

jobs, the environment, public health or safety, or State, local, or Tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Region 9 has determined that the proposed general permit is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to formal OMB review prior to proposal.

H. Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" on State, local, and tribal governments and the private sector. UMRA uses the term "regulatory actions" to refer to regulations. (See, e.g., UMRA section 201, "Each agency shall * * * assess the effects of Federal regulatory actions * * * (other than to the extent that such regulations incorporate requirements specifically set forth in law)" (emphasis added)). UMRA section 102 defines "regulation" by reference to 2 U.S.C. 658 which in turn defines "regulation" and "rule" by reference to section 601(2) of the Regulatory Flexibility Act (RFA). That section of the RFA defines "rule" as "any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of [the Administrative Procedure Act (APA)], or any other law. * * *

As discussed in the RFA section of this notice, NPDES general permits are not "rules" under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the CWA. While EPA publishes a notice to solicit public comment on draft general permits, it does so pursuant to the CWA section 402(a) requirement to provide "an opportunity for a hearing." Thus, NPDES general permits are not "rules" for RFA or UMRA purposes.

Region 9 has determined that today's proposal would not result in expenditures of \$100 million or more for State, local and Tribal governments, in the aggregate, or the private sector in any one year.

The Agency also believes that the proposed general permit will not significantly nor uniquely affect small governments. For UMRA purposes, "small governments" is defined by reference to the definition of "small governmental jurisdiction" under the RFA. (See UMRA section 102(1), referencing 2 U.S.C. 658, which references section 601(5) of the RFA.) "Small governmental jurisdiction" means governments of cities, counties, towns, etc., with a population of less than 50,000, unless the agency establishes an alternative definition.

The proposed general permit also will not uniquely affect small governments because compliance with the proposed permit conditions affects small governments in the same manner as any other entities seeking coverage under the proposed permit.

I. Paperwork Reduction Act

Region 9 has reviewed the requirements imposed on regulated facilities resulting from the proposed general permit under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* The information collection requirements of the proposed permit have already been approved in previous submissions made for the NPDES permit program under the provisions of the CWA.

J. Regulatory Flexibility Act

The Agency has determined that the proposed general permit is not subject to the Regulatory Flexibility Act ("RFA"), which generally requires an agency to conduct a regulatory flexibility analysis of any significant impact the rule will have on a substantial number of small entities. By its terms, the RFA only applies to rules subject to notice-and-comment rulemaking requirements under the Administrative Procedure Act ("APA") or any other statute. The proposed general permit is not subject to notice and comment requirements under the APA or any other statute because the APA defines "rules" in a manner that excludes permits. See APA section 551 (4), (6), and (8).

K. Official Signature

Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: September 9, 2002.

Catherine Kuhlman,

Acting Director, Water Division, EPA, Region 9.

[FR Doc. 02-23743 Filed 9-17-02; 8:45 am]

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OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Meeting of the President's Council of Advisors on Science and Technology

AGENCY: Office of Science and Technology Policy.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and summary agenda for a meeting of the President's Council of Advisors on Science and Technology (PCAST), and describes the functions of the Council. Notice of this meeting is required under the Federal Advisory Committee Act (FACA).

DATES AND PLACE: September 30, 2002, Washington, DC. The meeting will be held in the Loy Henderson Conference Room at the Harry S. Truman Building, U.S. Department of State at 2201 C St., NW. Guests must use the entrance on 23rd Street between C and D Streets, NW.

PRE-CLEARANCE: Guests must be pre-cleared to enter the State Department Building. U.S. citizens must provide their name, date of birth and Social Security Number to be pre-cleared into the building and on arrival must present a government-issued ID (e.g., drivers license) at the registration desk. Foreign nationals should provide their name, date of birth and their passport number to be pre-cleared. On arrival, they must present their passport at the registration desk. Guests should provide this pre-clearance information to Cynthia Chase at (202) 456-6010. Pre-clearance information will also be available on the PCAST Web site at: <http://www.ostp.gov/PCAST/pcast.html>.

TYPE OF MEETING: Open.

PROPOSED SCHEDULE AND AGENDA: The President's Council of Advisors on Science and Technology is tentatively scheduled to meet in open session on Monday, September 30, 2002, at approximately 9 a.m., to discuss the status of the work being conducted by the four PCAST subcommittees: (1) The science and technology of combating terrorism; (2) policies and technologies to improve energy efficiency; (3) the federal investment in science and technology research and development; and (4) demand issues that can speed the deployment of a 21st Century broadband infrastructure. A discussion of relevant international issues with State Department officials is also tentatively scheduled to occur. This session will end at approximately 4:30 p.m.

PUBLIC COMMENTS: There will be a time allocated for the public to speak on any

of the above agenda items. Please make your request for the opportunity to make a public comment five (5) days in advance of the meeting. The time for public comments will be limited to no more than 5 minutes per person. Written comments are welcome at any time prior to or following the meeting. Please notify Stan Sokul, PCAST Executive Director, at (202) 456-6070, or fax your request/comments to (202) 456-6021.

FOR FURTHER INFORMATION CONTACT: For information regarding time, place and agenda, please call Cynthia Chase at (202) 456-6010, prior to 3 p.m. on Friday, September 27, 2002. Information will also be available at the PCAST Web site at: <http://www.ostp.gov/PCAST/pcast.html>. Please note that public seating for this meeting is limited and is available on a first-come, first-served basis.

SUPPLEMENTARY INFORMATION: The President's Council of Advisors on Science and Technology was established by Executive Order 13226, on September 30, 2001. The purpose of PCAST is to advise the President on matters of science and technology policy, and to assist the President's National Science and Technology Council in securing private sector participation in its activities. The Council members are distinguished individuals appointed by the President from non-Federal sectors. The PCAST is co-chaired by Dr. John H. Marburger, III, the Director of the Office of Science and Technology Policy, and by E. Floyd Kvamme, a Partner at Kleiner Perkins Caufield & Byers.

Barbara Ann Ferguson,

Assistant Director for Budget and Administration, Office of Science and Technology Policy.

[FR Doc. 02-23712 Filed 9-17-02; 8:45 am]

BILLING CODE 3170-01-P

FEDERAL COMMUNICATIONS COMMISSION

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

September 11, 2002.

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 (a) 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; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) 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 October 18, 2002. 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 Judith Boley Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, DC 20554 or via the Internet to jboley@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith Boley Herman at 202-418-0214 or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-0012.

Title: Application for Additional Time to Construct a Radio Station (Under 47 CFR parts 21, 23 and 25).

Form No.: FCC Form 701.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit, and state, local, and tribal government.

Number of Respondents: 130.

Estimated Time Per Response: 2 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 260 hours.

Total Annual Cost: \$23,000.

Needs and Uses: The FCC Form 701 is being revised to include services authorized under 47 CFR parts 23, and 25 and to include the required FCC Registration Number (FRN) information to facilitate compliance with the Debt Collection Improvement Act of 1996 (DCIA). The form is used to determine whether to grant the applicant's request for an additional period of time to construct a station.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 02-23644 Filed 9-17-02; 8:45 am]

BILLING CODE 6712-01-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 940. 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.: 011819.

Title: Contship/CMA CGM-Hapag-Lloyd Space Charter Agreement.

Parties: Contship Containerlines, CMA CGM, S.A., Hapag-Lloyd Container Linie GmbH.

Synopsis: The agreement authorizes Contship and CMA CGM to charter space to Hapag-Lloyd on the service they operate between the Indian Subcontinent, the Middle East, the Mediterranean, and South East Asia, on the one hand, and the U.S. East Coast, on the other.

Agreement No.: 200599-007.

Title: Oakland/Yusen Terminal Agreement.

Parties: City of Oakland, Board of Port Commissioners, Yusen Terminals, Inc.

Synopsis: This amendment provides for the termination of the agreement on the date selected by the Assignee, but not before the commencement of Non-Exclusive Preferential Use Agreement Between The Port of Oakland and SSA Terminals LLC, FMC Agreement No. 201113-001, nor more than six months after the commencement date of that agreement.

Agreement No.: 201087-002.

Title: Oakland—International Transportation Marine, Terminal Agreement.

Parties: City of Oakland: Board of Port Commissioners, International Transportation Service, Inc.

Synopsis: The proposed amendment permits the use of the premises by ValuShip, Ltd. as an "other additional user" under the terms of the basic agreement.

Agreement No.: 201105-002.

Title: Terminal Use Agreement between the Port of Oakland and China Shipping Container Lines.