an emergency determination prior to release of the prisoner, and a determination will be entered the same day the prisoner is released. Otherwise, a *nunc pro tunc* order will be entered.

In order to avoid minor disputes over the period and conditions of supervised release becoming grounds for an appeal to a U.S. Court of Appeals, the amended regulation permits the Commission to act upon a petition for a more favorable decision within a 60-day deadline from the date the determination is issued.

Public comment is expressly invited, especially from those who practice before the Commission, both in regard to the specific amendments published today, and in regard to any improvements or modifications in the Commission's pre-hearing procedures in transfer treaty cases that might be advisable.

#### Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

#### List of Subjects in 28 CFR Part 2

Administrative practice and procedure, probation and parole, prisoners.

#### The Interim Rule

Accordingly, the U.S. Parole Commission makes the following changes to 28 CFR Part 2:

(1) The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

#### § 2.62 [Amended]

(2) 28 CFR Part 2, § 2.62(e) is revised to read as follows:

#### § 2.62 Prisoners transferred pursuant to treaty.

\* \* \* \* \*

(e) *Special Transferee Hearing.* A special transferee hearing shall be conducted within 180 days from the transferee's entry into the United States, or as soon as is practicable following completion of the postsentence report along with any corrections or addendum to the report and appointment of counsel for an indigent transferee.

(1) *Waivers.* The transferee may waive the special transferee hearing on a form provided for that purpose, and the Commission may either: (A) set a release date that falls within 60 days of receipt of the waiver and establish a period and conditions of supervised release; or (B) reject the waiver and schedule a hearing.

(2) *Short-term Cases.* In the case of a transferee who has less than six months from the date of his entry into the United States to his release date as calculated by the Bureau of Prisons under 18 U.S.C. 4105, the Commission may, without conducting a hearing or awaiting a waiver, set a release date and a period and conditions of supervised release. In such cases, the period of supervised release shall not exceed the minimum necessary to satisfy the applicable sentencing guideline (but may extend to the full-term of the foreign sentence if such period is shorter than the minimum of applicable sentencing guideline). The transferee may petition the Commission for a more favorable decision within 60 days of the Commission's determination, and the Commission may act upon the petition regardless of whether or not the transferee has been released from prison.

\* \* \* \* \*

Dated: October 10, 1996.

Edward F. Reilly, Jr.,  
Chairman, U.S. Parole Commission.

[FR Doc. 96-26655 Filed 10-16-96; 8:45 am]

BILLING CODE 4410-01-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Parts 90 and 174

#### Revitalizing Base Closure Communities; Redesignation of Parts

AGENCY: Department of Defense.

ACTION: Final rule.

**SUMMARY:** This final rule amends subchapter G to identify base closure and realignment documents and redesignates part 90 on revitalizing base closure communities as part 174.

**EFFECTIVE DATE:** October 17, 1996.

**FOR FURTHER INFORMATION CONTACT:** L.M. Bynum, 703-697-4111.

#### SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Parts 90 and 174

Community development, Environmental protection, Government employees, Homeless, Military

personnel, Surplus Government property.

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR chapter I is amended as follows:

1. The heading of subchapter G is revised to read as follows:

#### Subchapter G—Closures and Realignment

#### PART 90—[REDESIGNATED AS] PART 174

2. Part 90 is redesignated as part 174 and added to subchapter G.

Dated: October 9, 1996.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 96-26381 Filed 10-16-96; 8:45 am]

BILLING CODE 5000-04-M

#### Base Closure Communities; Redesignation of Parts

#### 32 CFR Parts 91 and 175

AGENCY: Department of Defense.

ACTION: Final rule.

**SUMMARY:** This administrative amendment is published to redesignate regulations on base closure communities in part 91 as part 175, to be included under the Closures and Realignment subchapter.

**EFFECTIVE DATE:** October 17, 1996.

**FOR FURTHER INFORMATION CONTACT:**

L.M. Bynum, 703-697-4111.

#### SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Parts 91 and 175

Community development, Environmental protection, Government employees, Homeless Military personnel, Surplus Government property.

#### PART 91—[REDESIGNATED AS] PART 175

Accordingly, 32 CFR part 91 is redesignated as part 175, added to subchapter G, and amended as follows:

1. The authority citation for newly redesignated part 175 continues to read as follows:

Authority: 10 U.S.C. 2687 note.

#### § 175.1 [Amended]

2.-3. Section 175.1 is amended by revising "part 90" to read "part 174".

#### § 175.6 [Amended]

4. Section 175.6(b) is amended by revising "\$ 90.5" to read "\$ 174.5".

**§ 175.7 [Amended]**

5. Section 175.7 is amended in paragraph (f)(1) by revising "91.7(e)" to read "175.7(e)".

Dated: October 9, 1996.

L.M. Bynum,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 96-26415 Filed 10-16-96; 8:45 am]

BILLING CODE 5000-04-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-5635-2]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of deletion of the Oak Grove Sanitary Landfill, Minnesota from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of the Oak Grove Sanitary Landfill from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Minnesota have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of Minnesota have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** October 17, 1996.

**FOR FURTHER INFORMATION CONTACT:** Timothy Prendiville, Remedial Project Manager, Office of Superfund, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604, (312) 886-5122. The comprehensive information on the site is available at the local information repository located at: Oak Grove Township Hall, Cedar, MN. and the St. Francis Branch of the Anoka Public Library, St. Francis, MN. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. Address for the Regional Docket Office is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Oak Grove Sanitary Landfill, Minnesota. A Notice of Intent to Delete for this site was published in the Federal Register on July 29, 1996, at 61 FR 39383. The closing date for comments on the Notice of Intent to Delete was August 27, 1996. EPA received no comments and therefore has not prepared a Responsiveness Summary.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. 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. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. 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 substances, Hazardous Waste, Intergovernmental relations, Penalties, Reporting and record keeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 30, 1996.

David A. Ullrich,

*Acting Regional Administrator, U.S. EPA, Region 5.*

### PART 300—[AMENDED]

1. 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 "Oak Grove Sanitary Landfill, Minnesota".

[FR Doc. 96-26190 Filed 10-16-96; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 22

[DA 96-1574]

#### Public Mobile Services; Non-Substantive Editorial Revisions

**AGENCY:** Federal Communications Commission.

**ACTION:** Corrections to final rules.

**SUMMARY:** This Order contains non-substantive corrections to various final rules included in Part 22 of the Commission's Rules on Public Mobile Services (47 CFR Part 22).

**EFFECTIVE DATE:** October 17, 1996.

**FOR FURTHER INFORMATION CONTACT:** Jane Hinckley Halprin, Wireless Telecommunications Bureau, Commercial Wireless Division, (202) 418-0620.

#### SUPPLEMENTARY INFORMATION:

##### Background

This Order corrects clerical errors that currently appear in Part 22 of the Commission's Rules, 47 CFR Part 22. The affected sections are Section 22.99, 22.105, 22.317, 22.355, 22.357, 22.369, 22.409, 22.507, 22.621 and 22.509.

##### Need for Correction

As published, these final rule contains clerical errors that may prove to be misleading and are in need of clarification.

##### List of Subjects in 47 CFR Part 22

Communications common carriers, Communications equipment, Radio.

##### Correction of Publication

Part 22 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

### PART 22—PUBLIC MOBILE SERVICES

The authority citation for Part 22 continues to read as follows:

Authority: Sections 4, 303, 309 and 332, 48 Stat. 1066, 1082, as amended, 47 U.S.C. 154, 303, 309 and 332, unless otherwise noted.

#### § 22.99 [Amended]

2. In § 22.99, in the definition for the term "Frequency", remove the third occurrence of the word "of".

3. § 22.105 is amended by revising the first sentence of the introductory paragraph and Table B-1 to read as follows:

#### § 22.105 Written applications, standard forms, microfiche, magnetic disks.

Except for authorizations granted under the emergency conditions set forth in section 308 of the Communications Act of 1934, as amended (47 U.S.C. 308), the FCC may