

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 300**

[FRL-7486-1]

**National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of deletion for the Industrial Latex Corp. Superfund Site from the National Priorities List.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) Region II Office announces the deletion of the Industrial Latex Corp. Superfund Site from the National Priorities List (NPL). The Industrial Latex site is located in the Borough of Wallington, Bergen County, New Jersey. The NPL constitutes appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of New Jersey, through the Department of Environmental Protection, have determined that all appropriate remedial actions have been completed at the Industrial Latex site and no further fund-financed remedial action is appropriate under CERCLA. In addition, EPA and the State of New Jersey have determined that the remedial actions taken at the Industrial Latex site protect public health and the environment without any further monitoring or restriction.

**EFFECTIVE DATE:** April 21, 2003.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Vaughn, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 19th Floor, New York, New York 10007-1866, (212) 637-3914.

**SUPPLEMENTARY INFORMATION:** To be deleted from the NPL is: the Industrial Latex Corp. Superfund Site, Borough of Wallington, Bergen County, New Jersey.

A Notice of Intent to Delete for the Industrial Latex Corp. Site was published in the **Federal Register** on December 9, 2002 (67 FR 72888). The closing date for comments on the Notice of Intent to Delete was March 1, 2003. EPA received no comments regarding this action. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. As described in

300.425(e)(3) of the NCP, any site or portion thereof deleted from the NPL remains eligible for 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, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Superfund, Water pollution control, Water supply.

**William J. Muszynski,***Acting Regional Administrator—Region II.*

■ For the reasons set out in the preamble, part 300, chapter I of title 40 of the Code of Federal Regulations, is amended as follows:

**PART 300—[AMENDED]**

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

**Authority:** 42 U.S.C. 9601-9657; 33 U.S.C. 1321(c)(2); 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 “Industrial Latex Corp., Wallington Borough, New Jersey.”

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 90**

[WT Docket No. 01-146; RM-9966; FCC 03-35]

**Applications and Licensing of Low Power Operations in the Private Land Mobile Radio 450-470 MHz Band****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** In this document, the Federal Communications Commission (FCC) divides low power channels in the 450-470 MHz band into five groups. Each group of frequencies is intended for a different market. Collectively, they address the diversity of low power operations in the 450-470 MHz band. The FCC believes that the plan adopted will accommodate a broad range of potential low power users while maximizing efficient and flexible use of the band.

**DATES:** Effective May 21, 2003.**FOR FURTHER INFORMATION CONTACT:**

Brian Marengo, Electronics Engineer, [bmarengo@fcc.gov](mailto:bmarengo@fcc.gov), or Genevieve Augustin, Esquire, [gaugusti@fcc.gov](mailto:gaugusti@fcc.gov), Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the FCC's Report and Order, FCC 03-35, adopted on February 14, 2003, and released on March 11, 2003. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the FCC's copy contractor, Qualex International, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

1. In this Report and Order, the FCC:
  - Designates forty-nine 12.5 kHz 450-470 MHz Industrial/Business channel pairs and one unpaired frequency for low power coordinated use. Thirty-nine of the channel pairs and the unpaired frequency will be available for full power at least 50 miles outside of the top 100 urban areas. These channels will be referred to as “Group A.”
  - Raises power limits for base/fixed operations on the Group A channels to 20 watts effective radiated power.
  - Designates ten 12.5 kHz 450-470 MHz channel pairs for low power non-voice coordinated use nationwide, with voice operations allowed on a secondary basis. These channels will be referred to as “Group B.”
  - Designates twenty-one 12.5 kHz 450-470 MHz channel pairs and four unpaired frequencies for low power non-coordinated use nationwide. These channels will be referred to as “Group C.” Although the majority of these channels are immediately available, ten Group C frequencies will become available only after completion of the medical telemetry migration deadline.
  - Converts power limits for mobile operations on the Group A, B and C frequencies to 6 watts effective radiated power.
  - Designates five 12.5 kHz 450-470 MHz channel pairs for low power