(3) For mortgages insured under firm commitments issued on or after [insert effective date of the final rule], or under direct endorsement processing where the credit worksheet was signed by the mortgagee's approved underwriter on or after [insert effective date of the final rule], reasonable costs paid by the mortgagee, with the approval of the Secretary, in an amount not to exceed two-thirds of such costs, for the purpose of protecting, operating or preserving the property, or removing debris from the property prior to the time of conveyance required by § 203.359.

(4) Reasonable costs incurred by the mortgagee in protecting, operating or preserving the property include the costs of performing inspections required by § 203.377, the costs of determining whether the property is vacant or abandoned, the costs incurred in evicting occupants, and the costs incurred in removing personal property from acquired properties.

* * * * *

Dated: November 12, 1993.

Nicolas P. Retsinas,

Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc. 93–28387 Filed 11–17–93; 8:45 am]

BILLING CODE 4210–27–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–4801–5]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Witco Chemical Corporation site from the National Priorities List: Request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region II announces its intent to delete the Witco Chemical Corporation (Witco) site 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), as amended. EPA and the State of New Jersey Department of Environmental Protection and Energy (NJDEPE) have determined that no further cleanup by responsible parties is appropriate under CERCLA. Moreover, EPA and NJDEPE have determined that remedial activities conducted at the site to date have been protective of public health, welfare, and the environment.

DATES: Comments concerning the deletion of the Witco site from the NPL may be submitted on or before December 17, 1993.

ADDRESSES: Comments may be mailed to: John Osolin, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, room 747, New York, New York 10278.

Comprehensive information on the Witco site is contained in the EPA Region II public docket, which is located at EPA's Region II office, and is available for viewing, by appointment only, from 9 a.m. to 5 p.m., Monday through Friday, excluding holidays. For further information, or to request an appointment to review the public docket, please contact Mr. Osolin at (212) 264–9301.

Background information from the Regional public docket is also available for viewing at the Witco site's Administrative Record repository located at: Oakland Public Library, Municipal Plaza, Oakland, New Jersey 07436, (201) 337–3742. Hrs. M–TH 10 a.m.–9 p.m. F&SA 10 a.m.–5 p.m.

FOR FURTHER INFORMATION CONTACT: John Osolin at 212–264–9301.

SUPPLEMENTARY INFORMATION:

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IV. Basis for Intended Site Deletion

I. Introduction

EPA Region II announces its intent to delete the Witco site, Oakland, New Jersey, from the NPL and requests public comment on this deletion. The NPL is appendix B to the NCP, which EPA promulgated pursuant to section 105 of CERCLA, as amended. 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 (the 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 site warrant action.

EPA will accept comments concerning the Witco site for thirty (30) days after publication of this notice in the **Federal Register** until December 17, 1993.

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 Witco 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)(1)(i)–(iii), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA, in consultation with NJDEPE, will consider whether any of the following criteria has been met:

1. Responsible or other parties have implemented all appropriate response actions required; or

2. All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or

3. The remedial investigation has shown that the release poses no significant threat to public health or to the environment and, therefore, taking remedial measures is not appropriate.

Deletion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such actions. Section 105(e) of CERCLA states: "Whenever there has been, after January 1, 1985, a significant release of hazardous substances or pollutants or contaminants from a site which is listed by the President as a "Site Cleaned Up to Date" on the National Priorities List, the site shall be restored to the National Priorities List without application of the hazard ranking system."

III. Deletion Procedures

The NCP provides that EPA shall not delete a site from the NPL until the State in which the release was located has concurred, and the public has been afforded an opportunity to comment on the proposed deletion. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts. The NPL is designed primarily for informational purposes and to assist Agency management.

EPA Region II will accept and evaluate public comments before making a final decision to delete. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community may be most pertinent to deletion decisions. The following procedures were used for the intended deletion of the Witco site:

1. EPA Region II has recommended deletion and has prepared the relevant documents.

2. NJDEPE has concurred with the deletion decision.

3. Concurrent with this Notice of Intent to Delete, a notice has been published in local newspapers and has been distributed to appropriate federal, state and local officials, and other interested parties. This notice announces a thirty (30) day public comment period on the deletion package starting on November 18, 1993, and concluding on December 17, 1993.

4. The Region has made all relevant documents available in the Regional Office and the local site information repositories.

The comments received during the comment period will be evaluated before the final decision is made. EPA Region II will prepare a Responsiveness Summary which will address the comments received during the public comment period.

If after consideration of these comments, EPA decides to proceed with deletion, the EPA Regional Administrator will place a Notice of Deletion 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 EPA.

IV. Basis for Intended Site Deletion

The following summary provides the Agency's rationale for recommending deletion of the Witco Site, Oakland, New Jersey from the NPL.

Witco has owned and operated a technical research facility for the development of specialty chemicals at this 9-acre site on Bauer Drive in Oakland, New Jersey from 1966 through the present. From 1966 through 1984, the company neutralized laboratory wastewater in a 2,000 gallon underground acid neutralizing tank, and then discharged it to a series of underground seepage pits.

On March 10, 1982, representatives of NJDEPE's Division of Water Resources performed an inspection at the facility to review operations and wastewater management practices for compliance with the New Jersey Water Pollution Control Act.

On April 2, 1982, NJDEPE issued a directive requiring that Witco take measures to cease the unpermitted discharge of industrial wastewaters to ground water at the site. On July 16, 1982, NJDEPE further directed Witco to submit a plan for the elimination of the discharge of industrial wastewaters into ground water and to implement a hydrogeological study to investigate possible soil and ground-water contamination.

On April 14, 1982 and November 18, 1982, NJDEPE collected seepage pit, soil and ground-water samples at the facility. Compounds detected include petroleum hydrocarbons, chloroform, toluene, carbon tetrachloride, chlorobenzene, benzene, xylene and ethylbenzene.

In response to NJDEPE's directive, Witco initiated a hydrogeological investigation in November 1982 which included the installation and sampling of four ground-water monitoring wells. In addition, three soil borings and two sludge samples from the seepage pit system were collected and analyzed. The analyses revealed that the ground water, soil and sludge were contaminated with petroleum hydrocarbons and various organic compounds including toluene, carbon Witco contracted with Roy F. Weston, tetrachloride, chloroform, xylene, benzene and chlorobenzene.

In February 1984, Witco replaced its underground seepage pit system with a 6,000 gallon capacity fiberglass tank with associated line connections, pumps and level gauges. This tank is used for the accumulation of laboratory wastewaters prior to off-site disposal. The system has been in operation at the facility from February 1984 through the present.

On August 28, 1985, EPA performed a Site Investigation at the facility to evaluate potential contamination due to the previous operation of the underground seepage pit system. Ground water, soil and surface water were sampled and analyzed. Compounds detected during the Site Investigation include 2-butanone, dieldrin, 4,4´-DDE, 4,4´-DDT and. benzo(a)pyrene.

On November 30, 1987, Witco initiated activities at the site including excavation and stockpiling of soils, removal of sludge from the six seepage tanks, and removal and disposal of the seepage tanks. These activities were completed in January 1988. Soils that were shown by Witco's analyses to contain greater than 100 parts per million of petroleum hydrocarbons were removed and disposed of off site. Witco reported that approximately 720 cubic yards of soil and other debris, and fourteen 55-gallon drums of sludge were disposed of off site. Ground-water samples from monitoring wells at the facility were collected and analyzed by Witco on five occasions from February 1987 to June 1988 as part of a voluntary monitoring program. The removal and disposal of materials from the site and the collection and analyses of samples were conducted voluntarily by Witco and were not subject to EPA or NJDEPE oversight or verification.

The site was proposed for inclusion on the Superfund National Priorities List (NPL) by a notice published in the **Federal Register** (53 FR 23988), on June 24, 1988. On October 4, 1989, the site was formally placed on the NPL by a notice published in the **Federal Register** (54 FR 41000–41015).

In June 1989, EPA notified Witco of its potential Superfund liability with respect to the site. EPA offered Witco the opportunity to conduct or finance the Remedial Investigation and Feasibility Study (RI/FS) for the site and Witco agreed. Witco and EPA entered into an Administrative Order on Consent (Order) which provided for Witco's performance of the RI/FS with oversight by EPA. The Order became effective on August 29, 1989.

Witco contracted with Roy F. Weston, Inc. (Weston) to conduct an investigation to characterize the geology, ground-water hydrology and the chemical quality of the soil and ground water at the site. The investigation included the installation of additional monitoring wells and piezometers, drilling of soil borings, collection of soil samples, and four rounds of ground-water samples. All samples were analyzed for volatile organic compounds, inorganic compounds, base-neutral and acid extractable organic compounds (BNAs), pesticides and polychlorinated biphenyls (PCBs). The analytical results indicated no significant levels of contaminants in site soils or surface water, and although there were sporadic detections of contaminants in site ground water, no discernible contaminant plume was found.

Based on the results of the RI, it appears that the removal of the seepage pits and surrounding soil, undertaken by Witco in 1987, effectively remediated the contamination at the Witco Site. Therefore, on September 28, 1992, EPA signed a Record of Decision (ROD) for this site, selecting "No Further Action" to address the site. The ROD also calls for the implementation of a limited ground-water monitoring program. EPA will monitor the residential well located at 18 Bailey Avenue, once a year for a period not less than five years. This well was selected because it is the only residential well downgradient of the Site which is located between the site and Oakland Public Supply Well #5. In the unlikely event that site-related contamination has migrated off the site, the monitoring program will not only ensure that this residential well has not been impacted, but will provide an early

warning for the public water supply, should any such contamination migrate toward Oakland Public Supply Well #5.

Because the "No Further Action" remedy does not result in hazardous substances, pollutants, or contaminants (attributable to on-site activities) remaining on-site above health-based levels, the five-year review does not apply.

Having met the deletion criteria, EPA proposes to delete this site from the NPL. EPA and NJDEPE have determined that the response actions are protective of human health and the environment.

Dated: September 8, 1993.

William J. Muszynski,

Acting Regional Administrator.

[FR Doc. 93–27987 Filed 11–17–93; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[ET Docket No. 93–62; DA 93–1350]

Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Chief of the Commission's Office of Engineering and Technology has granted a 60 day extension for filing comments and reply comments in response to the Notice of Proposed Rule Making (NPRM). This extension is in response to requests filed by CBS, Inc. ("CBS"), Capital Cities/ABC Inc. ("Capital Cities") and Hammatt and Edison, Inc. The additional time will allow for further analysis with respect to recent data and information relevant to the Commission's implementation of new radiofrequency exposure guidelines.

DATES: Comments are due by January 11, 1994. Reply comments are due by February 10, 1994.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Robert Cleveland, Office of Engineering and Technology, Federal Communications Commission, (202) 653–8169.

SUPPLEMENTARY INFORMATION: 1. On November 2, 1993, CBS Inc. ("CBS") and Capital Cities/ABC Inc. ("Capital Cities"), licensees of AM, FM and television broadcast stations, filed with the Commission a "Request for Extension of Time" in the above-named proceedings. CBS and Capital Cities requested that the Commission extend, by a period of sixty (60) days, the time for filing comments and reply comments. A similar request was filed by Hammett and Edison, Inc., a broadcast consulting firm, on November 2, 1993.

2. The deadline originally established for filing comments was August 13, 1993, and the date for reply comments was September 13, 1993. Previously, on August 3, 1993. the Commission granted a request filed by the National Association of Broadcasters (NAB) for an extension of time of ninety (90) days for filing comments and reply comments.[1] This action established a new deadline for filing comments on November 12, 1993, and a new deadline for reply comments of December 13, 1993.

3. The previous extension was granted to allow NAB time to complete a study commissioned to develop non-measurement based techniques for determining compliance with new guidelines for human exposure to radiofrequency (RF) fields proposed for adoption by the Commission.[2] The Commission has proposed to incorporate into its rules the newly revised standard of the American National Standards Institute (ANSI) developed by the Institute of Electrical and Electronics Engineers (IEEE) and designated IEEE C95.1–1991 (also ANSI/IEEE C95.1–1992).[3] CBS and Capital Cities have requested the latest extension in order to complete their analysis of recent data and information, including results from the NAB study and experimental results from the laboratory of Dr. Om P. Gandhi, that have become available relative to broadcaster compliance with the new guidelines.

4. CBS, Capital Cities, and Hammett and Edison note that the new information with respect to the consequences of the proposed guidelines has only recently become available. CBS and Capital Cities state that preliminary assessment of this information suggests that adoption of the guidelines, especially those that relate to induced RF currents, may significantly impact broadcasters. Hammett and Edison also have indicated that the new data is likely to affect implementation requirements for broadcasters. CBS and Capital Cities maintain that additional time is necessary to consider the implications of the new data, both to determine whether further study is required and to assess the effect that the proposed guidelines will have on broadcast operations.

5. CBS and Capital Cities believe that additional time is required to allow broadcasters to conduct field measurements to evaluate the new theoretical and experimental results. They also point out that the equipment necessary to make such measurements has not been readily available commercially, further justifying the need for additional time.

6. The Commission does not routinely grant requests for extensions of time.[4] However, we recognize the complexity of the issues raised by the new exposure guidelines and the difficulties in developing reasonable methods by which compliance can be evaluated. In this regard, it is clear to us that there is a need for additional data and analysis, particularly with respect to the new guidelines for induced and contact currents. If by granting this request for an extension meaningful insights can be gained into these issues, it appears that such an extension will benefit all concerned parties.

7. An extension could delay somewhat the implementation schedule for new guidelines. However, by providing further opportunity to acquire information needed for accurate and reasonable procedures and methods, an extension may actually facilitate the process of guideline implementation. It appears that there is adequate justification to support these requests, and we believe that the public interest will best be served by an extension.

8. Accordingly, *it is ordered* that, The deadline for filing comments is extended to January 11, 1994, and the deadline for filing reply comments is extended to February 10, 1994. This action is taken pursuant to sections 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303, and pursuant to §§ 0.31, 0.241 and 1.46 of the Commission's Rules, 47 CFR 0.31, 0.241 and 1.46.

Federal Communications Commission.

Thomas P. Stanley,

Chief Engineer.

[FR Doc. 93–28382 Filed 11–17–93; 8:45 am]

BILLING CODE 6712–01–M

[1] See Order Extending Time for Comments and Reply Comments, ET Docket 93–62, 8 FCC Rcd 5528 (1993).

[2] See Notice of Proposed Rule Making in ET Docket 93–62, 8 FCC Rcd 2849 (1993).

[3] *Id.*, Note 2 at paragraph 1.

[4] 47 CFR 1.46 (1991).