

WordPerfect 8.0 or earlier version. Electronic comments on the complaint and this proposed order may be filed online at many Federal Depository Libraries.

The complaint, consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement & Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC. Persons interested in reviewing these materials must make advance arrangements to do so by calling 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

The public record of the administrative enforcement proceeding is located in the Office of the EPA Headquarters Hearing Clerk, Ms. Bessie Hammel, Rm. C-400, 401 M St., SW., Washington, DC, Monday through Friday, excluding legal holidays from 8 a.m. to 4:30 p.m.; telephone (202) 260-4865.

**FOR FURTHER INFORMATION CONTACT:** Mr. Philip Milton, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone (202) 564-2235; fax (202) 564-0010; e-mail: milton.philip@epa.gov.

**SUPPLEMENTARY INFORMATION:** Electronic Availability: Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the **Federal Register—Environmental Documents** entry (<http://www.epa.gov/fedrgstr/>).

## I. Background

U.S. Cellular, 8410 W. Bryn Mawr Ave., Chicago IL 60631, self-disclosed to EPA that it had failed to prepare a SPCC plan for one facility where it stored diesel oil in two above ground tanks in violation of Section 311 of the CWA and 40 CFR Part 112. The disclosure was made pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66,706, (December 22, 1995). EPA filed an administrative civil complaint against U.S. Cellular on January 25, 1999 (In the matter of United States Cellular Corporation, Docket No. CWA-HQ-99-001). The CWA administrative penalty proposed in the complaint is \$14,127. EPA intends to settle this action pursuant to the Audit Policy. Using the criteria set forth in the policy, EPA intends to waive any gravity based penalty and collect the economic benefit gained by the Respondent because of delayed compliance with the SPCC

regulations. The proposed settlement figure for this CWA violation is \$1,127. This settlement is subject to public notice and comment under CWA section 311, 33 U.S.C. 1321.

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321(b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j) may be administratively assessed a civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR Part 22.

The procedures by which the public may submit written comments on the complaint and on a proposed Class II penalty order or participate in a Class II penalty proceeding are set forth in 40 CFR 22.38. The deadline for submitting public comment on the complaint and this proposed Class II order is March 3, 1999. All comments will be transferred to the Environmental Appeals Board (EAB) for consideration and/or incorporation into the final order. The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

In order to provide an opportunity for public comment, EPA will not take final action in this proceeding prior to the close of the public comment period.

## List of Subjects

Environmental protection.

Dated: January 27, 1999.

**Melissa P. Marshall,**

*Director, Multimedia Enforcement Division, Office of Enforcement and Compliance Assurance.*

[FR Doc. 99-2316 Filed 1-29-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6228-6; CWA-HQ-99-002]

### Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity to Comment Regarding Southwestern Bell Telephone Company

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has filed a civil administrative complaint against Southwestern Bell Telephone Company (SWBT) for failure to prepare a Spill Prevention Control and Countermeasure

(SPCC) plan for 117 facilities where it stored diesel oil in above ground tanks in violation of the Clean Water Act (CWA) and its implementing regulations. EPA, pursuant to CWA section 311, has proposed to assess a civil penalty and provided notice to SWBT of its right to request a hearing. The Administrator, as required by CWA section 311, is providing public notice and opportunity for interested persons to comment on the complaint and the final proposed order.

**DATES:** Comments on the complaint and proposed order are due on or before March 3, 1999.

**ADDRESSES:** Mail written comments to Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-1999-02, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to Enforcement & Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC. Comments may also be submitted electronically to: [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov). Comments may be submitted on disk in WordPerfect 8.0 or earlier version.

Electronic comments on the complaint and proposed order may be filed online at many Federal Depository Libraries.

The complaint, the consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement & Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC. Persons interested in reviewing the materials must make advance arrangements to do so by calling 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

The public record of the administrative enforcement proceeding is located in the Office of the EPA Headquarters Hearing Clerk, Ms. Bessie Hammel, Rm. C-400, 401 M St., SW., Washington, DC, Monday through Friday, excluding legal holidays from 8 a.m. to 4:30 p.m.; telephone (202) 260-4865.

**FOR FURTHER INFORMATION CONTACT:** Mr. Philip Milton, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone (202) 564-2235; fax (202) 564-0010; e-mail: [milton.philip@epa.gov](mailto:milton.philip@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Electronic Availability: Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the **Federal Register**—Environmental Documents entry (<http://www.epa.gov/fedrgstr/>).

### I. Background

Southwestern Bell Telephone Company ("SWBT"), 530 McCullough, Room 1460, San Antonio, TX 78215, self-disclosed to EPA that it had failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for 117 facilities where it stored diesel oil in above ground storage tanks in violation of Section 311 of the Clean Water Act ("CWA") and 40 CFR Part 112. The disclosure was made pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66,706, (December 22, 1995). EPA filed an administrative civil complaint against SWBT on January 25, 1999 (In the Matter of Southwestern Bell Telephone Company, Docket No. CWA-HQ-99-002). The CWA administrative penalty proposed in the complaint is \$137,500. EPA intends to settle this action pursuant to the Audit Policy. Using the criteria set forth in the policy, EPA intends to waive any gravity based penalty and to assess a penalty equivalent to the economic benefit gained by the Respondent because of delayed compliance with the SPCC regulations. The proposed settlement figure for this matter is \$48,453. This settlement is subject to public notice and comment under CWA section 311, 33 U.S.C. 1321.

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321(b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j) may be administratively assessed a civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR Part 22.

The procedures by which the public may submit written comments on the complaint and on a proposed Class II penalty order or participate in a Class II penalty proceeding are set forth in 40 CFR 22.38. The deadline for submitting public comment on the complaint and this proposed Class II order is March 3, 1999. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration and/or incorporation into the final order.

The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

In order to provide an opportunity for public comment, EPA will not take final action in this proceeding prior to the close of the public comment period.

### List of Subjects

Environmental protection.

Dated: January 27, 1999.

**Melissa P. Marshall,**

*Director, Multimedia Enforcement Division,  
Office of Enforcement and Compliance  
Assurance.*

[FR Doc. 99-2317 Filed 1-29-99; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL MARITIME COMMISSION

### Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW, Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 224-002758-017

*Title:* Supplemental Agreement Between Port of Oakland and American President Lines, Ltd.

*Parties:*

Port of Oakland  
American President Lines, Ltd.

*Synopsis:* The proposed agreement amendment extends the last effective date of an earlier amendment relating to primary and secondary usage of certain facilities at the port.

*Agreement No.:* 224-003038-007

*Title:* Supplemental Agreement Between Port of Oakland and American President Lines, Ltd.

*Parties:*

Port of Oakland  
American President Lines, Ltd.

*Synopsis:* The proposed agreement amendment extends the last effective date of an earlier amendment relating to primary and secondary usage of certain facilities at the port.

*Agreement No.:* 203-011432-008

*Title:* Pacific Latin America Agreement

*Parties:*

A.P. Moller-Maersk Line  
Sea-Land Service, Inc.

*Synopsis:* The proposed modification authorizes the member lines to enter into individual service contracts. It would also delete the prohibition on

individual service contracts and the taking of independent action with respect to loyalty or service contracts.

*Agreement No.:* 203-011432-002

*Title:* East Coast North America to West Coast of South America and Caribbean Cooperative Working Agreement

*Parties:*

APL Co. PTE Ltd.

Crowley American Transport, Inc.  
Compania Chilena de Navegacion  
Interoceanica S.A.

Compania Sud Americana de Vapores  
S.A.

*Synopsis:* The proposed modification adds APL Co. PTE Ltd. and Crowley American Transport, Inc. as parties to the agreement, provides that the parties will initially deploy six vessels of about 1,700 TEUs per vessel, and makes other administrative and conforming amendments.

Dated: January 26, 1999.

By Order of the Federal Maritime  
Commission.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 99-2259 Filed 1-29-99; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL MARITIME COMMISSION

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Federal Maritime Commission.

**TIME AND DATE:** 10:00 a.m.—February 3, 1999.

**PLACE:** 800 North Capitol Street, NW, First Floor Hearing Room, Washington, DC.

**STATUS:** OPEN.

### MATTER(S) TO BE CONSIDERED:

1. Docket No. 98-21—Miscellaneous Amendments to Rules of Practice and Procedure—Consideration of Comment.
2. Docket No. 98-25—Amendments to Regulations Governing Restrictive Foreign Shipping Practices, and New Regulations Governing Controlled Carriers—Consideration of Comments.
3. Docket No. 98-27—Marine Terminal Operator Schedules—Consideration of Comments.

### CONTACT PERSON FOR MORE INFORMATION:

Bryant L. VanBrakle, Secretary, (202) 523-5725.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 99-2363 Filed 1-27-99; 4:36 pm]

BILLING CODE 6730-01-M