

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES

Facility/Address	Waste description
	4. Data Submittals: The facility must submit the data obtained through verification testing or as required by other conditions of this rule to U.S. EPA Region 5, Waste Management Branch, RCRA Delisting Program (DW-8J), 77 W. Jackson Blvd., Chicago, IL 60604. The quarterly verification data and certification of proper disposal must be submitted annually upon the anniversary of the effective date of this exclusion. The facility must compile, summarize, and maintain on site for a minimum of five years records of operating conditions and analytical data. The facility must make these records available for inspection. All data must be accompanied by a signed copy of the certification statement in 40 CFR 260.22(i)(12). 5. Reopener Language: (A) If, anytime after disposal of the delisted waste, GM possesses or is otherwise made aware of any data (including but not limited to leachate data or groundwater monitoring data) relevant to the delisted waste indicating that any constituent is at a level in the leachate higher than the specified delisting level, or is in the groundwater at a concentration higher than the maximum allowable groundwater concentration in paragraph (1), then GM must report such data, in writing, to the Regional Administrator within 10 days of first possessing or being made aware of that data. (B) Based on the information described in paragraph (A) and any other information received from any source, the Regional Administrator will make a preliminary determination as to whether the reported information requires Agency action to protect human health or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment. (C) If the Regional Administrator determines that the reported information does require Agency action, the Regional Administrator will notify the facility in writing of the actions the Regional Administrator believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing GM with an opportunity to present information as to why the proposed Agency action is not necessary or to suggest an alternative action. GM shall have 30 days from the date of the Regional Administrator's notice to present the information. (D) If after 30 days GM presents no further information, the Regional Administrator will issue a final written determination describing the Agency actions that are necessary to protect human health or the environment. Any required action described in the Regional Administrator's determination shall become effective immediately, unless the Regional Administrator provides otherwise.

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[FR Doc. 04-22875 Filed 10-8-04; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA 04-3051, MB Docket No. 04-188, RM-9880]

Digital Television Broadcast Service; Glendive, MT**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: The Commission, at the request of Glendive Broadcasting Corporation, substitutes DTV channel 10 for DTV channel 15 at Glendive. *See* 69 FR 30855, June 1, 2004. DTV channel 10 can be allotted to Glendive, Montana,

in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 47-03-15 N. and 104-40-45 W. with a power of 30, HAAT of 152 meters and with a DTV service population of 23,000. With this action, this proceeding is terminated.

DATES: Effective November 15, 2004.**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MB Docket No. 04-188, adopted September 23, 2004, and released October 1, 2004. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document may also be purchased from the

Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 301-816-2820, facsimile 301-816-0169, or via e-mail joshir@erols.com.

This document does not contain [new or modified] information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

The Commission will send a copy of this [Report & Order etc.] in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Digital television broadcasting, Television.

■ Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

■ 1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.622 [Amended]

■ 2. Section 73.622(b), the Table of Digital Television Allotments under Montana, is amended by removing DTV channel 15 and adding DTV channel 10 at Glendive.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Division, Media Bureau.

[FR Doc. 04-22882 Filed 10-8-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA 04-2146, MM Docket No. 01-135, RM-10154, RM-10326, RM-10327]

Radio Broadcasting Services; Bunkerville, Caliente, Laughlin, Logandale, NV; Mohave Valley, AZ; St. George, UT

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document grants a counterproposal to reallocate and change the community of license for Station KZHK(FM), Channel 240C, St. George, UT, to Bunkerville, NV, and to upgrade, reallocate, and change the community for Station KADD(FM) from Channel 228C1 at Laughlin, NV to Channel 288C at Logandale, NV. The also document also dismisses a proposal to allot Channel 291C2 at Caliente, NV, because neither the petitioner nor any other party filed a continuing expression of interest in the proposed allotment. Finally, the document dismisses a counterproposal to reallocate and change the community of license for Station KPLD(FM), Channel 266C, from Kanab to Moapa, UT. *See* 66 FR 35768, July 9, 2001. *See also*

SUPPLEMENTARY INFORMATION.

DATES: Effective January 5, 2005.

FOR FURTHER INFORMATION CONTACT: Andrew J. Rhodes, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report*

and Order, MM Docket 01-135, adopted September 1, 2004, and released September 3, 2004. The full text of this decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of the *Report and Order* in this proceeding in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

The reference coordinates for Channel 240C at Bunkerville, NV, and Channel 228C at Logandale, NV are 36-50-52 and 114-28-37, are 36-50-52 and . To accommodate these reallocations, the document (1) substitutes Channel 229A for vacant Channel Channel 240A at Mohave Valley, AZ, at reference coordinates 34-55-40 and 114-35-51; and (2) substitutes Channel 291C2 for Channel 228C2 at St. George, UT, at reference coordinates 36-50-49 and 113-29-28 and modifies the license for Station KSNN(FM) accordingly.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by removing Channel 240A and adding Channel 229A at Mohave Valley.

■ 3. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Bunkerville, Channel 240C, by removing Channel 228C1 at Laughlin and adding Logandale, Channel 228C.

■ 4. Section 73.202(b), the Table of FM Allotments under Utah, is amended by removing Channel 240C at St. George.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04-22841 Filed 10-8-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 90**

[WT Docket No. 01-146; RM-9966; FCC 04-212]

Rules and Policies for Applications and Licensing of Low Power Operations in the Private Land Mobile Radio 450-470 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Final rule; denial of petition for reconsideration.

SUMMARY: In this document, the Commission addresses a petition for reconsideration of the *Report and Order* in this proceeding filed by the American Association of Paging Carriers (AAPC). AAPC requests that the Commission prohibit the licensing of stations on frequencies (or channels) 12.5 kHz removed from eight specific part 90 450-470 MHz band paging frequencies.

FOR FURTHER INFORMATION CONTACT: Scot Stone, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, at (202) 418-0680, or TTY (202) 418-7233.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, FCC 04-212, adopted on September 1, 2004, and released on September 8, 2004. 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 Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: 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.
1. In the Order, the Commission concludes that to the extent that the AAPC petition requests these offset channels be eliminated it is untimely filed. The Report and Order did not establish these channels; they have been available for years. Also, eliminating these channels was not an issue squarely raised in the context of the proceeding. In addition, we note that the Commission previously addressed the issue of whether to extend part 22 rules to reclassified part 90 services. A request to eliminate licensing of the subject eight offset channels would have been the proper subject of a reconsideration petition then or in the Reframing Report and Order when the