

statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated today does not include a federal mandate that may result in estimated costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new federal requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

D. Small Business Regulatory Enforcement Fairness Act

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

E. Executive Order 12866

The Office of Management and Budget has exempted this action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: August 9, 1996.
Felicia Marcus,
Regional Administrator.

Part 70, title 40 of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

2. Appendix A to part 70 is amended by adding paragraph (dd) to the entry for California to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

(dd) *South Coast Air Quality Management District*: submitted on December 27, 1993 and amended on March 6, 1995, April 11, 1995,

September 26, 1995, April 24, 1996, May 6, 1996, May 23, 1996, June 5, 1996 and July 29, 1996; approval effective on October 28, 1996 unless adverse or critical comments are received by September 30, 1996.

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[FR Doc. 96-21950 Filed 8-28-96; 8:45 am]
BILLING CODE 6560-50-P

40 CFR Part 300

[FRL-5560-6]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Deletion of the Leetown Pesticide Site in Leetown, Jefferson County, West Virginia, from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region III announces the deletion of the Leetown Pesticide site (Site) located in Jefferson County, West Virginia, from the National Priorities List (NPL). The NPL constitutes Appendix B to 40 CFR Part 300. Part 300 comprises 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) of 1980, as amended. EPA and the West Virginia Division of Environmental Protection have determined that all appropriate CERCLA actions have been implemented and that the Site poses no significant threat to public health or the environment. Therefore, further remedial measures pursuant to CERCLA are not needed.

EFFECTIVE DATE: August 29, 1996.

FOR FURTHER INFORMATION CONTACT: Melissa Whittington (3HW23), Remedial Project Manager, U.S. EPA Region III, 841 Chestnut Building, Philadelphia, PA, 19107, (215) 566-3235.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: the Leetown Pesticide Site, Leetown, Jefferson County, West Virginia.

A Notice of Intent to Delete this Site was published on June 14, 1996 in the Federal Register (56 FR 11597). The closing date for comments on the Notice of Intent to Delete was July 15, 1996. EPA did not receive any comments on the proposed deletion.

EPA identifies sites that appear to present a significant risk to public health 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 40 CFR 300.425(e)(3), 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 in the future. 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 waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 20, 1996.
W. Michael McCabe,
Regional Administrator, U.S. EPA Region 3.

For the reasons 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, 1991 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 Leetown Pesticide site, Leetown, West Virginia.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2, 22, 24, and 90

[WT Docket No. 96-6; FCC 96-283]

Flexible Service Offerings in the Commercial Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this First Report and Order in WT Docket No. 96-6, the Commission amends its rules to allow providers of narrowband and broadband Personal Communications Services (PCS), cellular, CMRS Specialized Mobile Radio (SMR), and CMRS paging, CMRS 220 MHz service, and for-profit interconnected business radio services to offer fixed wireless services on their