

production and for non-residential turfgrass. These uses are very minor and applied at only 0.5 lbs per acre. These uses will therefore not significantly add to the aggregate exposure.

Rhone-Poulenc concludes that consideration of a common mechanism of toxicity is not appropriate at this time since there is no reliable data to indicate that the toxic effects caused by Bromoxynil would be cumulative with those of any other compound. Based on this point, Rhone-Poulenc has considered only the potential risks of Bromoxynil in its exposure assessment.

C. Safety Determination

1. DRES-U.S. Population, Infants, Children (1-6 years old)

a. *General U.S. population.* Using the stated EPA RfD for bromoxynil of 0.015 mg/kg/day and the conservative assumptions stated above, and based on the completeness of the toxicology database, it has been determined that aggregate exposure to Bromoxynil will use 2.4% of the RfD for the US population. This is assuming that 100% of the acres for each crop for which a tolerance has been established (including transgenic cotton) was treated and the residue found was at the tolerance level. If one assumes market share values this number is decreased to 1.4%.

b. *Infants and children (1-6 years old).* The Food Quality Protection Act of 1996 provides that an additional safety factor for infants and children may be applied in the case of threshold effects. The NOEL/LEL of 1.5 mg/kg/day in the chronic dog study, on which the RfD is based, is already lower than the NOELs from the developmental and reproductive toxicity studies. Rhone-Poulenc concludes that an adequate margin of safety is therefore provided by the current RfD. Using the stated EPA RfD for Bromoxynil of 0.015 mg/kg/day and the conservative assumptions stated above, it has been determined that aggregate exposure to Bromoxynil will use 2.3% for infants and 4.9% for children under 6 years old. This is assuming that 100% of the acres for each crop for which a tolerance has been established (including transgenic cotton) was treated and the residue found was at the tolerance level. If one assumes market share values these values are decreased to 1.8% for infants and 2.8% for children under 6 years old.

c. *Additional Comments on Safety to Infants and Children.* In assessing the potential for additional sensitivity of infants and children to residues of Bromoxynil, the available teratology and reproductive toxicity studies and the potential for endocrine modulation by

Bromoxynil were considered. Developmental toxicity studies in three species indicates that Bromoxynil is not a teratogen at doses that are not maternally toxic. Two multi-generation rodent reproduction studies demonstrated that there were no adverse effects on reproductive performance, fertility, fecundity, pup survival, or pup development. Maternal and developmental NOELs and LOELs were comparable indicating no increase susceptibility of developing organisms. No evidence of endocrine effects were noted in any study. Rhone-Poulenc concludes it is therefore concluded that Bromoxynil poses no additional risk for infants and children and no additional uncertainty factor is warranted.

d. *Environmental Fate.* Extensive laboratory and field studies indicate that bromoxynil has little tendency to move within or persist in soil or water under field conditions. Once in contact with soil, bromoxynil rapidly degrades. An average half-life of 3-7 days for bromoxynil has been demonstrated under field conditions. The soil breakdown process begins almost immediately and involves hydrolysis, dehalogenation, as well as other complex metabolic pathways carried out by soil bacteria and other microorganisms.

II. Administrative Matters

Interested persons are invited to submit comments on this notice of filing. Comments must bear a notation indicating the document control number, [PF-681]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above from 8:30 a.m. to 4 p.m., Monday through Friday, except legal holidays.

A record has been established for this notice of filing under docket number [PF-681] including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, except legal holidays. The public record is located in Rm. 1132 of the Public Response and Program resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:
opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this notice of filing, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

List of Subjects

Environmental Protection, Administrative practice and procedure, Agricultural commodities, Pesticide and pest, Reporting and recordkeeping requirements.

Dated: December 13, 1996.

Peter Caulkins,
Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 96-32530 Filed 12-23-96; 8:45 am]
BILLING CODE 6560-50-F

[FRL-5669-6]

Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act; Sussex County Landfill No. 5 Superfund Site

AGENCY: Environmental Protection Agency (EPA).

ACTION: Request for public comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative cost recovery settlement concerning the Sussex County Landfill No. 5 Superfund Site, Laurel, Sussex County, Delaware (Proposed Settlement).

The Proposed Settlement with Sussex County, Delaware (Settling Party) has been approved by the Attorney General, or her designee, of the United States Department of Justice. The Proposed Settlement was signed by the Regional Administrator of the U.S. Environmental Protection Agency (EPA), Region III, on December 13, 1996, pursuant to Section 122(h) of CERCLA,

42 U.S.C. 9622, and is subject to review by the public pursuant to this notice. The Proposed Settlement resolves EPA's claim for past response costs under Section 107 of CERCLA, 42 U.S.C. 9607, against the Settling Party, and requires the Settling Party to make two payments of EPA's past response costs totalling \$381,536.23. The first payment of \$335,524.81 represents reimbursement EPA's costs to oversee the Settling Party's conduct of the Remedial Investigation at the Site. That amount does not include \$8,596.80 in EPA's oversight costs attributable to start-up costs to oversee the Settling Party's conduct of a Feasibility Study, the preparation of which EPA determined not to be necessary. The second payment of \$46,011.42 represents a partial reimbursement of other unreimbursed past costs incurred by EPA in connection with the Site as set forth in the EPA Financial Management System as of October 5, 1994.

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement. EPA will consider all comments received and may withdraw or withhold consent to the proposed settlement if such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. EPA's response to any written comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107.

DATES: Comments must be provided on or before January 23, 1997.

ADDRESSES: The proposed settlement agreement is available for public inspection at the U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107. A copy of the proposed settlement agreement may be obtained from Suzanne Canning, Regional Docket Clerk (3RC00), U.S. Environmental Protection Agency, 841 Chestnut Building, Philadelphia, PA 19107; telephone number (215) 566-2476. Comments should reference the "Sussex County Landfill No. 5 Superfund Site" and "EPA Docket No. III-96-72-DC" and should be forwarded to Suzanne Canning at the above address.

FOR FURTHER INFORMATION CONTACT: Michael A. Hendershot (3RC33), (215) 566-2641, U.S. Environmental Protection Agency, 841 Chestnut Street, Philadelphia, Pennsylvania 19107.

Dated: December 13, 1996.

W. Michael McCabe,

Regional Administrator, U.S. Environmental Protection Agency, Region III.

[FR Doc. 96-32661 Filed 12-23-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[DA 96-1958; Report No. AUC-96-13-A, as corrected by Report No. AUC-96-13-B, and as modified by Report No. AUC-96-13-C]

Auction Notice and Filing Requirements for 981 Interactive Video and Data Service (IVDS) Licenses, Scheduled for February 18, 1997

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Wireless Telecommunications Bureau announced the application procedures for the upcoming IVDS auction (Auction #13) in a Public Notice dated December 4, 1996, corrected on December 10, 1996, and modified on December 17, 1996. The auction is scheduled to begin on February 18, 1997 and will consist of 981 licenses: two licenses in each of the 428 RSAs in the United States, plus 125 selected MSA licenses. The purpose of the notice is to inform the general public of the auction procedures the Commission will utilize in Auction #13 and the filing requirements to become an eligible bidder.

FOR FURTHER INFORMATION CONTACT: Ruby Hough, Howard Griboff, or Christina Eads Clearwater, Wireless Telecommunications Bureau, at (202) 418-0660.

SUPPLEMENTARY INFORMATION:

I. Introduction

1. Licenses to Be Auctioned: 981 licenses to provide Interactive Video and Data Service ("IVDS"). The auction will consist of two licenses (Frequency Blocks "A" and "B") in each of the 428 Rural Service Areas ("RSA") in the United States, plus 125 Metropolitan Statistical Area ("MSA") licenses where winning bidders from a previous auction have been found to be in default. MSAs and RSA correspond with cellular radio service areas. Each license authorizes service on 500 kilohertz of spectrum (218.0-218.5 or 218.5-219.0 MHz) in each service area:

Frequency Block A: 218.0-218.5 MHz
Frequency Block B: 218.5-219.0 MHz

A list of licenses subject to auction is provided in Attachment A.

2. Auction Date: The auction will commence on Tuesday, February 18, 1997. The precise schedule for bidding will be announced by public notice at least one week before the start of the auction. Unless otherwise announced, bidding will be conducted on each business day until bidding has stopped on all licenses.

3. Auction Number: This is the thirteenth spectrum auction the FCC has conducted, and will be referred to as Auction No. 13.

4. Bidding Methodology: Simultaneous multiple round bidding. Bidding will be permitted only from remote locations, either electronically (by computer) or telephonically.

5. Pre-Auction Deadlines:

* Short-Form Application (FCC Form 175):

Tuesday, January 21, 1997, 5:30 p.m. EST

* Upfront Payments:

Wire Transfer: Monday, February 3, 1997, 6:00 p.m. EST

Cashier's Check: Monday, February 3, 1997, 11:59 p.m. EST

* Orders for Remote Bidding Software:

Tuesday, February 4, 1997, 5:30 p.m. EST

* Mock Auction:

Wednesday and Thursday, February 12-13, 1997

6. Telephone Contacts:

* FCC Wireless Consumer Assistance Branch: 800-322-1117 (Bidder Information Packages/General Auction Information)

* FCC Technical Support Hotline: 202-414-1250

7. List of Attachments:

* Attachment A: List of Licenses Offered

* Attachment B: Electronic Filing of FCC Form 175

* Attachment C: Guidelines for Completing FCC Form 175 and Exhibits

* Attachment D: Summary Listing of Documents from the Commission and the Wireless Telecommunications Bureau Addressing Application of the Anti-Collusion Rules

8. Bidder Information Package: More complete details about this auction will be contained in a Bidder Information Package. The FCC will provide one copy free of charge. Additional copies may be ordered at a cost of \$16.00 each, including postage, payable by Visa or Master Card, or by check payable to "Federal Communications Commission" or "FCC." To place an order, please contact the FCC Wireless Consumer Assistance Branch at 800-322-1117. Bidders who do not receive their Packages within two weeks of ordering should contact the Branch.