

under CERCLA are appropriate at this time. Consequently, U.S. EPA proposed to delete the site from the NPL.

EPA, with concurrence from the State of Minnesota, has determined that all appropriate Fund-financed responses under CERCLA at the Kummer Sanitary Landfill Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and the environment. Therefore, EPA proposes to delete the site from the NPL.

Dated: February 20, 1996.

Valdas V. Adamkus,

Regional Administrator, U.S. EPA, Region V.
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 96-19; RM-8744]

Television Broadcasting Services; Geneseo, NY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Renard Communications Corp. seeking the allotment of UHF TV Channel 39- to Geneseo, NY, as the community's first local television transmission service. Channel 39- can be allotted to Geneseo in compliance with the Commission's minimum distance separation requirements with a site restriction of 21.4 kilometers (13.3 miles) east, at coordinates 42-46-10 North Latitude and 77-33-21 West Longitude, to avoid a short-spacing to TV Channel 39+ at Kitchener, Ontario. Canadian concurrence is required since Geneseo is located within 400 kilometers (250 miles) of the U.S.-Canadian border. This proposed allotment is not affected by the Commission's freeze on new allotments in certain metropolitan areas.

DATES: Comments must be filed on or before April 12, 1996, and reply comments on or before April 29, 1996.

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: Craig L. Fox, President, Renard Communications Corp. 4853 Manor Hill Drive, Syracuse, New York 13215-1336 (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. 96-19, adopted February 6, 1996, and released February 20, 1996. 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

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-4787 Filed 2-29-96; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition To List the Ohlone Tiger Beetle as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 12-month finding on a petition to list the Ohlone tiger beetle (*Cicindela ohlone*) as endangered pursuant to the Endangered Species Act (Act) of 1973, as amended. The Ohlone tiger beetle was discovered in 1990 and

is currently known only from Santa Cruz County, California. The five known populations may be threatened by the following factors: habitat fragmentation and destruction due to urban development, habitat degradation due to invasion of non-native vegetation, and vulnerability to stochastic local extirpations. However, the Service finds that the information presented in the petition, in addition to information in the Service's files, does not provide conclusive data on biological vulnerability and threats to the species and/or its habitat. Available information does not confirm that the species is limited to a specific habitat type. After review of all available scientific and commercial information, the Service determines that listing is not warranted for the Ohlone tiger beetle at this time.

DATES: The finding announced in this document was made on November 9, 1995. Comments and information concerning this finding may be submitted until further notice.

ADDRESSES: Data, information, comments or questions concerning this petition finding may be submitted to the Field Supervisor, Ventura Field Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003. The petition, finding, supporting data and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Carl Benz, Assistant Field Supervisor, Listing and Recovery (See **ADDRESSES** section) at 805/644-1766.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that, for any petition to revise the Lists of Endangered and Threatened Wildlife and Plants that contains substantial scientific and commercial information, the Service make a finding within 12 months of the date of receipt of the petition whether the petitioned action is (a) not warranted, (b) warranted, or (3) warranted but precluded from immediate proposal by other pending proposals. Such 12-month findings are to be published promptly in the Federal Register.

On February 18, 1993, the Service received a petition from Randall Morgan of Soquel, California requesting that the Service add the Ohlone tiger beetle (*Cicindela ohlone*) to the list of threatened and endangered species pursuant to the Act. The petition specified endangered status because of