

DATES: Additional data will be accepted if received on or before October 25, 1993.

ADDRESSES: Data Submissions:

Additional data should be submitted (in duplicate if possible) to: Pam J. Smith, Docket Clerk, Office of Air Quality Planning and Standards, MD-13, U.S. EPA, Research Triangle Park, North Carolina 27711.

Documents. A copy of the petition is available in room 922, 411 West Chapel Hill Street in Durham, North Carolina and will be available for public inspection and copying between 8:30 a.m. and 4:30 p.m. Eastern Standard Time (EST), Monday through Friday. A reasonable fee may be charged for copying. In addition, the industry has made copies of the petition available to the public in key locations where caprolactam is produced and used. The public may call the industry help line at 800-441-8784 between 8:30 a.m. and 4:30 p.m. EST, Monday through Friday for exact locations.

FOR FURTHER INFORMATION CONTACT: Dr. Nancy B. Pate, Pollutant Assessment Branch, Emission Standards Division (MD-13), U. S. EPA, Research Triangle Park, North Carolina 27711, telephone (919) 541-5347.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

Petitions to add or delete chemicals from the Hazardous Air Pollutant list are allowed under section 112(b)(3)(A) of the Clean Air Act, 42 U.S.C. 7412(b)(3)(A). Any person may petition the Administrator to modify, by addition or deletion, the list of hazardous air pollutants. Based upon the information presented by the petitioner and any other pertinent information, the Administrator may grant or deny a petition. A petitioner seeking to delete a substance must provide information to demonstrate that there is adequate data on the health and environmental effects of the substance to determine that emissions, ambient concentrations, bioaccumulation, or deposition of the substance may not reasonably be anticipated to cause any adverse effects to human health or the environment through inhalation or other routes of exposure.

II. Background

On July 19, 1993 the EPA received a petition from AlliedSignal, Inc. BASF Corporation, and DSM Chemicals North America, Incorporation ("Petitioners"), to remove caprolactam (CAS No. 105-60-2) from the Hazardous Air Pollutant list in section 112(b)(1), 42 U.S.C. 7412(b)(1). After receipt of a petition,

the EPA determines if the data submitted in the petition will support a valid risk assessment of the human health and environmental impacts associated emissions of a section 112(b)(1) listed pollutant. The EPA has determined that the data submitted in this petition will support an assessment of risks associated with the current peak and annual average emissions and related exposures to the people living in the vicinity of caprolactam emitting facilities. In addition, the submitted data will support an assessment of the environmental impacts associated with emissions to the ambient air and impacts associated with the subsequent cross-media transport of those emissions.

III. Description of Petition

The petition states that these Petitioners comprise 100 percent of the U.S. caprolactam producers and caprolactam by-product ammonium sulfate manufacturers, 88 percent of the Nylon 6 fiber producers, and 72 percent of the Nylon 6 plastic producers, and the only major supplier of Nylon 6 films. The petition contains the following information:

(A) Identification and location of all facilities producing or using caprolactam;

(B) Estimated current and future air emissions of caprolactam, atmospheric modeling and monitoring data supporting the estimation of peak short-term and annual average ambient concentrations, estimates of the number people potentially exposed to those concentrations and estimated deposition of caprolactam to the land and surface water.

(C) Documentation of a literature search conducted within 6 months prior to the petition filing, including identification of the data bases searched, the search strategy, and printed results.

(D) Printed copies of all human, animal, *in vitro*, or other toxicity studies cited in the literature search. In addition, the petition contains unpublished occupational health data and studies collected over 20 years at the AlliedSignal facility in Hopewell, Virginia.

(E) Printed copies of environmental effect data characterizing the fate of caprolactam when it is released into the atmosphere. This information includes atmospheric residence time, solubility, phase distribution, vapor pressure, octanol/water partition coefficient, particle size, adsorption coefficients, information on atmospheric transformations, potential degradation or transformation products, and bioaccumulation potential.

(F) List of all support documents in the petition.

IV. Petition Availability

A copy of the complete petition is available in room 922 at 411 West Chapel Hill Street, Durham, NC. It is available for public inspection and copying between 8:30 a.m. and 4:30 p.m. EST, Monday through Friday. A reasonable fee may be charged for copying. Contact the Docket Clerk at 919-541-5319 for access information on the electronic availability of a summary of the petition contents and the names and locations of the producers and users with the potential to emit caprolactam. In addition, the industry has made copies of the petition available to the public in key locations where caprolactam is produced and used. The public may call the industry help line at 800-441-8784 between 8 a.m. and 4:30 p.m. EST, Monday through Friday for exact locations.

V. Request for Additional Data

Comments will be solicited at the time of proposal of the decision on the petition. However, with this notice, the EPA is requesting, from the public any additional data, beyond that filed in the petition, on sources, emissions, exposure, health effects and environmental impacts. Data existing in the current petition should not be submitted. Additional data should be submitted (in duplicate if possible) to: The Docket Clerk, Office of Air Quality Planning and Standards, MD-13, Research Triangle Park, NC 27711. To determine what data have been filed in the petition and to avoid submitting duplicative data, the public may call the Docket Clerk at 919-541-5319 or the industry help line at 800-441-8784 between 8 a.m. and 4:30 p.m. EST, Monday through Friday.

(Authority: 42 U.S.C. 7412)

Dated: August 17, 1993.

Michael Shapiro,

Acting Assistant Administrator.

[FR Doc. 93-20597 Filed 8-25-93; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 300

[FRL-4697-8]

National Oil and Hazardous Substance Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to delete Mowbray Engineering Company site

from the National Priorities List (NPL): request for comments.

SUMMARY: EPA, Region IV, announces its intent to delete the Site from the 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 Alabama have determined that all appropriate CERCLA actions have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

DATES: Comments on the Notice of Intent to Delete the Site from the NPL should be submitted no later than September 27, 1993.

ADDRESSES: Comments may be mailed to: Jane Stone Spann, Remedial Project Manager, South Superfund Remedial Branch, Waste Management Division, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365.

Comprehensive information on this Site is available through the EPA Region IV public docket, which is located at EPA's Region IV office and is available for viewing by appointment only from 9 a.m. to 4 p.m., Monday through Friday, excluding holidays. Requests for appointments or copies of the background information from the regional public docket should be directed to the EPA Region IV docket office.

The address for the regional docket office is: Ms. Debbie Jourdan, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365, Telephone No.: (404) 347-2930.

Background information from the regional public docket is also available for viewing at the Site information repository located at the following address: Greenville Public Library, 309 Fort Dale Street, Greenville, Alabama 36037, (205) 382-3216.

FOR FURTHER INFORMATION CONTACT:

Ms. Jane Stone Spann, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365, (404) 347-2643.

SUPPLEMENTARY INFORMATION:

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I. Introduction

EPA, Region IV, announces its intent to delete the Site from the NPL, which constitutes appendix B of the NCP, and requests comments on this proposed deletion. 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 Substance 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 in the event that conditions at the site warrant such action.

EPA will accept comments concerning this Site for thirty (30) calendar days after publication of this notice in the **Federal Register**.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), releases may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider, in consultation with the State, whether any of the following criteria have been met:

(i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

In addition to the above, for all Remedial Actions which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, it is EPA's policy to review all remedial

actions at a site and ensure that all appropriate action has been taken to ensure that the site remains protective of public health and the environment, and meets EPA's deletion criteria as outlined on the previous page. EPA must also assure that five-year reviews will continue to be conducted at the site until no hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure. States may conduct five-year reviews under/ pursuant to Cooperative Agreements or Superfund State Contracts with EPA, and submit five-year review reports to EPA.

III. Deletion Procedures

EPA Region IV will accept and evaluate public comments before making a final decision to delete. Comments from the local community may be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of this Site:

(1) EPA has agreed to conduct five-year reviews at this Site. (2) EPA has recommended deletion and has prepared the relevant documents. (3) The State has concurred with the deletion decision. (4) Concurrent with this National Notice of Intent to Delete, a local notice has been published in local newspapers and has been distributed to appropriate federal, state, and local officials, and other interested parties. (5) The Region has made all relevant documents available in the Regional Office and local Site information repository.

Deletion of a site from the NPL does not itself, create, alter, or revoke any individual rights or obligations. The NPL is designated primarily for information purposes and to assist Agency management. As mentioned in Section II of this Notice, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

The comments received during the notice and comment period will be evaluated before the final decision to delete. The Region will prepare a Responsiveness Summary, which will address the comments received during the public comment period.

A deletion occurs after the EPA Regional Administrator places a notice in the **Federal Register**. The NPL will reflect any deletions in the next final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by Region IV.

IV. Basis for Intended Site Deletion

The following Site summary provides the Agency's rationale for the intention to delete this Site from the NPL.

The Site is located approximately 40 miles southwest of Montgomery in the town of Greenville, Alabama. The Site encompasses a 2.7 acre tract situated diagonally across from the now bankrupt Mowbray Engineering Company (MEC) facility at 300 Beeland Street, Greenville. The MEC facility repaired and reconditioned electrical transformers, and from 1955 to 1974, emptied waste Polychlorinated Biphenyl (PCB) transformer oil on the ground behind the plant. The contaminated oil entered a stormwater drainage system which discharged into a swamp across Beeland Street to the southwest of the property. In 1974, MEC began collecting the waste oil for recycling in underground storage tanks located in the rear of the property. In 1985, the company, and its owner, Norman Parker, filed bankruptcy petitions under Chapter 7 of the U.S. Bankruptcy Code.

The Site was proposed for addition to the National Priorities List (NPL) in **Federal Register** 47 FR 58476, on December 30, 1982, after major fish kills, in 1975 and 1980, and a removal action in August, 1981. The U.S. EPA performed extensive sampling in February, 1981, which determined the extent of the PCB contamination in the soil, and resulted in the removal action. The Hazard Ranking System listed groundwater as the main concern at the site due to a nearby inactive public water supply well. Final listing was published in **Federal Register**, No. 47 FR 40658, on September 8, 1983.

In 1985, the EPA contracted Camp, Dresser, and McKee to complete a Remedial Investigation and Feasibility Study (RI/FS) to determine the nature and extent of the contamination and to explore potential remedies. The results of the Remedial Investigation concluded that PCBs were the only contaminant of concern, although low levels of phenols, chloroform, dichloroethane, and trichloroethanes were detected. The PCB's were detected in groundwater sampling at 2.4 µg/l, considerably above the MCL level of 0.5 µg/l for groundwater.

The Record of Decision (ROD), issued by EPA, Region IV, on September 25, 1986, selected alternatives consistent with the recommendation in the Feasibility Study. The alternative selected included the following: Excavation, removal, and disposal of the underground storage tanks located on the MEC property; treatment and storage

of the waste oils in the swamp and in the tanks; drainage diversion of surface runoff into the swamp; excavation of soils with PCB's above 25 ppm with either off-site incineration, on-site incineration, or on-site solidification/stabilization (incineration with an infrared incinerator was the preferred option); grading and revegetation; proper closure of the abandoned city water well; and operation and maintenance activities including the diversion ditches, revegetated area, and possibly monitoring the solidified matrix.

EPA community relations activities at the Site included a public meeting held in 1986 announcing the Agency's Proposed Plan for Remediation at the Site. Public comments received during a 30-day comment period were received and addressed in the Responsiveness Summary. The EPA issued a press release in the local newspaper in the summer of 1987, notifying the public that the Remedial Action phase of the project was beginning. Throughout the construction period, nearby residents were kept informed as to project schedules and potential temporary construction nuisances.

Remedial activities were begun by HazTech on June 6, 1987, and construction completed on August 20, 1987. Remedial activities at the site included solidification/stabilization of approximately 2500 cubic yards of PCB contaminated soil (monolith), capping the resulting monolith, construction of a diversion ditch, fencing off the swamp area, grading and revegetating the swamp area, closure of the abandoned city well, excavation, removal, and disposal of the underground storage tanks, removal of abandoned transformers, disposal/treatment of all waste oils. Confirmatory sampling was conducted after each segment of the RA and confirmed that cleanup goals of less than 25 ppm had been achieved.

The State did not concur in EPA's selection of remedy and, therefore, there was no agreement for the conduct of Operation and Maintenance at the Site. EPA unsuccessfully tried to enlist the county to undertake Operation & Maintenance (O&M). In November, 1988; while struggling with the issue of O&M and an acceptable way to delist the site, EPA uncovered thousands of invoices which evidenced extensive business dealings between MEC and approximately 100 businesses engaged in electric power generation. On December 12, 1988, notice/information request/demand letters were issued to Potentially Responsible Parties (PRPs) which led to the formation of a steering committee. An agreement was reached

in principle in December, 1989, and a Consent Decree signed in October, 1990, requiring the PRPs to perform O&M activities.

It is EPA's policy to conduct consecutive Five Year Reviews if hazardous materials remain on site above the levels that allow unlimited use and unrestricted exposure. The first Five Year Review of the Site was conducted by Roy F. Weston, Inc. and documented in a report dated February, 1993. This report found that the remedial activities appeared to be performing well with structures in good condition and PCB contamination remaining controlled within the solidified matrix and cover material. The PRPs continue to perform O&M activities as required by the ROD and Consent Decree and recommended in the Five-Year Review. The next Five-Year Review will be conducted before June 30, 1997. EPA, with concurrence of the State, has determined that all appropriate Fund-financed responses under CERCLA at the Site have been completed, and that no further cleanup by responsible parties is appropriate.

Dated: July 26, 1993.

John R. Barker,

*Acting Regional Administrator, USEPA
Region IV.*

[FR Doc. 93-20730 Filed 8-25-93; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[MM Docket No. 93-233; DA 93-992]

Cable Television Service; List of Major Television Markets

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission invites comments on its proposal, initiated by a request filed by Agape Church, Inc. ("Agape"), to amend the Commission's Rules to change the designation of the Little-Rock, Arkansas television market to include the community of Pine Bluff, Arkansas. This action is taken to test the proposal for market hyphenation through the record established based on comments filed by interested parties.

DATES: Comments are due on or before September 23, 1993, and reply comments are due on or before October 8, 1993.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.