

found in concentrations above ROD cleanup goals.

A Second Five-Year Review was conducted in August of 2001. The review concluded that the Site was not currently a threat to human health and the environment, but that additional data was needed to determine if the Site posed a future risk. The Review concluded that all items of concern would be resolved before delisting could occur.

EPA, with support from the Tribal Environmental Protection Agency (TEPA), conducted a comprehensive unbiased sampling event on May 28, 2003. EPA sampled the hillside, drainage ditch adjacent to the hillside, and gully that connects the Site to the Trinity River. A total of 38 soil samples were taken and 4 surface water samples were taken. The laboratory results from the sampling indicated that all sampled constituents are below the levels established in the ROD.

These results have been reviewed by the Region IX EPA toxicologist who concurs that the Site has met soil action levels established in the ROD, and that the Site does not pose an unacceptable risk to human health or the environment from the COCs based upon EPA's current guidance.

EPA has determined that all appropriate response actions for the COCs have been implemented, and the Site is available for unrestricted use. Therefore, no more Five-Year Reviews need to be conducted at the Site.

Community Involvement

During the week of August 4, 2003, a fact sheet was mailed out to tribal members notifying them of EPA's intent to delete the site from the NPL. In addition to the fact sheet, an announcement for a community meeting was published in a local paper on August 5, 2003. The community meeting is scheduled for August 13, 2003. Members of the community will be invited to ask questions and make formal comments. The Deletion Docket which contains the documents EPA relied on for its recommendation to delete the Site from the NPL is available to the public in the information repositories.

Applicable Deletion Criteria/State Concurrence/Tribal Concurrence

All the completion requirements for this Site have been met as described in the FCOR dated September 28, 1989. The NPL provides that a site is eligible for deletion where "all appropriate Fund-financed (Hazardous Substance Superfund Response Trust Fund) response under CERCLA has been

implemented, and no further response action by responsible parties is appropriate," and where "responsible parties or other parties have implemented all appropriate response actions required."

EPA, with the concurrence of the Hoopa Valley Indian Tribe through the Tribal EPA on November 26, 2003 and the State of California through its Department of Toxic Substances Control on July 25, 2003, and finds that these criteria for deletion of the Site have been met. Consequently, EPA is proposing deletion of the Celter Chemical Works Superfund Site from the NPL.

Dated: August 7, 2003.

Deborah Jordan,

Acting Regional Administrator, Region IX.

[FR Doc. 03-20778 Filed 8-15-03; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 25

[IB Docket No. 02-364; DA 03-2229]

Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; denial of extension of comment period.

SUMMARY: On February 5, 2003, the Federal Communications Commission released an order and notice of proposed rulemaking seeking comment on the possibility of revising the spectrum sharing plan among non-geostationary satellite orbit mobile satellite service systems operating in the 1.6/2.4 GHz bands. In this action, the Federal Communications Commission denies a request to extend the deadline by two months for filing comments in this rulemaking proceeding. Nevertheless, because of the operation of § 1.46 of the Federal Communications Commission's rules, which automatically extends the time for filing comments until two business days after the Commission denies a timely-filed motion for extension of time, the Commission adjusts the comment date and reply comment date to provide clarity to the parties and to provide a full two weeks between the time for filing comments and the time for filing reply comments.

DATES: Comments were due on or before July 11, 2003. Reply Comments were due on or before July 25, 2003.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., Washington, DC 20554. See **SUPPLEMENTARY INFORMATION** for filing instructions.

FOR FURTHER INFORMATION CONTACT: James Ball, Chief, or Breck Blalock, Deputy Chief, Policy Division, International Bureau, (202) 418-1460.

SUPPLEMENTARY INFORMATION:

1. On February 5, 2003, the Federal Communications Commission released an order and notice of proposed rulemaking (Notice) among other things seeking comment on the possibility of revising the spectrum sharing plan among non-geostationary satellite orbit mobile satellite service systems operating in the 1.6/2.4 GHz bands. (See 68 FR 33666, June 5, 2003). On June 30, 2003, Globalstar L.P. (GLP or Globalstar) filed a request for extension of time (GLP Request) requesting the Commission to extend the comment and reply comment filing deadlines in this proceeding for two months to September 8, 2003, and September 29, 2003, respectively. ICO Global Communications (Holdings) Limited (ICO) and The Official Creditors' Committee of Globalstar, L.P. (the Creditors) each filed documents in support of GLP's request. Iridium Satellite LLC (Iridium) filed in opposition to GLP's request.

2. GLP asserts that two events have occurred since release of the Notice in this proceeding that warrant grant of an extension of time. First, GLP states that it has filed an emergency application for review and request for stay of an International Bureau order canceling GLP's 2 GHz MSS license. According to GLP, a Commission decision regarding whether to revise the Big LEO band plan and to assign more or less spectrum to Globalstar and Iridium or to reallocate some Big LEO spectrum to another service must necessarily be affected by the amount of second generation spectrum, if any, that is available to GLP in the 2 GHz MSS band. Second, GLP states that the U.S. Bankruptcy Court for the District of Delaware has approved an investment transaction pursuant to which GLP's assets will be transferred to a company controlled by ICO. According to GLP, ICO's interests as the proposed new owner of the Globalstar system cannot be taken into account in this proceeding until the applications for the assignment of the Globalstar assets have been approved by the Commission.