

Alleyways (6') will be cut between replicates. Entire trials will be surrounded by a 10' crop-free buffer zone. Small-scale ground-based spray equipment will be used. Equipment will be cleaned with hypochlorite after applications with construct. Upon completion of the trials, crops will remain standing for at least 2 weeks to maximize the natural degradation of the remaining Polyhedral Inclusion Bodies (PIBs) before being shredded and interred into the soil.

Weekly monitoring of target insects and those non-target insects will take place within treated plots. Following review of American Cyanamid Company's application and any comments received in response to this notice, EPA will decide whether or not an experimental use permit is required.

EPA has established a record for this notice under docket number OPP-50816 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as (CBI), is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:

opp-docket@epamail.epa.gov

The official record for this document, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the "ADDRESSES" unit at the beginning of this document.

#### List of Subjects

Environmental protection and Genetically-engineered microbial pesticides.

Dated: March 11, 1996.

Janet L. Andersen,

*Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 96-7043 Filed 3-21-96; 8:45 am]

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#### 40 CFR Parts 153 and 159

[OPP-250114; FRL-5354-2]

RIN No. 2070-AB50

#### Reporting Requirements for Risk/Benefit Information; Notification to the Secretary of Agriculture

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification to the Secretary of Agriculture.

**SUMMARY:** Notice is given that the Administrator of EPA has forwarded to the Secretary of Agriculture a final regulation under section 6(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The rule defines the obligations of pesticide registrants under section 6(a)(2) to report to the Agency information indicating their products may cause unreasonable adverse effects. This action is required by FIFRA section 25(a)(2).

**FOR FURTHER INFORMATION CONTACT:** By mail: James V. Roelofs, Policy and Special Projects Staff (7501C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington DC 20460. Office location and telephone number: Rm. 1113, CM #2, 1921 Jefferson Davis Highway, Arlington, VA., telephone: 703-308-2964, e-mail: roelofs.james@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Section 25(a)(2) of FIFRA provides that the Administrator shall provide the Secretary of Agriculture with a copy of any final regulation at least 30 days before signing it for publication in the Federal Register. If the Secretary comments in writing regarding the final regulation within 15 days after receiving it, the Administrator shall issue for publication in the Federal Register, with the final regulation, the comments of the Secretary, if requested by the Secretary, and the response of the Administrator concerning the Secretary's comments. If the Secretary does not comment in writing within 15 days after receiving the final regulation, the Administrator may sign the regulation for publication in the Federal Register anytime thereafter.

Authority: 7 U.S.C. 136 et seq.

Dated: March 13, 1996.

Daniel M. Barolo,

*Director, Office of Pesticide Programs.*

[FR Doc. 96-7042 Filed 3-21-96; 8:45 am]

BILLING CODE 6560-50-F

#### FEDERAL COMMUNICATIONS COMMISSION

[WT Docket 96-41; FCC 96-85]

#### Hearing Designation Order; Liberty Cable Co., Inc.

AGENCY: Federal Communications Commission.

ACTION: Notice of Hearing Designation Order and Notice of Opportunity for Hearing.

**SUMMARY:** Fifteen applications for operational fixed microwave service (OFS) facilities filed by Liberty Cable Co., Inc. (Liberty) are designated for hearing. The Commission has determined that substantial and material questions of fact exist as to whether Liberty possesses the requisite qualifications to be a Commission licensee.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Joseph Weber, Enforcement Division, Wireless Telecommunications Bureau, (202) 418-1317.

**SUPPLEMENTARY INFORMATION:** This is a summary of Hearing Designation Order and Notice of Opportunity for Hearing in WT Docket 96-41, adopted March 4, 1996, and released March 5, 1996.

The full text of Commission decisions are available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, N.W., Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, (202) 857-3800.

Summary of Hearing Designation Order and Notice of Opportunity for Hearing

The Commission has designated 15 OFS applications filed by Liberty for hearing. Liberty is a multichannel video programming distributor and provides video services to customers in New York City using OFS facilities. The Commission has learned that Liberty has been providing service to non-commonly owned buildings which Liberty has interconnected with hardware without a cable franchise. At the time Liberty was interconnecting these buildings, the Communications Act defined the interconnection of non-commonly owned buildings a operating a cable system. The Act requires in order to be a cable operator, a cable franchise must first be obtained. Because Liberty never obtained a cable franchise, Liberty is in apparent

violation of the Communications Act. Several of the applications Liberty has filed were to replace the hardwire connection with an OFS path. Those applications were designated to determine whether the facts and circumstances surrounding Liberty's interconnecting of non-commonly owned buildings without a franchise bears on its qualifications to be a Commission licensee.

Second, Liberty has admitted to commencing operation of several facilities prior to being granted authority to do so. In some instances, Liberty commenced operation prior to applying for such authority. The Commission determined that this raises a substantial and material question of fact regarding Liberty's qualifications to be a licensee. Accordingly, all of the applications for facilities which Liberty commenced operation without prior authority were designated for hearing.

Finally, one Liberty official, who at the time certain statements were made was Liberty's chief of engineering, filed contradictory statement with the Commission and the U.S. District Court for the Southern District of New York. The statements concerned the reasons for the premature operation of the facilities. Because the Commission could not resolve the discrepancy between the two statements, the Commission found that material and substantial questions of fact exist regarding Liberty's truthfulness before the Commission, and an appropriate issue was designated.

Pursuant to Section 309(e) of the Communications Act of 1934, as amended, 15 of Liberty's applications for operational fixed microwave services facilities have been designated for hearing upon the following issues listed below:

(1) (a) To determine the facts and circumstances surrounding Liberty Cable Co., Inc.'s operation of hardwired interconnected, non-commonly owned buildings, without first obtaining a franchise. See 47 U.S.C. 541(b)(1), 47 U.S.C. Title VI and 47 CFR § 76 et seq.

(b) To determine whether Liberty Cable Co., Inc. has violated Section 1.65 of the Commission's Rules, 47 CFR § 1.65, by failing to notify the Commission of its provision of service to interconnected, non-commonly owned buildings.

(c) To determine whether, based on (1)(a) and (b) above, Liberty is qualified to be granted the above-captioned private operational fixed microwave authorizations.

(2) (a) To determine the facts and circumstances surrounding Liberty Cable Co., Inc.'s admitted violations of

Section 301 of the Communications Act and Section 94.23 of the Commission's Rules, 47 U.S.C. 301, 47 CFR § 94.23, by operating certain private operational fixed microwave facilities without first obtaining Commission authorization.

(b) To determine whether Liberty Cable Co., Inc. has violated Section 1.65 of the Commission's Rules, 47 CFR 1. § 1.645, by failing to notify the Commission of its premature operation of service in either its underlying applications or its requests for special temporary authority.

(c) To determine whether, based on (2)(a) and (b) above, Liberty is qualified to be granted the above-captioned private operational fixed microwave authorizations.

(3) (a) To determine whether Liberty Cable Co., Inc., in relation to its interconnection of non-commonly owned buildings and its premature operation of facilities, misrepresented facts to the Commission, lacked candor in its dealings with the Commission, or attempted to mislead the Commission, and in this regard, whether Liberty Cable Co., Inc. has violated Section 1.17 of the Commission's Rules, 47 CFR § 1.17.

(b) To determine whether, based on (3)(a), above, Liberty is qualified to be granted the above-captioned private operational fixed microwave authorizations.

(4) To determine, based on the evidence adduced in issues (1) through (3) above, whether Liberty Cable Co., Inc. possesses the requisite character qualifications to be granted the above-captioned private operational fixed microwave authorizations for which it has applied and, accordingly, whether grant of its applications would serve the public interest, convenience and necessity.

The Commission has further placed Liberty on notice that the presiding administrative law judge may find that Liberty has violated any provision of the Communications Act or any Commission rule and impose a forfeiture up to the statutory maximum.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 96-6523 Filed 3-21-96; 8:45 am]

BILLING CODE 6712-01-M

### **Low Power Television and Television Translator Filing Window From April 22, Through April 26, 1996**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of Filing Window.

**SUMMARY:** This action gives notice of an application filing window for the tendering of applications for major changes in existing facilities for low power television and television translator stations. This notice sets forth the filing procedures, including when and where to file and the applicable application form to be used, and information concerning application filing fees.

**DATES:** April 22, 1996 through April 26, 1996.

**FOR FURTHER INFORMATION CONTACT:** Hossein Hashemzadeh, Low Power Television Branch, Mass Media Bureau, (202) 418-1650.

**SUPPLEMENTARY INFORMATION:**

Notice of Low Power Television/ Television Translator "Major Change Only" Filing Window From April 22, 1996 Through April 26, 1996

Released: March 18, 1996.

Commencing April 22, 1996, and continuing to and including April 26, 1996, the Commission will permit the filing of applications for MAJOR CHANGES ONLY in existing facilities for low power television and television translator stations (LPTV).

#### Major Change Limitation

As set forth in Section 73.3572 of the Commission's Rules, a major change in facilities for a LPTV station includes any change in frequency (output channel) assignment, transmitting antenna system, antenna height or authorized operating power. Any change in antenna location exceeding 200 meters also constitutes a major change. Section 73.3572 does not explicitly limit the distance by which a major change applicant may propose to move its station's antenna location. In previous LPTV filing windows, which were open generally to applicants for new station construction permits, as well as major change applicants, we have seen major change applicants that proposed to change antenna locations well beyond 200 meters, resulting in cessation of service in the current viewing area and movement to an entirely new community. In all significant respects, those applications were the equivalent of applications for new station construction permits. In view of our decision to proscribe the filing of new LPTV construction permit applications at this time, some geographic limitation on antenna relocations must be imposed.

Accordingly, applications to change antenna locations will not be accepted in this filing window if they propose to move the location of the antenna more