

### Notice of Short Term Extensions

EPA ICR No. 1718.01; Regulations for Fuels and Fuels Additives, Fuel Quality Regulations for Highway Diesel Fuel Sold in 1993 and Later Calendar Years (Interim Final Rule); OMB No. 2060-0308; expiration date was extended from 10/31/97 to 03/31/98.

EPA ICR No. 1425.03; Application for Reimbursement of Local Governments; OMB No. 2050-0077; expiration date was extended from 9/30/97 to 03/31/98.

Dated: October 6, 1997.

**Joseph Retzer,**

*Division Director, Regulatory Information Division.*

[FR Doc. 97-27015 Filed 10-9-97; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-5908-1]

#### State Program Requirements; Revision of the Approved National Pollutant Discharge Elimination System (NPDES) Program in Oklahoma

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of revision of the Oklahoma Pollutant Discharge Elimination System under the Clean Water Act.

**SUMMARY:** The Environmental Protection Agency (EPA), Region 6, provides notice that the approved program for the State of Oklahoma under the National Pollutant Discharge Elimination System (NPDES) program has been revised. The requirements for revising authorized state programs are found in Volume 40 Code of Federal Regulations (CFR) section 123.62. The revised program provides Oklahoma Department of Environmental Quality (ODEQ) the authority to issue general permits under the OPDES permitting program; and changes the enforcement program to include authority for the Oklahoma Ordinance Works Authority (OOWA).

**DATES:** This revision was approved by the EPA Region 6 Administrator on September 11, 1997.

**ADDRESSES:** The revised Oklahoma program documents are available to the public during normal business hours, Monday through Friday, excluding holidays, at:

EPA Region 6, 12th Floor Library, 1445 Ross Avenue, Dallas, Texas 75202, (214) 665-7513

ODEQ Headquarters, Department of Environmental Quality, Water Quality Division, 1000 N.E. 10th Street,

Oklahoma City, Oklahoma 73117-1212.

**FOR FURTHER INFORMATION CONTACT:** Ms. Wilma Turner at the EPA address listed above or by calling (214) 665-7516; or Norma Aldridge at the ODEQ address listed above or by calling (405) 271-5205.

Part or all of the State's revised program (which comprises approximately 2260 pages) may be copied at the ODEQ office in Oklahoma City, or EPA office in Dallas, at a minimal cost per page. A paper copy of the entire submission may be obtained from the ODEQ office in Oklahoma City for a \$339 fee (the cost of the changed pages only is \$121.55). An electronic copy of the documents stored on computer disk will be provided at no cost to interested parties who supply three disks to ODEQ for that purpose, with a self-addressed, stamped mailing container. The disks must be new, 3.5" high density/double-sided microdisks. The documents will be copied to the disks in WordPerfect 6.0.

**SUPPLEMENTARY INFORMATION:** Section 402 of the Clean Water Act (Act) created the NPDES program under which EPA may issue permits for the point source discharge of pollutants to waters of the United States under conditions required by the Act. Section 402 also provides that EPA may authorize a State to administer an equivalent state program upon a showing the State has authority and a program sufficient to meet the Act's requirements.

The approved state program, i.e., the Oklahoma Pollutant Discharge Elimination System (OPDES) program, is a partial program which operates *in lieu* of the EPA administered NPDES program pursuant to section 402 of the CWA. The OPDES program is administered by the Oklahoma Department of Environmental Quality (ODEQ). The basic requirements for revising approved state programs are listed in 40 CFR section 123.62. EPA Region 6 considers the documents submitted by the State of Oklahoma complete at the time of this notice and believes they comply with the regulations found at 40 CFR part 123. These changes to the Oklahoma program were explained in the **Federal Register** Notice (61 FR 65047) approving the OPDES program, and are not considered to be significant. Therefore, EPA has approved the OPDES program revision as described by the Oklahoma Department of Environmental Quality. As of this Notice EPA will transfer administration of its general permits to ODEQ [except for those discharges which are not under the jurisdiction of

ODEQ, see *Scope and Summary of the OPDES Permitting Program* in 61 FR 65047].

#### Changes to the Approved OPDES Documents

The **Federal Register** Notice of EPA's approval of the OPDES program (61 FR 65047) restricted approval of the OPDES program with respect to enforcement authority for the Oklahoma Ordinance Works Authority (OOWA) facility, and ODEQ's general permitting authority:

"5. Oklahoma Ordinance Works Authority (OOWA). EPA will retain enforcement authority for OOWA (NPDES permit No. OK0034568), located in Pryor, Oklahoma, and all industries served by this facility. ODEQ is legally responsible for implementing the pretreatment program at OOWA.

6. Authority over EPA issued general permits: EPA will retain authority to administer general permits in accordance with 40 CFR 123.1. As explained in the **Federal Register** Notice proposing approval of the OPDES program, Oklahoma is revising its statutes and regulations to provide the Executive Director of the Oklahoma Department of Environmental Quality with the full authority to issue general permits under the OPDES program. This revision of Oklahoma Law is to ensure that the Oklahoma general permitting program is consistent with the requirements of 40 CFR 123.25(c)."

ODEQ has now restructured its oversight of the OOWA facility's pretreatment program to ensure separation of responsibility from its NPDES enforcement activities. The Memorandum of Agreement, the Program Description and the Enforcement Management System have been changed to reflect these separations of responsibilities from each other. These changes in responsibility and procedures are reflected in those documents and are available to the public.

With regard to general permitting authority, the State of Oklahoma has revised its statutes to provide the Director of ODEQ with the authority to issue general permits in a manner consistent with the requirements of 40 CFR part 123. The revision of Oklahoma's statutes was done through that State's public legislative process. The program documents (i.e., the Memorandum of Agreement, the Program Description and the Attorney General's Statement) have been revised to reflect this new authority and procedures. These changes, along with the new statutory authority are available to the public.

In the interim EPA has continued to administer the general permits which it had issued or proposed prior to 1996 program authorization in Oklahoma. Permittees under those general permits will be notified that administration of those general permits is being transferred to the State agency. The address for Notices of Intent and Termination and compliance data under those general permits which are to be transferred to the state will be: ODEQ Water Quality Division, 10th floor, 1000 N.E. 10th Street, Oklahoma City, Oklahoma 73117-1212.

Questions on those general permits should be directed to Dave Farrington of the ODEQ. Mr. Farrington may be contacted at the address above or by telephoning (405) 271-5205 ext. 118.

An additional change has been made to the MOA that clarifies ODEQ's authority over Standard Industrial Classification (SIC) Code 13. This change to the MOA clarifies that ODEQ is the permitting authority over SIC groups 1321 and 1389 where the discharges are not associated with an exploration or production site. This is a specific clarification of the scope of the program as listed below in part 2.

#### **Scope of the OPDES Program and Clarifications on EPA Authority and Oversight**

EPA continues to be the NPDES authority for the following discharges:

1. *Agricultural industries* regulated by the Oklahoma Department of Agriculture including concentrated animal feeding operations and silviculture. EPA will remain the NPDES permitting authority for all point source discharges associated with agricultural production, services, silviculture, feed yards, livestock markets and animal wastes.

2. *Oil and Gas exploration and production* related industries and pipeline operations regulated by the Oklahoma Corporation Commission. EPA will retain NPDES authority over these industries and their discharges to surface waters of the state.

3. *Discharges in Indian Country.* The State of Oklahoma does not seek jurisdiction over Indian Country. EPA will retain NPDES authority to regulate discharges in Indian Country (as defined in 18 U.S.C. 1151). The State of Oklahoma has undertaken steps to revise regulation 252:605-1-3(c) clarifying ODEQ does not seek to issue authorized OPDES permits to discharges in Indian Country. EPA and ODEQ will work together with tribal authorities to resolve questions of permitting authority for individual discharges.

4. *Discharges of radioactive materials* regulated by the federal government [i.e. those radioactive materials covered by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et. seq.)]. EPA does not have the authority to approve the OPDES program to regulate radioactive wastes governed by the Atomic Energy Act. The regulatory authority for radioactive materials will remain under the jurisdiction of the U.S. Department of Energy and the Nuclear Regulatory Commission. [Some industrial discharges which contain very low level radioactive wastes (e.g., manufacturers of watches may discharge trace amounts of radium, and hospital wastes sometimes contain iodine isotopes) are not regulated under the Atomic Energy Act and may be regulated by EPA; upon authorization of the OPDES program, the authority to regulate those discharges may become the responsibility of ODEQ.]

5. *Status of applications, proposed permits, contested permit actions, and unresolved EPA enforcement actions:* Except for the files listed below, all pending NPDES permit applications and issued NPDES permits under jurisdiction of ODEQ were transferred to Oklahoma. In accordance with the signed MOA, EPA retains temporary authority for all proposed permits until final issuance; permits contested under evidentiary hearing proceedings until those are resolved; and compliance files and authority for all open enforcement orders until such time as ODEQ has issued parallel orders or EPA has resolved the enforcement action.

#### **Other Federal Statutes**

##### *A. National Historic Preservation Act*

EPA, ODEQ and the State Historic Preservation Officer consulted under the requirements of section 106 of the National Historic Preservation Act (NHPA) on the original approval of the OPDES program. [Regulations outlining the requirements of a section 106 consultation on a federal undertaking are found at 36 CFR part 800.] In the consultation, EPA, the SHPO and ODEQ outlined procedures by which the SHPO will confer on permit actions likely to affect historic properties. These processes are reflected in a memorandum of understanding signed by EPA and the SHPO on EPA's oversight role and objection procedures on permits when the two state agencies can not agree on the protection of historic properties. The EPA/ODEQ MOA includes conditions for EPA and ODEQ to follow to ensure that the requirements of the consultation with the SHPO are met. Based on the

previous consultation, EPA believes that this program revision will not have any effect on historic properties or sites listed or eligible for listing in the National Register of Historic Places. EPA has provided notice of this program revision to the SHPO.

##### *B. Endangered Species Act*

EPA, ODEQ and the U.S. Fish and Wildlife Service consulted under section 7 of the Endangered Species Act (ESA) on the original approval of the OPDES program. Regulations controlling consultation under ESA section 7 are codified at 50 CFR part 402. In the consultation, EPA, the Service, and ODEQ outlined procedures by which ODEQ and FWS, will confer on permits which are likely to affect federally listed species. These processes are reflected in a Memorandum of Understanding between the State and FWS. In addition, a consultation agreement was reached between EPA and FWS on EPA's oversight role and objection procedures when ODEQ and FWS cannot agree on the protection of species in an individual State permit action. These conditions are reflected in the EPA/ODEQ MOA. Based on the previous consultation, EPA believes this proposed revision of the OPDES program will have no effect on federally listed species. Notice of this program revision has been sent to the Service.

##### *C. Small Business Regulatory Enforcement Fairness Act*

Under section 801(a)(1)(A) of the Administrative Procedures Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

##### *D. Regulatory Flexibility Act*

After review of the facts presented in this document, I hereby certify, pursuant to the provisions of 5 U.S.C. 605(b), that this action will not have a significant impact on a substantial number of small entities. This revision of the Oklahoma NPDES permit program will merely allow the ODEQ to issue general permits under the previously approved program; and to perform NPDES enforcement oversight over the OOWA facility.

I hereby authorize this revision of the OPDES program in accordance with 40 CFR 123.

Dated: September 11, 1997.

**Jerry Clifford,**

*Acting Regional Administrator.*

[FR Doc. 97-27021 Filed 10-9-97; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) being Reviewed by the Federal Communications Commission

October 2, 1997.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; and ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before November 9, 1997. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Judy Boley, Federal Communications Commissions, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to [jboley@fcc.gov](mailto:jboley@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** Judy Boley at 202-418-0214 or via internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

**OMB Approval No.:** 3060-0795.

**Title:** ULS TIN Registration and FCC Form 606.

**Form No.:** FCC Form 606.

**Type of Review:** Extension of a currently approved collection.

**Respondents:** Individuals or households; business or other for-profit entities; not-for-profit institutions; state, local or tribal government.

**Number of Respondents:** 411,000.

**Estimated Hour Per Response:** 1 hour.

**Frequency of Response:** One time filing requirement.

**Estimated Total Annual Burden:** 411,000 hours.

**Needs and Uses:** The Wireless Telecommunications Bureau (WTB) is currently developing a Universal Licensing System (ULS) expected to be implemented in mid November 1997. This ULS will eventually replace 10 separate licensing databases and provide for universal licensing forms and data collection for the many services that the Wireless Bureau provides.

The ULS will be driven by applicants Taxpayer Identification Number (TIN), which could be a Social Security Number or an Employer Identification Number. We are requesting an extension of the emergency approval to require existing licensees to provide WTB with their TIN and list of call signs in order to populate ULS and establish a unique sequential number for each licensee. A licensee may have multiple licenses under different names and addresses all covered under the same TIN number. Only one unique sequential number will be assigned to cover all of the licensee's licenses which could be in various names, radio services and addresses. The actual TIN will not be displayed to the public, but instead, the unique sequential number will be used to service inquiries.

The WTB strongly encourages submission of this information electronically and has developed an interactive electronic application for this purpose which is the FCC Form 606. A series of public notices will be issued and this information will be collected gradually, by radio service.

The information collected in the application will be used to populate the ULS and to assign a unique identifier to each licensee for interaction with the ULS. Assignment of the unique identifier will be automatically generated by the system. This information will also be used to match records in the licensing database to the Collection System records to validate payment for applications and for Debt Collection purposes.

**OMB Approval No.:** 3060-0793.

**Title:** Procedures for States Regarding Lifeline Consents, Adoption of Intrastate Discount Matrix for Schools and

Libraries, and Designation of Eligible Telecommunications Carriers.

**Form No.:** N/A.

**Type of Review:** Extension of a currently approved collection.

**Respondents:** Business or other for-profit entities; state, local or tribal government.

**Number of Respondents:** 890.

**Estimated Hour Per Response:** 1.25 hours.

**Frequency of Response:** On occasion filing requirement; annually.

**Estimated Total Annual Burden:** 1,120 total annual burden hours for all collections.

**Needs and Uses:** On May 8, 1997, the Commission released Federal-State Joint Board on Universal Service, Report and Order, CC Docket No. 96-45, FCC 97-157 (Order). In that Order, the Commission adopted rules providing funding for discounts to eligible schools and libraries. The Commission also adopted rules mandating that state commissions designate common carriers as eligible telecommunications carriers for service areas selected by state commissions in accordance with section 214(e). In a Public Notice, the Common Carrier Bureau announced procedures states must follow in order to receive universal service support.

**OMB Approval No.:** 3060-0756.

**Title:** Procedural Requirements and Policies for Commission Processing of InterLATA Services Under Section 271 of the Communications Act.

**Form No.:** N/A.

**Type of Review:** Extension of a currently approved collection.

**Respondents:** Business or other for-profit entities.

**Number of Respondents:** 75.

**Estimated Hour Per Response:** 250 hours (avg).

**Frequency of Response:** On occasion filing requirement.

**Estimated Total Annual Burden:** 18,820 total annual burden hours for all collections.

**Needs and Uses:** In a Public Notice released 9/19/97, the Commission revised various procedural requirements and policies relating to the Commission's processing of Bell operating company applications to provide in-region, interLATA services pursuant to section 271 of the Communications Act of 1934, as amended. Section 271 provides for applications on a state-by-state basis. The Public Notice requires that applicants file an original and 11 copies of each application, together with one copy on a computer diskette. The applications each will consist of a stand-alone, principal document (Brief