

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter to a location where the requirements of this AD can be accomplished.

Issued in Fort Worth, Texas, on August 4, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-20755 Filed 8-10-99; 8:45 am]

BILLING CODE 4910-13-C

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Part 990

[Docket No. FR-4425-N-05]

#### Negotiated Rulemaking Committee on Operating Fund Allocation; Cancellation August Meeting and Announcement of September Meeting

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Negotiated Rulemaking Committee meetings.

**SUMMARY:** This document announces the cancellation of the meeting of the Negotiated Rulemaking Committee on Operating Fund Allocation, which had been scheduled to take place on August 11 and August 12, 1999. This document also announces the dates, time, and location of the September committee meeting. These ongoing meetings are sponsored by HUD for the purpose of discussing and negotiating a proposed rule that would change the current method of determining the payment of operating subsidies to public housing agencies (PHAs).

**DATES:** The committee meeting scheduled to take place on August 11 and August 12, 1999 has been cancelled.

The September committee meeting will be held on September 14 and September 15, 1999.

The first day of the September committee meeting will begin at

approximately 9:30 am and end at approximately 5:00 pm. The second day of the September committee meeting will begin at approximately 9:00 am and end at approximately 4:00 pm.

**ADDRESSES:** The September committee meeting will take place at the Hilton Washington Dulles Hotel, 13869 Park Center Road, Herndon, VA 20171.

**FOR FURTHER INFORMATION CONTACT:** Joan DeWitt, Director, Funding and Financial Management Division, Public and Indian Housing, Room 4216, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410-0500; telephone (202) 708-1872 ext. 4035 (this telephone number is not toll-free). Hearing or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** The Secretary of HUD has established the Negotiated Rulemaking Committee on Operating Fund Allocation to negotiate and develop a proposal that would change the current method of determining the payment of operating subsidies to PHAs.

This document announces the cancellation of the meeting of the committee, which had been scheduled to take place on August 11 and August 12, 1999. The cancellation will allow HUD to more fully develop a subsidy allocation proposal for committee consideration.

This document also announces the dates, time, and location of the September committee meeting, which will take place as described in the **DATES** and **ADDRESSES** section of this document.

The agenda planned for the committee meeting includes: (1) Workgroup sessions to discuss various issues related to the implementation of an operating fund formula; (2) full committee discussions of the work-products developed by the workgroups; (3) development of draft regulatory language; and (4) the scheduling of future meetings, if necessary.

The meeting will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may make statements during the meeting, to the extent time permits, and file written statements with the committee for its consideration. Written statements should be submitted to the address listed in the **FOR FURTHER INFORMATION** section of this notice. Summaries of committee meetings will be available for public inspection and

copying at the address in the same section.

Dated: August 6, 1999.

**Deborah Vincent,**

*General Deputy Assistant Secretary for Public and Indian Housing.*

[FR Doc. 99-20836 Filed 8-9-99; 11:04 am]

BILLING CODE 4210-33-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-6416-6]

#### National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Vestal Water Supply Well 4-2 Superfund Site from the National Priorities List: request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA) Region II announces its intent to delete the Vestal Water Supply Well 4-2 (Vestal 4-2) Site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes appendix B of 40 CFR part 300, which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New York have determined that no further action is appropriate at the Vestal 4-2 Site under CERCLA. Moreover, EPA and the State have determined that the activities conducted at the Vestal 4-2 Site are protective of public health and the environment.

**DATES:** Comments concerning the deletion of the Vestal 4-2 Site from the NPL may be submitted on or before September 10, 1999.

**ADDRESSES:** Comments may be mailed to: Lorenzo Thantu, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 20th Floor, New York, NY 10007.

Comprehensive information on this Site is available through the EPA Region II public docket, which is located at EPA's Region II Office in New York City, and is available for viewing, by appointment only, from 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. For further information or to request an appointment to review the public

docket, please contact Mr. Thantu at (212) 637-4240.

Background information from the EPA Region II public docket related to the Vestal 4-2 Site is also available for viewing at the information repositories noted below:

Vestal Town Hall, 605 Vestal Parkway West, Vestal, NY 13850; and Vestal Public Library, 320 Vestal Parkway East, Vestal, NY 13850.

#### FOR FURTHER INFORMATION CONTACT:

Lorenzo Thantu, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 20th Floor, New York, NY 10007, (212) 637-4240.

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

### I. Introduction

EPA Region II announces its intent to delete the Vestal Water Supply Well 4-2 Site (Site), located in Vestal, Broome County, New York, from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substances Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions, if conditions at such sites warrant such action.

The Vestal 4-2 Site is located on the west side of Prentice Road in the Town of Vestal, Broome County, New York. The Town of Vestal is about five miles southwest of Binghamton. Well 4-2 is about 1,000 feet south of the Susquehanna River and is one of four water supply wells in Water District Number 4 of the Town of Vestal.

EPA will accept comments concerning the Vestal 4-2 Site for thirty days after publication of this document in the **Federal Register**.

### II. NPL Deletion Criteria

Section 300.425(e)(1) (i)-(iii) of the NCP provides that sites may be deleted from the NPL where no further response

is appropriate. In making this determination, EPA, in consultation with the State of New York, considers whether any of the following criteria has been met:

- (i) Responsible or other parties have implemented all appropriate response actions required; or,
- (ii) All appropriate Fund-financed responses under CERCLA have been implemented and no further cleanup by responsible parties is appropriate; or,
- (iii) The remedial investigation has shown that the release poses no significant threat to human health or the environment and, therefore, taking remedial measures is not appropriate.

### III. Deletion Procedures

The following procedures were used for the intended deletion of the Site:

- (1) Two Reports, issued in 1980 and 1981, determined that the source of Vestal 4-2 contamination was the Monarch Chemical, Inc. facility.
- (2) In 1993, the Town of Vestal had a former dry well and surrounding soils removed from the Monarch facility.
- (3) In 1997, groundwater sampling confirmed the cleanup of the aquifer.
- (4) The New York State Department of Environmental Conservation (NYSDEC) concurred with the deletion in a letter dated September 29, 1998.
- (5) EPA Region II has recommended deletion and has prepared the relevant documents. EPA has also made all relevant documents available in the Regional office and local Vestal 4-2 Site information repositories.
- (6) Concurrent with this national Notice of Intent to Delete, a notice has been published in a local newspaper and has been distributed to appropriate Federal, State and local officials and other interested parties announcing a thirty-day public comment period on the deletion.

Comments received during the comment period will be evaluated before any final decision is made. If necessary, EPA Region II will prepare a Responsiveness Summary which will address any significant comments received during the public comment period. A deletion occurs when the EPA Regional Administrator places a final Notice of Deletion in the **Federal Register**.

### IV. Basis for Intended Site Deletion

In February 1980, Vestal Water Supply Well 4-2 was found to be contaminated with trichloroethene, 1,1,1-trichloroethane and tetrachloroethene. The Vestal 4-2 Site was listed on the NPL on September 1, 1983.

An October 1980 report entitled, "Hydrogeologic Investigation of Organic

Contamination at Monarch Chemicals, Inc.," and an April 7, 1981 draft report entitled, "Hydrologic Study of a Portion of the Susquehanna River Valley in the Town of Vestal, Broome County, New York with Emphasis on Chemical Contamination of the Aquifer," together delineated the nature and extent of the suspected contamination at the Vestal 4-2 Site and documented that the Monarch facility was the source of contamination of Well 4-2.

The Monarch Chemicals is located approximately 200 feet south and hydraulically upgradient of Well 4-2. Monarch Chemicals began operations around 1970, repackaging chemicals including 1,1,1-trichloroethane, trichloroethene and other chlorinated solvents as part of a bulk chemical handling operation.

In April 1983, the "Town of Vestal Water District No. 4, Groundwater Exploration" report was released. The report found that the contamination in the vicinity of Well 4-2 was a localized condition. The report also indicated that although Monarch Chemicals vacated its premises in the Fall of 1982, the continued presence of contaminants in Well 4-2 indicated that the Monarch facility remained contaminated. The report recommended that Well 4-2 should continue to pump to waste unless another remedial action were taken to remove the contamination. These conclusions mapped out the remedial alternatives which were later incorporated in the New York State Enforcement Action, also known as the Settlement Agreements.

In 1985, the New York State Department of Law, Attorney General's Office along with the Town of Vestal and the Vestal Water Districts No. 3, 4 and 6 signed two Settlement Agreements with the responsible parties at the Site.

In September 1988, as a result of the Settlement Agreements, an air stripper and additional carbon filtration were installed at Well 4-2. The air stripping system reduced contaminant levels in groundwater to below detection limits.

On December 14, 1993, approximately 26 cubic yards (42 tons) of material were excavated including the former dry well and surrounding soils from the Monarch Chemicals facility.

In order to determine if groundwater contaminants had attenuated and if it were appropriate to begin the NPL delisting process for the Site, EPA sampled the groundwater in the vicinity of the Vestal 4-2 Site on May 8, 1997, June 11, 1997 and September 10, 1997. The results of the sampling showed that groundwater contamination in the vicinity of the former Monarch

Chemicals dry well had decreased, such that it was at or approaching drinking water standards.

EPA's 1997 sampling data are consistent with the Town's monthly monitoring results for samples collected prior to the air stripper. Therefore, the primary pathways associated with the Vestal 4-2 Site that threatened public health have been addressed. EPA summarized the actions taken at this Site in a Superfund Site Close Out Report dated September 30, 1998.

EPA and NYSDEC have determined that all appropriate responses under CERCLA at the Site have been completed, and that no further activities are necessary. Consequently, EPA is proposing deletion of this Site from the National Priorities List. Documents supporting this action are available in the docket.

Dated: July 27, 1999.

**Herb Barrack,**

*Acting Regional Administrator, Region 2.*

[FR Doc. 99-20464 Filed 8-10-99; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 2

[ET Docket 99-261; FCC 99-183]

### 50.2-71 GHz Realignment

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the United States Table of Frequency Allocations with respect to the 50.2-50.4 GHz and 51.4-71.0 GHz bands. The allocations proposed in this instant proceeding would provide additional spectrum to the inter-satellite service ("ISS") and to the fixed and mobile services while continuing to provide an acceptable environment for passive spaceborne sensor measurements of atmospheric temperature.

**DATES:** Comments must be filed on or before September 7, 1999, and reply comments must be filed on or before September 22, 1999.

**ADDRESSES:** Address all comments concerning this proposed rule to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street S.W., Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Tom Mooring, Office of Engineering and Technology, (202) 418-2450, TTY (202) 418-2989, e-mail: tmooring@fcc.gov.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rule Making*, ET Docket 99-261, FCC 99-183, adopted July 16, 1999, and released July 23, 1999. The full text of this document is available for inspection and copying during regular business hours in the FCC Reference Center (Room TW-A306), 445 12th Street S.W., 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 Rulemaking

#### 1. We propose:

- To provide a net gain of 900 megahertz of spectrum allocated on a primary basis for non-Government ISS by allocating the 65-71 GHz band to that service and by deleting non-Government ISS allocations from the 56.9-57.0 GHz and 59-64 GHz bands;
- To allocate the 64-65 GHz band to the Government ISS on a primary basis;
- To require that the existing Government and non-Government ISS allocations in the 54.25-56.90 GHz and 57.0-58.2 GHz bands and the existing Government ISS allocation in the 59.0-59.3 GHz band be used exclusively for geostationary satellite-to-geostationary satellite communications, subject to a power flux-density ("p.f.d.") limit designed to protect passive sensor operations;
- To provide a net gain of 2.27 gigahertz of spectrum allocated on a primary basis for Government and non-Government fixed and mobile services by allocating the 51.4-52.6 GHz, 58.2-59.0 GHz, and 64-65 GHz bands to these services, by deleting the unused fixed and mobile service allocations from the 50.2-50.4 GHz and 54.25-55.78 GHz bands, and by upgrading the allocation status of these services in the 65-66 GHz band from secondary to primary;
- To specify that the 57-59 GHz and 64-66 GHz bands will be available for use by Government and non-Government unlicensed devices; and
- To allocate the 59.0-59.3 GHz band to the Government and non-Government earth exploration-satellite (passive) and space research (passive) services and to delete unneeded passive sensor allocations from the 51.4-52.6 GHz and 64-65 GHz bands.

2. The proposals are part of the Commission's continuing effort to facilitate the commercialization of "millimeter wave" spectrum, and are consistent with the international allocation changes that the United

States sought and obtained for this frequency range at the 1997 World Radiocommunication Conference ("WRC-97"). Adoption of these proposals would allocate the spectrum that Government and non-Government satellite users require to interconnect their satellites within their respective networks. More specifically, the ISS proposals are expected to provide a wide range of fixed-satellite service ("FSS") and mobile-satellite service systems, including both geostationary orbit ("GSO") and non-geostationary orbit ("NGSO") systems, with the additional spectrum needed to complete their end-to-end communications service. For example, using the ISS allocations proposed, Ka-band FSS licensees could inter-link their broadband multimedia satellites, thereby permitting the provision of innovative high-speed Internet-like services on a regional and global basis. Our proposals also provide the spectrum that new licensed fixed and mobile services and unlicensed devices are anticipated to require. For example, Personal Communication Service ("PCS") and cellular licensees could use unlicensed spectrum in the 57-59 GHz frequency range to connect nearby base stations to one another, which would be especially useful in high-density urban areas. We tentatively find that these additional allocations can be made while, at the same time, ongoing passive sensor operations—used to obtain weather and climate data in all weather conditions—are fully protected. We also tentatively find that these proposals would further our efforts towards achieving the overarching goal of section 706 of the Telecommunications Act of 1996, to "encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans . . . by utilizing measures that promote competition in the local telecommunications market."

### Inter-Satellite Service

3. We propose, in accordance with international allocation decisions taken at WRC-97, to allocate the 64-71 GHz band to the ISS domestically. We tentatively find that the feasibility of ISS and existing services sharing the 64-71 GHz band has been clearly shown by various studies. At the request of NTIA, we further propose to delete the non-Government ISS allocation from the 56.9-57.0 GHz and 59-64 GHz bands and to allocate the 64-65 GHz segment for exclusive Government ISS use and the 65-71 GHz segment for exclusive non-Government ISS use. This domestic allocation split addresses two concerns.