

**Abstract:** Performance Evaluation (PE) studies provide an objective demonstration that participating laboratories are capable of producing valid data for monitored pollutants. Participation in the Water Pollution (WP) studies that relate to wastewater analyses and Water Supply (WS) studies that relate to drinking water analyses are only mandated by the USEPA for those laboratories that receive federal funds to perform these analyses. However, states that certify laboratories for drinking water and wastewater analyses also often require successful participation in these studies for certification. Participation in the Discharge Monitoring Report-Quality Assurance (DMR-QA) studies is mandatory for those designated wastewater dischargers who are conducting self-monitoring analyses required under a National Pollutant Discharge Elimination System (NPDES) permit. EPA initiated these studies and originally administered them as part of the Agency's mandate to assure the quality of environmental monitoring data. Subsequently, all of these studies have been privatized. Private sector companies manufacture and distribute samples to the participating laboratories who then will submit their analytical results to these PE vendors for evaluation. The PE vendors then send evaluations of the submitted data to the laboratory and any other designated certifying/accrediting authority. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

The EPA is soliciting comments to:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

- (ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information;

- (iii) Enhance the quality, utility, and clarity of the information to be collected; and

- (iv) Minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 9.6 hours per

response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Estimated number of Respondents:** 17,168.

**Frequency of Response:** Annual.

**Estimated Total Annual Hour Burden:** 165,179 hours.

**Estimated Total Annualized Capital, Operating and Maintenance Cost Burden:** \$9,938,880.

Dated: June 27, 2002.

**Gregory Carroll,**

Center Chief, Technical Support Center,  
Office of Ground Water and Drinking Water,  
Office of Water.

[FR Doc. 02-16993 Filed 7-5-02; 8:45 am]

**BILLING CODE 6560-50-P**

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Elementary-Secondary Staff Information Report

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Final notice of information collection under review; Elementary-Secondary Staff Information Report EEO-5.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Equal Employment Opportunity Commission (EEOC) announces that it has submitted the existing collection of information listed below to the Office of Management and Budget (OMB) for approval. No public comments were received in response to the EEOC's April 3, 2002 initial notice soliciting comments on the proposed collection.

**DATES:** Written comments on this final notice must be submitted on or before August 7, 2002.

**ADDRESSES:** Comments on this final notice must be submitted to Karen Lee, Policy Analyst, Office of Information and Regulatory Affairs, Office of

Management and Budget, 725 17th Street NW, Washington, DC 20503, or e-mail at [KFLEE@OMB.EOP.GOV](mailto:KFLEE@OMB.EOP.GOV).

Comments should also be sent to Frances M. Hart, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street NW, Washington, DC 20507. As a convenience to commentators, the Executive Secretariat will accept comments transmitted by facsimile ("FAX") machine. The telephone number of the FAX receiver is (202) 663-4114. (This is not a toll-free number.) Only comments of six or fewer pages will be accepted via FAX transmittal. This limitation is necessary to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TDD). (These are not toll-free telephone numbers.)

#### FOR FURTHER INFORMATION CONTACT:

Joachim Neckere, Director, Program Research and Surveys Division, 1801 L Street NW, Room 9222, Washington, DC 20507, (202) 663-4958 (voice) or (202) 663-7063 (TDD).

**SUPPLEMENTARY INFORMATION:** The Commission solicits public comment to enable it to:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission's functions, including whether the information will have practical utility;

- (2) Evaluate the accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- (3) Enhance the quality, utility, and clarity of the information to be collected; and

- (4) Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Collection Title:** Elementary-Secondary Staff Information Report EEO-5.

**OMB-Number:** 0346-0003.

**Frequency of Report:** Biennial.

**Type of Respondent:** Public elementary and secondary school districts with 100 more employees.

**Description of Affected Public:** State and Local Government.

**Number of Responses:** 5,000.

**Reporting Hours:** 10,000 (revised).

*Federal Cost:* \$80,000.

*Number of Forms:* 1.

The EEOC received no comment in response to that solicitation.

**Abstract:** Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), requires employers to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed and to make reports therefrom as required by the EEOC. Accordingly, the EEOC has issued regulations which set forth the reporting requirement for various kinds of employers. Public elementary and secondary schools systems and districts have been required to submit EEO-5 reports to EEOC since 1974 (biennially in even numbered years since 1982). Since 1996 each school district or system has submitted all of the district data on a single form, EEOC Form 168A. The individual school form, EEOC Form 168B, was discontinued in 1996, greatly reducing the respondent burden and cost.

EEO-5 data are used by the EEOC to investigate charges of employment discrimination against public elementary and secondary school districts. The data are used to support EEOC decisions and conciliations, and for research. The data are shared with the Department of Education (Office for Civil Rights and the National Center for Education Statistics) and the Department of Justice. Pursuant to Section 709(d) of Title VII of the Civil Rights Act of 1964, as amended, EEO-5 data are also shared with 86 State and Local Fair Employment Practices Agencies (FEPAs).

**Burden Statement:** The estimated number of respondents included in the EEO-5 collection is 5,000 public elementary and secondary school districts. The number of responses per respondent is one report. The annual number of responses is approximately 5,000 and the total hours per response is between one (1) and five (5) hours. Based upon the large number of school districts responding via diskette, the total response burden has been re-estimated to equal 10,000 hours each time the survey is conducted (i.e. biennially). Respondents are continued to be encouraged to report data electronic media such as magnetic tapes and diskettes.

Dated: June 28, 2002.

For the Commission.

**Cari M. Dominguez,**  
Chair.

[FR Doc. 02-16930 Filed 7-5-02; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[DA 02-1440]

### Freeze on the Filing of TV and DTV "Maximization" Applications in Channels 52-59

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces an immediate freeze on the filing of "maximization" applications, as defined further, by analog and digital television broadcast stations in the 698-746 MHz spectrum band, currently comprising television channels 52-59. This freeze will assist participants in Auction No. 44, consisting of spectrum licenses in the 698-746 MHz band (Lower 700 MHz band), to determine the areas potentially available in the band for the provision of service by auction winners before the channels are cleared of broadcast stations at the end of the DTV transition.

**DATES:** The Freeze became effective on June 18, 2002

**ADDRESSES:** 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Kim Matthews, Policy Division, Media Bureau, Federal Communications Commission, (202) 418-2120.

**SUPPLEMENTARY INFORMATION:** Beginning immediately, and until further notice, the Federal Communications Commission ("Commission") will not accept for filing television modification applications that would increase a station's analog or DTV service area in channels 52-59 in one or more directions beyond the combined area resulting from the station's parameters as defined in the following: (1) The DTV Table of Allotments; (2) Commission authorizations (license and/or construction permit); and (3) applications on file with the Commission prior to release of this Notice. We will continue to process applications on file as of June 18, 2002, the date this Notice was released. The Media Bureau may consider, on a case by case basis and consistent with the public interest, amendments to those applications to, for example, resolve interference with other stations or pending applications or resolve mutual exclusivity with other pending applications.

The Bureau will consider, on a case-by-case basis, requests for waiver of this freeze where the modification application: (1) Would permit co-location of transmitter sites in a market in circumstances consistent with the

Commission's policy of encouraging co-location to reduce the cost of construction, particularly of DTV facilities, or to achieve more efficient spectrum use; or (2) is necessary or otherwise in the public interest for technical or other reasons to maintain quality service to the public, such as where zoning restrictions preclude tower construction at a particular site or where unforeseen events, such as extreme weather events or other extraordinary circumstances, require relocation to a new tower site. In particular, we would be inclined to grant waivers of the freeze for broadcast stations that seek new tower sites due to the events of September 11, 2001.

As with any request for waiver of our rules, a request for waiver of the freeze imposed in this Notice will be granted only upon a showing of good cause and where grant of the waiver will serve the public interest.

Federal Communications Commission.

**Marlene H. Dortch,**

Secretary, Federal Communications Commission.

[FR Doc. 02-16903 Filed 7-5-02; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1423-DR]

### Alaska; Major Disaster and Related Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major disaster for the State of Alaska (FEMA-1423-DR), dated June 26, 2002, and related determinations.

**EFFECTIVE DATE:** June 26, 2002.

**FOR FURTHER INFORMATION CONTACT:** Rich Robuck, Readiness, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2705 or [Rich.Robuck@fema.gov](mailto:Rich.Robuck@fema.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated June 26, 2002, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (Stafford Act), as follows:

I have determined that the damage in certain areas of the State of Alaska, resulting from flooding beginning on April 27, 2002, through May 30, 2002, is of sufficient severity and magnitude to warrant a major