

harmonization of residue levels is not an issue.

[FR Doc. 04-12703 Filed 6-8-04; 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7671-8]

### Notice of Proposed Settlement Agreement Under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as Amended, 42 U.S.C. 9606(a) and 9622(h), Agromac/Lockwood Superfund Site, Gering, NE, Docket No. CERCLA-07-2003-0302

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement agreements, Lockwood Corporation and Agromac International, Inc., Agromac/Lockwood Superfund Site, Gering, Nebraska.

**SUMMARY:** Notice is hereby given that two proposed settlement agreements regarding the Lockwood Corporation and Agromac International, Inc. Superfund Site (Agromac/Lockwood), located in Gering, Nebraska, were signed by the United States Environmental Protection Agency (EPA) on December 17, 2003, and signed by the United States Department of Justice (DOJ) on May 1, 2004. Commenters may request an opportunity for a public meeting in the affected area, in accordance with section 7003(d) of RCRA, 42 U.S.C. 6973(d).

**DATES:** EPA will receive written comments relating to these proposed settlement agreements until July 9, 2004.

**ADDRESSES:** Comments should be addressed to E. Jane Kloeckner, Senior Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101 and should refer to: In the Matter of Agromac/Lockwood Superfund Site, Gering, Nebraska, Docket No. CERCLA-07-2003-0302. Comments may also be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to In re: Lockwood Corporation, D.J. Ref. 90-11-2-06925.

These proposed settlement agreements may be examined or obtained in person or a copy requested by mail from the office of the United States Environmental Protection

Agency, Region VII, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7235. The Settlement Agreements may be examined at the Office of the United States Attorney, 1620 Dodge Street, Suite 1400, Omaha, NE 68102-1506. A copy may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing a request to Tonia Fleetwood, fax No. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$3.75 for the Bankruptcy Agreement, or \$19.50 for the Administrative Order (25 cents per page reproduction cost) payable to the U.S. Treasury.

**SUPPLEMENTARY INFORMATION:** These proposed settlements are intended to resolve the CERCLA liability of Lockwood Corporation, Debtor (Lockwood), and Agromac International, Inc. (Agromac) for response actions at the Agromac/Lockwood Site. This Site is located on Highway 92 East in Gering, Nebraska, and encompasses approximately 80 acres. It is generally in a commercial/agricultural area; however, a few residential homes are nearby.

Prior to acquisition by Agromac, the entire facility was owned by Lockwood, which manufactured and galvanized irrigation equipment and manufactured potato harvesting machines beginning in the early 1970s. In 1976, Agromac brought the facility and leased the irrigation manufacturing/galvanizing portion of the Block P Parcel to Powerhorse Lockwood Irrigation, Inc. (PLI), a defunct Nebraska corporation. During operations by Lockwood Corporation through 1984, Lockwood disposed of some hazardous wastes in a waste acid evaporation pond. In 1989, Lockwood obtained a RCRA Post Closure Permit from the State of Nebraska and a RCRA Corrective Action Permit from EPA, Region VII, which regulates the post-closure care of the evaporation pond and corrective action for six solid waste management units throughout the Agromac/Lockwood Site.

Agromac and Lockwood have been identified by EPA as eligible for a settlement based on their limited ability to pay for cleanup and reimburse response costs using EPA's Superfund Ability to Pay (ATP) Guidance. The Lockwood agreement is embodied in a Settlement under the United States Bankruptcy Court in Nebraska because Lockwood is under supervision of the US Bankruptcy Trustee due to its petition for liquidation under Chapter 7

of the US Bankruptcy Code. The Settlement Agreement is between the Lockwood Corporation Bankruptcy Trustee, Agromac International Inc., and the United States. The Agreement provides for (i) the hazardous waste management unit to be transferred from Lockwood to Agromac, and (ii) transfer of the remaining funds in the bankruptcy estate, net of \$52,000 in reimbursement of monitoring expenditures and fees, to an escrow account for use in cleaning up the property in accordance with the companion Administrative Order on Consent entered into between Agromac and the EPA. In return for the commitments by the Trustee, the United States grants Lockwood a covenant not to sue under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973, relating to the Agromac/Lockwood Site.

The settlement with Agromac is pursuant to section 107 and 122 of CERCLA. The agreement provides for Agromac to pay \$65,000 to EPA and perform the final removal action at the Site. In addition, the Agromac settlement has certain re-openers for changed financial condition if Agromac sells real estate above its book value, in which case 40% of the excess proceeds will be paid to EPA. Agromac agrees to use all funds received in the Bankruptcy distribution from Lockwood to pay for the response actions. If the removal action costs less than Agromac received from the bankruptcy distribution, the remaining proceeds from the distribution will be paid to EPA. In return for the commitments by the Agromac, the United States grants Agromac a covenant not to sue under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Agromac/Lockwood Site.

Dated: May 24, 2004.

**James B. Guilliford,**

*Regional Administrator, Region VII.*

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## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 96-45; DA 04-1445]

### Parties are Invited to Comment on Petitions for Eligible Telecommunications Carrier Designations

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; solicitation of comments.

**SUMMARY:** In this document, interested parties are invited to comment on petitions recently filed by certain wireless telecommunications carriers seeking designation as eligible telecommunications carriers (ETCs) pursuant to section 214(e)(6) of the Communications Act of 1934, as amended.

**DATES:** Comments are due on or before June 21, 2004. Reply comments are due on or before July 6, 2004.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See Supplementary Information for further filing instructions.

**FOR FURTHER INFORMATION CONTACT:** Thomas Buckley, Attorney, Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400, TTY (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a summary of public notice, CC Docket No. 96-45, DA 04-1445, released May 21, 2004. In this public notice, the Wireline Competition Bureau invites parties to comment on the following petitions filed by wireless telecommunications carriers seeking designation as eligible telecommunications carriers (ETCs) pursuant to section 214(e)(6) of the Communications Act of 1934, as amended.

ETC petitions	Date filed
AT&T Wireless Services, Inc. (FL) .....	5/6/04

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments as follows: comments are due on or before June 21, 2004 and reply comments are due on or before July 6, 2004. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998. Parties should clearly specify in the caption of all filings the petition(s) to which the filing relates.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236

Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW., Room 5-B540, Washington, DC 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Best Copying and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20054.

Pursuant to § 1.1206 of the Commission's rules, 47 CFR 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure.

Federal Communications Commission.

**Anita Cheng,**

*Assistant Chief, Wireline Competition Bureau, Telecommunications Access Policy Division.*

[FR Doc. 04-13036 Filed 6-8-04; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Sunshine Act Meeting**

FCC to hold open Commission meeting Thursday, June 10, 2004.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, June 10, 2004, which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

ETC petitions	Date filed
RCC Minnesota, Inc. and RCC Atlantic, Inc. (NH) .....	3/12/04
Manchester-Nashua Cellular Telephone, L.P., NH #1 Rural Cellular, Inc., USCOC of New Hampshire RSA #2, Inc. (NH) .....	4/13/04
USCOC of Virginia RSA #3, Inc., USCOC of Virginia RSA #2, Inc., Virginia RSA #4, Inc., Virginia RSA #7, Inc. Ohio State Cellular .....	4/13/04
Telephone Company, Inc. and Charlottesville Cellular Partnership (VA). Dobson Cellular Systems, Inc. and American Cellular Corporation (NY) .....	5/10/04
Dobson Cellular Systems, Inc. and American Cellular Corporation (NY) .....	5/3/04

Item No.	Bureau	Subject
1 .....	International .....	Title: Mandatory Electronic Filing for International Telecommunications Services and Other International Filings. Summary: The Commission will consider a Notice of Proposed Rulemaking concerning Electronic Filing—Telecoms.