acres of the Site. The cap was installed between November 1995 and May 1996. In preparation for the final cap profile, clean backfill material was applied on top of the waste, and the backfill was graded to the appropriate elevations per the design specifications. A synthetic drainage net, a half foot sand layer and an eighty millimeter High Density Polyethylene (HDPE) were placed on top of the backfill. This allowed for installation of gas vents into the constructed sand layer. The vents extend up through the cap and are used to monitor for gas breakthrough using carbon canister detection units. This system was devised in order to determine if any residual treated waste beneath the cap is breaking down and causing formation of gas. The purpose of the system is to enable contingency plans to be implemented if gas is detected.

A two foot clay layer was installed and compacted in 8-inch lifts on top of the gas vent layer. On top of this clay layer a geotextile and HDPE were installed prior to covering the whole area with one foot of topsoil. The topsoil, which is the exposed portion of the cap, was seeded with vegetation that is intended to anchor the topsoil during rainfall events. To complete the cap, the carbon canisters were attached to the gas vents.

As part of the landfill construction, perforated stainless steel pipes wrapped with a filter fabric were laid in along the bottom, beneath the waste layers. There are various PVC pipe stands which stick up through the cap that are attached to the piping beneath the landfill. These pipe stands are checked on a regular basis (once every three months) for their integrity, as well as to see if any liquids have collected into the pipe system. This system is known as a leachate collection system. The leachate (leachate is any water that percolates through the landfill) can be collected and analyzed.

The responsible parties constructed the remedy at the Site to meet performance standards specified in the ROD. The remedy implemented to address the contamination at the Site has achieved the remedial action objectives and the remediation goals described in the ROD. EPA and the LDEQ have determined that the remedy which includes long-term groundwater monitoring as well as an inspection and maintenance program for the Site is performing as designed, and is operational and functional. No additional treatment or other measures to restore ground-or surface-water quality have been identified as being required.

C. Characterization of Risk

Continued monitoring of groundwater demonstrates that no significant risk to public health or the environment is posed by the hazardous materials remaining at the Site. Based on the successful remedial actions addressing the hazardous materials on-site, the monitoring results of operation and maintenance (O & M) activities to date, and the public health consultation by the Agency for Toxic Substances and Disease Registry (ATSDR), EPA verifies the implemented Site remedy is protective of human health and the environment.

D. Community Involvement

Public participation activities have been satisfied as required in CERCLA Subsection 113(k), 42 U.S.C. 9613(k), and in CERCLA Section 117, 42 U.S.C. 9617. Documents in the deletion docket on which EPA relied for recommendation of the Site deletion from the NPL have been made available to the public in the two information repositories the location of which is identified above.

E. Proposed Action

In consultation with the LDEQ, EPA has concluded that responsible parties have implemented all appropriate response actions required at the Site (neither the CERCLA-required five-year reviews, nor operation and maintenance of the constructed remedy is considered further response action for these purposes), that all appropriate Fund-financed response actions under CERCLA have been implemented, and that no further response action by responsible parties is appropriate. Moreover, EPA, in consultation with LDEQ, has determined that Site investigations show that the Site now poses no significant threat to public health or the environment; consequently, EPA proposes to delete the Site from the NPL.

Dated: September 25, 1997.

Jerry Clifford,

Acting Regional Administrator, U.S. EPA Region 6.

[FR Doc. 97–26528 Filed 10–8–97; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15, 73, 74, and 76

[ET Docket No. 97–206; FCC 97–340]

Technical Requirements To Enable Blocking of Video Programming Based on Program Ratings

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: By this *Notice of Proposed Rule Making* (''NPRM''), the Commission proposes to amend its rules to require that most television receivers be equipped with features that enable viewers to block the display of video programming with a common rating. Furthermore, the Commission proposes to amend its rules to ensure the ratings information that is associated with a particular video program is not deleted from transmission by broadcast television stations, low power television stations, television translator and booster stations, and cable television systems. The Commission also proposes that similar requirements should be placed on other services that can be used to distribute video programming to the home, such as Multipoint Distribution Services (MDS) and Direct Broadcast Satellite Service (DBS). This action is taken in response to the Parental Choice in Television Programming requirements contained in section 551 (c), (d), and (e) of the Telecommunications Act of 1996 (Pub. L. No. 104–104, 111 Stat. 56), which amended sections 303 and 330 of the Communications Act of 1934 (47 U.S.C. 303 and 330). The proposals contained in this *NPRM* are intended to give parents the ability to block video programming that they do not want their children to watch.

DATES: Comments must be filed on or before November 24, 1997, and reply comments must be filed on or before December 8, 1997.

FOR FURTHER INFORMATION CONTACT: Neal McNeil, Office of Engineering and Technology, (202) 418–2408.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rulemaking*, ET Docket 97–206, FCC 97–340, adopted September 25, 1997 and released September 26, 1997. The full text of this document is available for inspection and copying during regular business hours in the FCC Reference Center, Room 239, 1919 M Street, NW, Washington, DC. The complete text of this document also may be purchased from the Commission's

duplication contractor, International Transcription Service, Inc., (202) 857–3800, 1231 20th Street, NW, Washington, DC 20036.

Summary of Notice of Proposed Rule Making

1. In the Telecommunications Act of 1996 (the Telecommunication Act), Congress determined that parents should be provided ''with timely information about the nature of upcoming video programming and with the technological tools that allow them easily to block violent, sexual, or other programming that they believe harmful to their children * * *.'' Accordingly, Congress (1) mandated the inclusion in most new television receivers of the so-called ''V-chip'' technology, which will enable viewers to block the display of all programs with a common rating, and (2) authorized the Commission to ''Prescribe * * * guidelines and recommended procedures for the identification and rating of (such) video programming, * * *'' if distributors of video programming do not establish acceptable voluntary procedures within one year.

2. With respect to V-chip technology, section 551(c) of the Telecommunications Act directs the Commission to adopt rules requiring that any ''apparatus designed to receive television signals that are shipped in interstate commerce or manufactured in the United States and that have a picture screen 13 inches or greater in size (measured diagonally) * * * be equipped with a feature designed to enable viewers to block display of all programs with a common rating * * *.'' Section 551(d) states that the Commission must ''require that all such apparatus be able to receive the rating signals which have been transmitted by way of line 21 of the vertical blanking interval * * *.'' That provision also instructs the Commission to oversee ''the adoption of standards by industry for blocking technology,'' and to ensure that blocking capability continues to be available to consumers as technology advances.

3. With respect to the ratings, the Telecommunications Act directs the Commission to establish a program ratings system, but only if the Commission determines that distributors of video programming have not: (1) Established voluntary rules for rating video programming that contains sexual, violent, or other indecent material about which parents should be informed before it is displayed to children, and such rules are ''acceptable to the Commission;'' and (2) agreed voluntarily to broadcast signals that contain ratings of such programming. Distributors of video programming were given 1 year from the date of enactment of the Telecommunications Act, until February 8, 1997, to meet these requirements.

4. The Commission Is adopting this *Notice of Proposed Rulemaking* to begin the process of requiring television manufacturers to include blocking technology in their television receivers and to ensure that any ratings information that is provided with video programming is transmitted to the television receiver intact and without disruption by any broadcast, cable television, or other video programming distribution service.

Initial Regulatory Flexibility Analysis

5. As required by section 603 of the Regulatory Flexibility Act,[1] the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the expected significant economic impact on small entities by the policies and rules proposed in this *Notice of Proposed Rule Making (Notice).* Written public comments are requested on the IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the *Notice* provided above. The Secretary shall send a copy of this Notice, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act.

A. Need for and Objectives of the Proposed Rules

6. The proposed rules are intended to address the Parental Choice in Television Programming requirements contained in section 551(c) and 551(d) of the Telecommunications Act of 1996.[2] Congress has determined that parents should be provided ''with timely information about the nature of upcoming video programming and with the technological tools that allow them to block violent, sexual, or other programming that they believe harmful to children. Accordingly, Congress (1) mandated the inclusion in most new television receivers of the so-called ''V-chip'' technology, which will be capable of reading program ratings and blocking programming, if requested, and (2) authorized the Commission to establish a rating system and rules requiring the transmission of program ratings if distributors of video programming do not establish acceptable voluntary procedures within one year.

B. Legal Basis

7. The proposed action is taken pursuant to sections 4(i), 303(f), 303(r), 303(v), 303(x), and 330(c) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(f), 303(v), 303(x), and 330(c).

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

8. For the purposes of this Notice, the RFA defines a ''small business'' to be the same as a ''small business concern'' under the Small Business Act, 15 U.S.C. 632, unless the Commission has developed one or more definitions that are appropriate to its activities.[3] Under the Small Business Act, a small business concern is one that: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) meets any additional criteria established by the Small Business Administration (SBA).[4]

9. The Commission has not developed a definition of small entities applicable to V-chip technology. Therefore, we will utilize the SBA definition applicable to manufacturers of Radio and Television Broadcasting and Communications Equipment. According to the SBA's regulations, television equipment manufacturers must have 750 or fewer employees in order to qualify as a small business concern.[5] Census Bureau data indicates that there are 858 U.S. companies that manufacture radio and television broadcasting and communications equipment, and that 778 of these firms have fewer than 750 employees and would be classified as small entities.[6] The Census Bureau category is very broad, and specific figures are not available as to how many of these firms are manufacturers of television equipment. However, we believe that many of the companies that manufacture television equipment will be affected by this rulemaking may qualify as small entities. We seek comments to this IRFA regarding the number of small entities to which the proposed rule pertains.

10. According to SBA regulations, a computer manufacturer must have 1,000 or fewer employees in order to qualify as a small entity. Census Bureau data indicates that there are 1716 firms that manufacture electronic computers. Of

[1] 5 U.S.C. 603.

[2] Pub. L. 104–104, 111 Stat. 56 (1996).

[3] *See* 5 U.S.C. 601(3).

[4] 15 U.S.C. 632.

[5] 13 CFR 121.201, (SIC) Code 3663.

[6] U.S. Department of Commerce, *1992 Census of Transportation, Communications, and Utilities,* SIC Code 3663 (issued may 1995).

those, 659 have fewer than 500 employees and qualify as small entities. The remaining 57 firms have 500 or more employees; however, we are unable to determine how many of those have fewer than 1,000 employees and therefore also qualify as small entities under the SBA definition.

11. This proposal will begin the process of requiring television manufacturers to include blocking technology in their television receivers and to ensure that any ratings information that is provided with video programming is transmitted to the television receiver intact and without disruption by any broadcast, cable television, or other television program distribution services.

D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements

12. The Commission's rules require television receivers to be verified for compliance with applicable FCC technical requirements. See 47 CFR 15.101, 15.117, and 2.951, *et seq.* Documentation concerning the verification must be kept by the manufacturer or importer. The rules ultimately adopted in this proceeding will require that television receivers comply with industry-developed standards for blocking display of video programming based on program ratings. However, verification testing regarding program blocking is not necessary because compliance with the industry-developed standards, and the associated Commission rules, can be determined easily during the television receiver design process. The Commission may, of course, ask manufacturers and importers to document upon occasion how a particular television receiver complies with the program blocking requirements.

E. Significant Alternatives to Proposed Rules Which Minimize Significant Economic Impact on Small Entities and Accomplish Stated Objectives

13. Section 330(c)(4) of the Act directs the Commission to consider the existence of appropriate alternative blocking technologies and to amend its rules to permit, as an alternative to the ratings-based approach, use of a technology that: (1) ''Enables parents to block programming based on identifying programs without ratings''; (2) ''is available to consumers at a cost which is comparable'' to the cost of ratings-based technology; and (3) ''will allow parents to block a broad range of programs on a multichannel system as effectively and as easily'' as ratings-based technology. At this time, we are not aware of any such alternative blocking technologies. Accordingly, we invite comment regarding the existence of such alternate blocking technologies and whether it would be appropriate to permit them at this time in lieu of ratings-based blocking technology. In order to evaluate possible alternative blocking technologies, we solicit information regarding the cost of any alternative blocking technology as well as the cost of implementing ratings-based technology pursuant to EIA–608.

14. Section 303(x) of the Act makes it clear that the program blocking requirements were intended to apply to any ''apparatus designed to receive television signals'' that has a picture screen of 13 inches or larger. We believe that the program blocking requirements we are proposing should apply to any television receiver (including personal computers) meeting the screen size requirements, regardless of whether it is designed to receive video programming that is distributed only through cable television systems, MDS, DBS, or by some other distribution system.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

15. None.

List of Subjects

47 CFR Part 15

Communications equipment, Computer technology.

47 CFR Part 73

Communications equipment, Television.

47 CFR Part 74

Communications equipment, Television.

47 CFR Part 76

Cable television.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97–26700 Filed 10–8–97; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AE31

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on Proposed Endangered Status for the Illinois Cave Amphipod

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: The Fish and Wildlife Service (Service) provides notice that the comment period is reopened on the proposal to list the Illinois cave amphipod (*Gammarus acherondytes*) as endangered, pursuant to Endangered Species Act of 1973, as amended. The Service is reopening the comment period to allow members of the public additional time to submit comments on this proposal.

DATES: The reopened comment period on the proposal will close on December 8, 1997. Comments must be received by the Service on or before that date in order to be assured of consideration.

ADDRESSES: Comments and materials concerning the proposal should be sent to the U.S. Fish and Wildlife Service, Ecological Services Field Office, 4469 48th Avenue Court, Rock Island, Illinois. Comments and materials received will be available for public inspection by appointment during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Richard C. Nelson, Field Supervisor, Illinois Field Office (see **ADDRESSES** section) (telephone 309/793–5800; facsimile 309/793–5804).

SUPPLEMENTARY INFORMATION:

Background

On July 28, 1997, the Service proposed to add the Illinois cave amphipod (amphipod) to the list of endangered and threatened animals (62 CFR 40319). The amphipod is historically known from six underground cave streams in St. Clair and Monroe Counties in southwestern Illinois. Recent searches for the amphipod indicate that it may exist in only three cave streams in Monroe County, all within a 10-mile radius of Waterloo, Illinois. The cause of the amphipod's decline in geographic range and in the number of populations is believed to be deteriorating water quality in the cave streams which it