

water standards. Additional information can be found in the Health Consultation by the Agency for Toxic Substances and Disease Registry, dated May 8, 1995.

7. No one has ever followed up "on anything" at the site—only one rabbit and one fish were tested during the cleanup. How do we know that animals and fish aren't still being contaminated? Is animal/biota testing still taking place?

Seventy-five fish samples were taken in the area near the site and analyzed for polychlorinated biphenyls, pesticides, volatile organic compounds, and metals, including arsenic, mercury, and thallium. The samples were collected by the Louisiana Department of Environmental Quality and Louisiana Office of Public Health in June and July of 1993. No elevated levels of polychlorinated biphenyls and pesticides were detected in the fish. No volatile organic compounds were detected in the fish, either. Additional information can be found in the Health Consultation by the Agency for Toxic Substances and Disease Registry, dated May 8, 1995.

8. Pesticides and PCBs have been detected in channel catfish, crappie bass, * * *. Everybody in this area are consumers of the fish, crawfish, and wild game obtained in these waterways and woods. A fishing and hunting ban should be established in the area of the site.

EPA is unaware of the alleged pesticide and polychlorinated biphenyls detections in the fish. Sampling results and data collected from supporting state agencies and EPA indicate otherwise. In addition, EPA does not establish hunting and fishing bans. Those actions are taken by state and local health agencies.

9. The site should be fenced and clearly marked as a hazard—establish institutional controls.

Installation of fences around all capped areas to restrict access has been in place since the remedial construction activities were completed. The fences are inspected and maintained as part of the ongoing Operations & Maintenance site activities. Institutional controls such as deed restrictions were established along with posting of warning signs on all fenced areas. The gravel roads around the fenced areas allow for continued recreational use of adjacent lands and the borrow lake while diverting traffic around and away from the capped areas.

10. The site is adding to the overall pollution of the area—such as the "illegal" injection well in Bayou Sorrel. The permit for that well should have never been renewed—that well is "illegal."

The permits for injection wells in Louisiana are given by the Louisiana Department of Natural Resources and checked for federal regulations compliance by EPA. The permitted, legal injection well within Bayou Sorrel currently meets all federal standards and has satisfactorily passed state inspections.

11. The community unanimously objected to the cap/containment remedy for this site, but EPA, the State and the industries that polluted the site went ahead and did what they wanted to anyway. Has the public ever "gotten their wishes" when it comes to Superfund cleanups or permits? Or can someone high up in EPA tell them that the "fix is already in" so we can stop wasting our time commenting on things that have already been decided?

EPA encourages the community to participate at all points during the Superfund process. EPA invited the community to participate in selecting the remedy for the Bayou Sorrel Superfund Site during the Record of Decision phase in 1986. At that time, the community raised a number of questions and concerns regarding remediation of the site. These comments can be found in the Record of Decision dated November 14, 1986. As a result of the community's input and other considerations, the cap/containment remedy for the Bayou Sorrel Superfund Site was selected as the best alternative after evaluating performance, reliability, engineering implementability, public health and welfare, environmental impacts, institutional factors, and costs.

EPA solicited and reviewed comments regarding its intent to delete the Bayou Sorrel Superfund Site from the National Priorities List. The decision to delete any Superfund site from the National Priorities List is not final until EPA has extended an opportunity to the public to comment on the proposed action. At this time, EPA has decided to move forward with its decision to delete the Bayou Sorrel Superfund Site from the National Priorities List, but only after careful consideration and response to all public comments. EPA has also established a Superfund Ombudsman position to address any concerns from the public on the Superfund process. Please feel free to contact the EPA Region 6 Superfund Ombudsman at 1-800-533-3508, to share any concerns which were not resolved to your satisfaction.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-102; RM-8969]

Radio Broadcasting Services; Slidell and Kenner, LA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Phase II Broadcasting, reallocates Channel 287C1 from Slidell to Kenner, Louisiana, and modifies Station WLTS-FM's license to specify Kenner as its community of license. See 62 FR 15869, April 3, 1997. Channel 287C1 can be allotted to Kenner in compliance with the Commission's minimum distance separation requirements at the site specified in Station WLTS-FM's license. The coordinates for Channel 287C1 at Kenner are 29-58-57 NL and 89-57-09 WL. With this action, this proceeding is terminated.

EFFECTIVE DATE: November 3, 1997.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 97-102, adopted September 10, 1997, and released September 19, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Slidell, Channel 287C1 and adding Kenner, Channel 287C1.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-25591 Filed 9-26-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-133; RM-9086]

Radio Broadcasting Services; Lake City, MN

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 235A to Lake City, Minnesota, as that community's second FM broadcast service in response to a petition filed by Phoenix Media Group, Inc. See 62 FR 27711, May 21, 1997. The coordinates for Channel 235A at Lake City are 44-22-58 and 92-21-45. There is a site restriction 10.6 kilometers (6.6 miles) southwest of the community. With this action, this proceeding is terminated.

DATES: Effective November 3, 1997. The window period for filing applications for Channel 235A at Lake City, Minnesota, will open on November 3, 1997, and close on December 4, 1997.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 97-133, adopted September 10, 1997, and released September 19, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Minnesota, is amended by adding Channel 235A at Lake City.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-25590 Filed 9-26-97; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 594

[Docket No. 97-046; Notice 2]

RIN 2127-AG73

Schedule of Fees Authorized by 49 U.S.C. 30141; Fee for Review and Processing of Conformity Certificates for Nonconforming Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule.

SUMMARY: This rule amends NHTSA's regulations that prescribe a schedule of fees authorized by 49 U.S.C. 30141 for various functions performed by the agency with respect to the importation of motor vehicles. The amendment establishes a fee for the agency's review and processing of statements that registered importers submit to certify that vehicles that were not originally manufactured to conform to all applicable Federal motor vehicle safety standards have been brought into conformity with those standards. The fee, which is set at \$14.00 for fiscal year 1998, applies to all vehicles for which conformity certificates are submitted to NHTSA, including vehicles imported from Canada, which currently account for over 98 percent of the nonconforming vehicles that are processed by NHTSA.

DATES: The amendment established by this final rule will become effective on October 29, 1997.

Any petitions for reconsideration must be received by NHTSA not later than November 13, 1997.

ADDRESSES: Any petitions for reconsideration should refer to the docket and notice numbers above and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Docket

hours are 9:30 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: For non-legal issues: Clive Van Orden, Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-366-2830). For legal issues: Coleman Sachs, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-366-5238).

SUPPLEMENTARY INFORMATION:

A. Background

This rule was preceded by a notice of proposed rulemaking (NPRM) that NHTSA published on July 15, 1997 (62 FR 37847), proposing to establish a fee for the agency's review and processing of conformity certificates submitted by registered importers and to set the fee for fiscal year (FY) 1998 at \$17.00 per vehicle. The NPRM stated that 49 U.S.C. 30141 permits an importer who is registered with NHTSA (a "registered importer") to import a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards (FMVSS), provided that NHTSA has decided that the vehicle is eligible for importation. Once a motor vehicle has been declared eligible for importation, it is imported under bond by a registered importer or by an individual who has executed a contract or other agreement with a registered importer to bring the vehicle into compliance with applicable FMVSS. When the registered importer completes all necessary alterations, it must certify to NHTSA that the vehicle meets the FMVSS. See 49 U.S.C. 30146(b) and 49 CFR 592.6(e). This is accomplished by submitting, in accordance with regulations and guidance issued by NHTSA, a package containing photographic and documentary evidence of the vehicle's conformance with each applicable FMVSS. Each of these packages is reviewed by NHTSA's Office of Vehicle Safety Compliance (OVSC) to verify the accuracy of the information it contains. If NHTSA questions the registered importer's certification of compliance, the registered importer is notified pursuant to 49 CFR 592.8(c) to hold the vehicle for inspection. Acceptance of the certification ends the agency's involvement with the vehicle.

The NPRM noted that NHTSA staff expends much time reviewing and evaluating routine compliance packages, and even more time if a package does not indicate conformance with the FMVSS, necessitating follow-up action.