

C. Remedial Construction Activities

Construction activities were initiated in June 1987 at the site. The construction activities included: (1) Pond water sampling; (2) water evacuation of ponds; (3) solidification and excavation of pond sediments; (4) construction of the RCRA cap; (5) site closure and (6) monitoring well installation.

All of the completion requirements for this site have been met as required by OSWER Directive 9320.2-3C. Confirmatory ground water sampling at the site provides further assurance that the site continues to pose no threat to human health or the environment. The only remaining activity to be performed at the site is minor O&M that is guaranteed by the State of Tennessee.

D. Community Relations Activities

Residents near the Site are aware of activities that have taken place at Gallaway Pits. A public meeting was held on July 21, 1986, to present a summary of the RI/FS process and to explain the proposed remedies for the cleanup of the site. Fact sheets were prepared and distributed to the mailing list. Comments received during the public comment period were addressed in the responsiveness summary of the ROD. Because Gallaway Pits is a companion to the Arlington Blending Site, the residents of the community are kept informed through community relations efforts held concerning the Arlington Blending Site.

E. Summary of Operation and Maintenance

The State of Tennessee will implement the O&M plan that will ensure that the cap remains protective of public health, welfare and the environment. O&M activities will consist of scheduled inspections and periodic maintenance of the exclusion zone and periodic sampling of monitoring wells.

F. How Gallaway Pits Meets NPL Deletion Criteria

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on the NPL where no further response is appropriate. EPA, in consultation with the State of Tennessee, has concluded that the Gallaway Pits Site meets the following criteria for site deletion:

- (i) All appropriate fund-financed response actions have been implemented; and
- (ii) All appropriate response under CERCLA has been implemented.

G. State Concurrence to Delete Gallaway Pits Site

Refer to Attachment I.

EPA, in consultation with the State of Tennessee, has concluded that the Gallaway Pits Site meets the following criteria for site deletion: (1) EPA and the State of Tennessee have implemented all appropriate response actions required; (2) All appropriate response under CERCLA has been implemented; and (3) the confirmation sampling done after the cap was completed shows that the Gallaway Site poses no significant threat to public health or the environment and, therefore, taking of further remedial measures is not appropriate. EPA and the State of Tennessee believe that the above listed criteria for deletion have been met. Subsequently, EPA is proposing deletion of the Gallaway Pits Site from the NPL. Documents supporting this action are available from the docket.

Dated: February 9, 1996.

Phyllis P. Harris,

Acting Regional Administrator, U.S. EPA Region 4.

[FR Doc. 96-4031 Filed 2-21-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, 21 and 94

[ET Docket No. 95-183; PP Docket No. 93-253; DA 96-144]

Fixed Point-to-Point Microwave Service; 37.0-38.6 GHz and 38.6-40.0 GHz Bands and Implementation of Section 309(j) of the Communications Act—Competitive Bidding

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule; extension of time.

SUMMARY: The Commission grants an extension for filing comments and reply comments in this proceeding on licensing and technical rules for fixed point-to-point microwave operations in the 37.0-38.6 GHz and 38.6-40.0 GHz bands. This action is taken due to the complexity of the issues raised in the NPRM and Order in ET Docket No. 95-183 and PP Docket No. 93-253, FCC 95-500, (January 26, 1996). The intended effect is to allow applicants an extended period of time in which to address the issues presented in the NPRM and Order.

DATES: Comments are to be filed on or before March 4, 1996 and reply comments on or before April 1, 1996.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION, CONTACT: Jennifer Burton, Private Wireless Division, (202) 418-0680.

SUPPLEMENTARY INFORMATION:

1. This is a synopsis of the Commission's Order, DA 96-144, adopted February 9, 1996 and released February 9, 1996. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, NW, Washington, D.C. 20037.

2. By this action, we grant a second extension of time in which to file comments and reply comments in this proceeding. Three parties—GHZ Equipment Company, Inc. ("GEC"), Winstar Wireless Fiber Corporation ("WinStar"), and Fixed Point-to-Point Communications Section, Network Equipment Division of the Telecommunications Industry Association ("TIA")—had requested additional time in response to an Order Extending Time released on January 16, 1996. See 61 FR 2465 (January 26, 1996).

3. By way of background, on January 16, 1996, the Office of Engineering Technology, on its own motion, extended the period of time to file comments and reply comments to February 12, 1996 and February 27, 1996, respectively, because of the closure of the government from mid-December to mid-January due to lack of funding and severe weather conditions. Thus, the following motions for extension of time received by the Commission on or before January 16, 1996, were mooted by the January 16 Order Extending Time: Advanced Radio Technology, Ltd. Motion for Extension of Time (filed January 11, 1996); AT&T Corporation Comments in Support of the Motion for an Extension of Time to File Comments and Reply Comments (filed January 16, 1996); BizTel, Inc. Motion for Extension of Time (filed January 11, 1996); Commco, L.L.C., PLAINCOM, INC., Sintra Capital Corporation, James W. O'Keefe, and Eric Sterman Motion for Extension of Time to File Comments (filed January 16, 1996); Digital Microwave Corporation ("DMC") Motion for Extension of Time (filed January 11, 1996); DMC Motion for Extension of Time (filed January 16, 1996); Thomas Domencich, Milliwave Limited Partnership, Columbia Capital

Corporation, Columbia Millimeter Communications, L.P., and Microwave Partners Emergency Joint Motion for Extension of Time to File Comments and Reply Comments (filed January 11, 1996); TIA Motion for Extension of Time (filed January 11, 1996); WinStar Motion for Extension of Time (filed January 16, 1996).

4. GEC's Motion, filed January 17, 1996, requests that the Commission extend the deadline for filing comments (currently February 12, 1996) by 60 days, and reply comments (currently February 27, 1996) by 45 days. WinStar's Petition for Reconsideration, filed January 19, 1996, requests that the deadline for filing comments be extended by 90 days and for filing reply comments by 45 days. TIA's Motion, filed January 22, 1996, requests that the Commission extend the deadline for filing reply comments by 20 days. No opposition to these requests has been filed to date.

5. GEC seeks its requested extension because of the complexity and volume of explicit comment sought in the NPRM and Order, 61 FR 2452 and 61 FR 2465 (January 26, 1996). GEC contends that the NPRM and Order contains almost 100 distinct issues ranging from competitive bidding procedures to modifications of technical rules, and proposals that are new to the record and unfamiliar to many affected parties. WinStar seeks an extension of time so that they may conduct engineering and economic research and analysis. Finally, TIA seeks an extension in order to respond meaningfully to complex studies and reply comments.

6. In light of the complexity of the issues raised in the NPRM and Order, we agree with GEC, Winstar and TIA that the public interest would be served by granting an extension. We nevertheless remain concerned about avoiding a substantial delay in the resolution of issues presented in this proceeding. Thus, we believe that a 20-day extension of the comment period combined with an extended reply comment period is appropriate.

Ordering Clauses

7. Accordingly, it is hereby ordered that the Motions for Extension of Time filed by GEC and TIA and the Petition for Reconsideration filed by Winstar are hereby granted to the extent stated herein.

8. It is further ordered that the Motions for Extension of Time set forth supra at paragraph 2 are hereby dismissed as moot.

9. It is further ordered, pursuant to Section 1.46 of the Commission's Rules, 47 CFR § 1.46, that the deadline for

filing comments in this proceeding is extended from February 12, 1996 to March 4, 1996, and that the deadline for filing reply comments is extended from February 27, 1996 to April 1, 1996.

10. This action is taken pursuant to authority found in Sections 4 (i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154 (i) and 303, and Sections 0.131 and 0.332 of the Commission's Rules, 47 CFR §§ 0.131 and 0.332. For further information, contact Jennifer Burton, Private Wireless Division, (202) 418-0680.

Federal Communications Commission

Robert H. McNamara,

Chief, Private Wireless Division, Wireless Telecommunications Bureau.

[FR Doc. 96-3822 Filed 2-21-96; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Chapter VI

[I.D. 021296A]

Mid-Atlantic Fishery Management Council; Hearings on the Black Sea Bass Fishery Management Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Public hearings; request for comments.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold public hearings to allow for input on the proposed Fishery Management Plan for the Black Sea Bass Fishery (FMP).

DATES: Written comments will be accepted on or before April 2, 1996. The hearings will be held during the months of February and March. See **SUPPLEMENTARY INFORMATION** for times and dates of hearings.

ADDRESSES: Send comments to David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 South New Street, Dover, DE 19904. The public hearings will be held in Virginia, New Jersey, North Carolina, Maryland, Rhode Island, Massachusetts, and New York. See **SUPPLEMENTARY INFORMATION** for the locations of the hearings.

FOR FURTHER INFORMATION CONTACT: David R. Keifer, (302) 674-2331.

SUPPLEMENTARY INFORMATION: The FMP, prepared by the Council, is intended to manage the black sea bass (*Centropomus*

striata) fishery pursuant to the Magnuson Fishery Conservation and Management Act of 1976, as amended. The management unit consists of black sea bass in U.S. waters in the western Atlantic Ocean from Cape Hatteras, NC, northward to the U.S.-Canadian border. The objectives of the FMP are to: (1) Reduce fishing mortality in the black sea bass fishery to ensure that overfishing does not occur; (2) reduce fishing mortality on immature black sea bass to increase spawning stock biomass; (3) improve the yield from the fishery; (4) promote compatible management regulations between state and Federal jurisdictions; (5) promote uniform and effective enforcement of regulations; and (6) minimize regulations to achieve the management objectives stated above.

Overfishing for black sea bass is defined as fishing in excess of the F_{max} level. Based on current conditions in the fishery, F_{max} is 0.29 (an annual exploitation rate of 23 percent).

The recovery strategy calls for minimum fish sizes and commercial gear regulations in years 1 and 2. In years 3 to 5, target exploitation rates would be 48 percent for black sea bass. In years 6 and 7, the target exploitation rates would be 37 percent and in year 8 and subsequent years, the target exploitation rate would be based on F_{max} .

Management Measures

The Council has adopted the following management measures for purposes of public hearings:

Years 1 and 2

1. A 9-inch (229 mm) total length (TL) minimum fish size in all fisheries. A maximum of a 5-percent tolerance by weight of undersized black sea bass would be allowed on vessels issued moratorium permits. Black sea bass less than 9 inches (229 mm) TL could not be sold.

2. The minimum otter trawl mesh size for vessels retaining more than 100 lb of black sea bass would be 4.0 inches (102 mm) (stretch mesh inside measure).

3. Black sea bass pots would be required to have a minimum escape vent of 1-1/8 inches (28 mm) x 6 inches (152 mm), or 2.5 inches (66 mm) in diameter. The escape vent provision would be implemented at the start of the first calendar year following FMP approval, so the fishers would not be required to pull their pots and rebuild them in the middle of the season.

Years 3 and Subsequent

1. A 10-inch (254-mm) TL minimum fish size in all fisheries that may be