

dissociate or react to yield metal ions because the metal ion is tightly bound in a calcium-silica matrix and cannot be released." However, this conclusion is inconsistent with the information from other studies presented in the petition indicating high levels of manganese from leaching are possible.

D. Availability of Manganese ion from Slags

Although it is established that leaching of manganese from the slag occurs, there is insufficient information regarding the ultimate fate of the leachate for a detailed characterization. A variety of conditions (i.e., geology, pH, soil organic content, etc.) combine in a complex manner to severely limit modeling of the fate of the leachate.

Manganese may be leached from slags under acidic and reducing conditions, which are the conditions expected to prevail in landfilled slags that are in contact with the aquatic environment. Further, these same conditions are conducive to reduction of the manganese oxides normally found in slags to the water soluble manganous ion, (Mn⁺²). Although Mn⁺² often precipitates with carbonate ions as MnCO₃, this is not always the case, and various lines of evidence suggest that Mn⁺² may enter ground water supplies and/or may reach surface waters. Evidence also shows that sorption of manganese to soil is highly variable, and that release may actually occur under certain conditions (Ref. 1). Thus, it cannot be concluded that "any manganese leached from slags is quickly adsorbed by the surrounding soil" as the petitioner claims.

The petitioner reports the slag to have a pH of 9 to 11 in which the manganese is present in an insoluble oxide form. Slag piles are generally fully exposed to weather conditions and are present in a wide range of sizes, very small particulates to large blocks. Under acidic conditions, such as those present in acid rain (pH 5.5), the predominant species of manganese is not the insoluble oxide form but the soluble ion form, manganese⁺². The petitioner also reports a range of manganese leachate measured from a variety of slag sources; the upper level being 22 to 32 mg/l (ppm) of manganese ion (Refs. 1 and 6).

The soluble manganese ion can then hydrolyze, form insoluble oxides, exist as Mn⁺² in solution, precipitate with carbonates and other anions, and form insoluble sulfides depending on the redox potential of the water media, pH, temperature, and the mix of anions present. Most of these reactions are catalyzed by biota. Adsorption of Mn⁺² is favored in soils with a large

percentage of clay particles and organic material. Anaerobic conditions and acidified conditions favor resolubilization of Mn⁺² (Refs. 1 and 6).

E. Technical Summary

EPA's toxicological evaluation of manganese ion indicates that manganese can cause neurotoxic effects in humans, exhibits moderate toxicity to aquatic and terrestrial organisms, and has a high potential to bioaccumulate. EPA's assessment of the availability of manganese ion from iron-making and carbon steel-making slags indicates that a wide range of manganese leachate from slag piles has been documented (noted in the petition). This indicates that leaching of the manganese ion is expected. Measured leachate levels, as specified in the petition, exceed acute and chronic aquatic toxicity values and those reported as toxic to certain plants. Evidence also shows that sorption of manganese to soils is highly variable, and that release may actually occur under certain conditions (Refs. 1, 6, and 7).

IV. Rationale for Denial

EPA is denying the petition to delete manganese and manganese compounds in iron-making and carbon steel-making slag from the EPCRA section 313 list. EPA believes that manganese ion can become available at levels which can reasonably be anticipated to induce adverse human health and environmental effects. EPA believes that manganese and manganese compounds in iron-making and carbon steel-making slag meet the toxicity criteria of EPCRA section 313(d)(2)(B) based on available neurotoxicity data, and that they meet the toxicity criteria of EPCRA section 313(d)(2)(C) based on the available acute environmental toxicity and bioconcentration data.

V. References

- (1) USEPA/OPPT, Boethling, Bob, *Environmental Fate of Manganese* dated January 18, 1994.
- (2) USEPA/OPPT, Macek, Greg, *Final Report: Engineering Support for EPA Review of Section 313(e) Petition on Manganese and Manganese Compounds in Iron-Making and Carbon Steel-Making Slags* dated January 27, 1994.
- (3) USEPA/OPPT, Murphy, James J., *Preliminary Review of Systemic Toxicity for EPCRA Section 313 Delisting Petition on Manganese and its Compounds in Slags* dated November 19, 1993.
- (4) USEPA/OPPT, Murphy, James J., *Review of Systemic Toxicity of Manganese with Particular Reference to*

Manganese-Containing Slag dated December 29, 1993.

(5) USEPA/OPPT, Rakshpal, Ram, *Section 313(e) Petition on Manganese and Manganese Compounds in Iron-Making Slags and Carbon Steel-Making Slags (Chemistry Report)* dated December 9, 1993.

(6) USEPA/OPPT, Rusak, Linda, *Technical Integrator Report* dated April 1995.

(7) USEPA/OPPT, Smerchek, Jerry C., *Ecological Hazard Review of the American Iron and Steel Institute Petition to Delist Manganese and Manganese Compounds Contained in Iron-Making Slags and Carbon Steel-Making Slags* dated December 9, 1993.

VI. Administrative Record

The record supporting this denial of petition is contained in the docket number OPPTS-400094. All documents, including an index of the docket, are available in the TSCA Nonconfidential Information Center (NCIC), also known as the TSCA Public Docket Office, from noon to 4 p.m., Monday through Friday, excluding legal holidays. The TSCA Public Docket Office is located at EPA Headquarters, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

List of Subjects in 40 CFR Part 372

Environmental protection, Chemicals, Community right-to-know, Reporting and recordkeeping requirements, and Toxic chemicals.

Dated: August 15, 1995.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 95-21039 Filed 8-23-95; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-134, RM-8679]

Radio Broadcasting Services; Sanford, NC

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Woolstone Corporation seeking the allotment of Channel 276A to Sanford, NC, as the community's second local FM service. Channel 276A can be allotted to Sanford in compliance with

the Commission's minimum distance separation requirements with a site restriction of 11.3 kilometers (7 miles) west, at coordinates 35-26-28 North Latitude; 79-17-11 West Longitude, to avoid a short-spacing to unoccupied but applied-for Channel 275A, Raleigh, NC.

DATES: Comments must be filed on or before October 12, 1995, and reply comments on or before October 27, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: A. Wray Fitch, III, Esq., Gammon & Grange, Seventh Floor, 8280 Greensboro Drive, McLean, VA 22102-3807 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-134, adopted August 10, 1995, and released August 21, 1995. 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. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-

3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21021 Filed 8-23-95; 8:45 am]

BILLING CODE 6712-01-F

[MM Docket No. 93-234; RM-8289]

47 CFR Part 73

Television Broadcasting Services; Boca Raton and Lake Worth, FL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; denial.

SUMMARY: The Commission declines to amend the TV Table of Allotments to permit a proposed station and community of license swap between two TV permittees in Florida. The swap was originally proposed by the Commission at 58 FR 46152 (Sept. 1, 1993).

FOR FURTHER INFORMATION CONTACT: Jane Hinckley Halprin, Mass Media Bureau, (202) 776-1653.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order* in MM Docket No. 93-234, adopted August 10, 1995 and released August 21, 1995. The full text of this decision is available for public inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

John Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21007 Filed 8-23-95; 8:45 am]

BILLING CODE 6712-01-F