

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 300**

[FRL-5893-3]

National Oil and Hazardous Substances Contingency Plan; National Priorities List Update**AGENCY:** Environmental Protection Agency.**ACTION:** Notice of deletion of the Bruin Lagoon Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Bruin Lagoon Site (Site) in Bruin Borough, Pennsylvania from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the Commonwealth of Pennsylvania have determined that all appropriate Fund-financed responses under CERCLA have been implemented. Moreover, EPA and the Commonwealth of Pennsylvania have determined that remedial actions conducted at the Site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: September 18, 1997.

ADDRESSES: Comprehensive information on this Site is available through the public docket which is available for viewing at the Site information repositories at the following locations: Hazardous Waste Technical Information Center, 9th Floor, EPA Region III, 841 Chestnut Building, Philadelphia, PA, 19107, (215) 566-5364. Bruin Borough Fire Hall, 161 Water Street, Bruin Borough, PA 16022, (412)-753-2622.

FOR FURTHER INFORMATION CONTACT: Garth Connor, Remedial Project Manager, EPA Region III, 841 Chestnut Building, Philadelphia, PA 19107. 215-566-3209.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: Bruin Lagoon, Bruin Borough, Pennsylvania.

A notice of intent to delete for this site was published July 17, 1997 (62 FR 38239). The closing date for comments on the notice of intent to delete was August 18, 1997. EPA received no comments.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those

sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental Protection, Air pollution control, Chemicals, Hazardous substances, Hazardous substances, Hazardous waste, Intergovernmental relations, Superfund, Water supply.

Dated: September 9, 1997.

W. Michael McCabe,*Regional Administrator, EPA Region III.*

For the reason set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 191 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B [Amended]

2. Table 1 of Appendix B to part 300 is amended by removing the site "Bruin Lagoon, Bruin Borough, Pennsylvania."

[FR Doc. 97-24546 Filed 9-17-97; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 0, 1, and 5**

[ET Docket No. 93-266; ET Docket No. 94-124, RM-8784; CC Docket No. 92-297, RM-7872, PP-22; GEN Docket No. 90-314, PP-68; GEN Docket No. 90-357, PP-25; IB Docket No. 97-95, RM 8811; RM-7784, PP-23; RM-7912, PP-34, et. al.; FCC 97-309]

Pioneer's Preference Rules**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: In response to recent Congressional legislation, this Order terminates the Commission's pioneer's preference program and dismisses all pending pioneer's preference requests.

EFFECTIVE DATE: September 18, 1997.**FOR FURTHER INFORMATION CONTACT:**

Rodney Small, Office of Engineering and Technology, (202) 418-2452.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order*, ET Docket 93-266, FCC 97-309, adopted August 29, 1997, and released September 11, 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, and also may be purchased from the Commission's duplication contractor, International Transcription Service, (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Summary of the Order

1. Our pioneer's preference program was initiated in 1991. The program provided preferential treatment in our licensing processes for parties that made significant contributions to the development of a new spectrum-using service or to the development of a new technology that substantially enhanced an existing spectrum-using service. Approximately 140 parties applied for pioneer's preferences in various services, and five preferences were granted.

2. The Commission no longer has the authority to grant pioneer's preferences. On August 5, 1997, the President signed into law the Balanced Budget Act of 1997 (Budget Act), Public Law 105-33, 111 Stat. 251 (1997). The Budget Act amends section 309(j)(13)(F) of the Communications Act to provide that "[t]he authority of the Commission to provide preferential treatment in licensing procedures * * * shall expire on the date of enactment of the Balanced Budget Act of 1997." Thus, as of August 5, the Commission's authority to grant any applicant a pioneer's preference expired.

3. The Commission has the following pioneer's preference requests pending before it:

- Suite 12 Group (now CellularVision U.S.A.), filed on September 23, 1991 in the 28 GHz Local Multipoint Distribution Service proceeding (PP-22 in RM-7872 and CC Docket No. 92-297);

- Sky Station International, filed on March 20, 1996 for a global stratospheric telecommunications service in the 47.2-47.5 GHz and 47.9-48.2 GHz bands (RM-8784 and ET Docket No. 94-124);

- Qualcomm Incorporated, filed on May 4, 1992 in the broadband Personal Communications Services proceeding (PP-68 in GEN Docket No. 90-314);

- Strother Communications, Inc., filed on July 30, 1991 in the Digital Audio Radio Service proceeding (PP-25 in GEN Docket No. 90-357);

- Motorola Satellite Systems, Inc., filed on September 4, 1996 for a non-geostationary Fixed Satellite Service in the 36-51 GHz band (RM-8811 and IB Docket No. 97-95);

- ProNet, Inc., filed on July 30, 1991 for an electronic tracking service in the 216-220 MHz band (PP-23 in RM-7784);

- Maritime Telecommunications Network, Inc., filed on June 2, 1995 for a digital shipboard earth station service (PP-34 in RM-7912);

- CruiseCom International, Inc., filed on April 10, 1992 for a digital shipboard earth station service (RM-7912);

- AfriSpace, Inc., filed on July 30, 1991 for an international satellite sound broadcasting service;

- Inner Ear Communications, Inc., filed on May 21, 1993 for a low-power broadcast service in the 72-76 MHz band;

- Teledesic Corporation, filed on March 14, 1994 for a low-Earth orbit satellite service;

- Web SportsNet, Inc. and Gregory D. Deieso, filed on July 15, 1996 for an Event Broadcast Stations radio service; and

- RadioTour/USA, filed on June 17, 1997 for a low-power FM information broadcasting service.

4. In accordance with the Budget Act, we are immediately terminating our pioneer's preference program and are dismissing these 13 pioneer's preference requests. There may be additional pioneer's preference requests of which we are unaware. If any such requests are identified, the staff will dismiss them on delegated authority.

5. Accordingly, it is ordered that the Commission's pioneer's preference program and ET Docket No. 93-266 are terminated and parts 0, 1, and 5 of the Commission's rules are amended as set forth, effective upon publication in the **Federal Register**. In light of the fact that these rule changes are mandated by Congress and we have no discretion, we find good cause to proceed without notice and comment and to make the rule amendments effective less than 30 days after publication in the **Federal Register**.

6. It is further ordered that the requests for pioneer's preference filed by Suite 12 Group (now CellularVision U.S.A.) on September 23, 1991 (PP-22 in RM-7872 and CC Docket No. 92-297); Sky Station International on March 20, 1996 (RM-8784 and ET Docket No. 94-124); Qualcomm Incorporated on May 4, 1992 (PP-68 in

GEN Docket No. 90-314); Strother Communications, Inc. on July 30, 1991 (PP-25 in GEN Docket No. 90-357); Motorola Satellite Systems, Inc. on September 4, 1996 (RM-8811 and IB Docket No. 97-95); ProNet, Inc. on July 30, 1991 (PP-23 in RM-7784); Maritime Telecommunications Network, Inc. on June 2, 1995 (PP-34 in RM-7912); CruiseCom International, Inc. on April 10, 1992 (RM-7912); AfriSpace, Inc. on July 30, 1991; Inner Ear Communications, Inc. on May 21, 1993; Teledesic Corporation on March 14, 1994; Web SportsNet, Inc. and Gregory D. Deieso on July 15, 1996; and RadioTour/USA on June 17, 1997 are dismissed. This action is taken pursuant to sections 4(i), 7(a), 303(g), and 303(r), of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 157(a), 303(g), 303(r); and section 309(j)(13)(F) of the Communications Act of 1934, as amended by the Balanced Budget Act of 1997, Public Law 105-33, 111 Stat. 251 (1997).

List of Subjects

47 CFR Part 0

Organizations and functions.

47 CFR Part 1

Practice and Procedure.

47 CFR Part 5

Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Rule Changes

Parts 0, 1, and 5 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for part 0 continues to read as follows:

Authority: Sec. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155, 225, unless otherwise noted.

§ 0.241 [Amended]

2. Section 0.241 is amended by removing paragraph (f), and redesignating paragraph (g) as new paragraph (f).

PART 1—PRACTICE AND PROCEDURE

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

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303; Implement, 5 U.S.C. 552 and 21 U.S.C. 853a, unless otherwise noted.

§ 1.402 [Removed]

2. Section 1.402 is removed.

PART 5—EXPERIMENTAL RADIO SERVICES (OTHER THAN BROADCAST)

1. The authority citation in part 5 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply sec. 301, 48 Stat. 1081, as amended; 47 U.S.C. 301.

§ 5.207 [Removed]

2. Section 5.207 is removed.

[FR Doc. 97-24821 Filed 9-17-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 193

[Docket No. PS-151; Notice 2]

RIN 2137-AC 88

Liquefied Natural Gas Regulations—Miscellaneous Amendments

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Confirmation of effective date of Direct Final Rule.

SUMMARY: This document confirms the effective date of the amendments of the direct final rule which incorporated safety requirements for mobile and temporary LNG facilities by referencing National Fire Protection Association (NFPA) Standard 59A (1996 edition), Standard for the Production, Storage and Handling of Liquefied Natural Gas (LNG).

EFFECTIVE DATES: This document confirms October 15, 1997, as the effective date of the addition of § 193.2019 to part 193 in the direct final rule, published on August 1, 1997, at 62 FR 41312.

FOR FURTHER INFORMATION CONTACT: Mike Israni, telephone: (202) 366-4571, or e-mail: mike.israni@rspa.dot.gov, regarding the subject matter of this document, or the Dockets Unit (202) 366-5046, for copies of this document or other information in the docket.

SUPPLEMENTARY INFORMATION:

Background

On August 1, 1997, RSPA published a direct final rule (62 FR 41312) titled "Liquefied Natural Gas Regulations—Miscellaneous Amendments." In that rule, RSPA stated that if no adverse comments were received by September