

**SUPPLEMENTARY INFORMATION:**

*Title:* Public Water Systems Annual Compliance Report, EPA ICR No. 1812.01. This is a new collection.

*Abstract:* States and Territories are required to prepare for EPA by January 1, 1998, a detailed report with Executive Summary on drinking water violations. EPA is to then take the information prepared by the States and Territories and prepare a national report that aggregates the information collected from the States and Territories as well as reports on Indian Tribes information. EPA is to make recommendations to remedy problems associated with drinking water violations in the States, Territories, and Indian Lands. This activity is required under section 1414(c)(3) of the Safe Drinking Water Act to ensure compliance and public safety. The information reported by the States and Territories is required under the Safe Drinking Water Act. States are required to prepare a report that lists violations in the following four categories: Maximum Contaminant Levels, Treatment Techniques, Variances and Exemptions, and Monitoring violations considered to be significant. EPA is to then take this information and prepare the national report summarizing the information reported. 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 **Federal Register** Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on 5/8/97 (62 FR 25189); 1 comment was received.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 208 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.

*Respondents/Affected Entities:* States and Territories.

*Estimated Number of Respondents:* 55.

*Frequency of Response:* Annual.

*Estimated Total Annual Hour Burden:* 11,440 hours.

*Estimated Total Annualized Cost Burden:* \$682,000.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1812.01 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460 and  
Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503

Dated: July 17, 1997.

**Joseph Retzer,**

*Director, Regulatory Information Division.*

[FR Doc. 97-19548 Filed 7-23-97; 8:45 am]

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **Notice of Public Information Collection(s) Submitted to OMB for Review and Approval**

July 11, 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, Pub. L. 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 August 25, 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 Commission, Room 234, 1919 M St., N.W., Washington, DC 20554 or via internet to jboley@fcc.gov.

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

#### **SUPPLEMENTARY INFORMATION:**

*OMB Approval Number:* 3060-0763.

*Title:* ARMIS Customer Satisfaction Report.

*FCC Report No.:* FCC 43-06.

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

*Respondents:* Business or other for-profit.

*Number of Respondents:* 8.

*Estimated Time Per Response:* 900 hours.

*Cost to Respondents:* N/A.

*Total Annual Burden:* 7,200 hours.

*Needs and Uses:* FCC Report 43-06,

the Customer Satisfaction Report, reflects the results of customer satisfaction surveys conducted by individual carriers from residential and business customers on installation and repair orders. The information contained in the automated reports provides the necessary detail to enable the Commission to fulfill its regulatory responsibilities. Automated reporting of these data greatly enhances the Commission's ability to process and analyze the extensive amounts of data that are needed to administer its rules. Automating and organizing data submitted to the Commission facilitate the timely and efficient analyses of revenue requirements, rate of return and price caps, and satisfaction surveys of customer installation and repair requests, and to provide an improved basis for auditing and other oversight functions and enhance the Commission's ability to quantify the effects of policy proposals.

OMB Approval Number: 3060-0414.

Title: Terrain Shielding Policy.

Type of Review: Reinstatement without change, of a previously approved collection for which approval has expired.

Respondents: Business or other for-profit; not-for-profit institutions; state, local, or tribal government.

Number of Respondents: 300.

Estimated Time Per Response: 10 hours.

Cost to Respondents: A consulting engineer would prepare the terrain shielding waiver request. This consulting engineer is estimated to have an average salary of \$125/hour. Therefore, 300 waiver requests x 9 hours x @125/hour=\$337,500.

Total Annual Burden: 300 hours.

Needs and Uses: The terrain shielding policy requires low power television applicants to submit: detailed terrain studies; or assent of potentially affected parties and graphic depiction of terrain when intervening terrain prevents a low power television applicant from interfering with other low power television or full-power television stations. The data are used by FCC staff to determine if adequate protection can be provided by terrain shielding and if waiver of rules is warranted.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97-19429 Filed 7-23-97; 8:45 am]

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Proposed Statement of Policy for Participation in the Conduct of the Affairs of an Insured Depository Institution by Persons Who Have Been Convicted or Have Entered Pretrial Diversion Programs Pursuant to Section 19 of the Federal Deposit Insurance Act

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Proposed policy statement.

SUMMARY: The FDIC seeks to update its statement of policy concerning the participation in banking of a person convicted of a crime of dishonesty or breach of trust or money laundering or who has entered a pretrial diversion or similar program in connection with the prosecution for such offense pursuant to section 19 of the Federal Deposit Insurance Act, 12 U.S.C. 1829. Section 19 was significantly expanded by the Financial Institutions Reform, Recovery

and Enforcement Act of 1989 ("FIRREA"), Pub. L. 101-73, 103 Stat. 183 (1989), and the Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 ("Crime Control Act"), Pub. L. 101-647, 104 Stat. 4789 (1990) and as a result the two existing statements of policy on this provision are outdated. The FDIC intends to adopt the new Statement of Policy and rescind the two existing ones. The FDIC is seeking comments on the proposed Statement of Policy by issuing this **Federal Register** notice.

DATES: Comments must be received on or before September 22, 1997.

ADDRESSES: Send written comments to Robert E. Feldman, Executive Secretary, Attention: Comments/OES, Federal Deposit Insurance Corporation, 550 17th Street, N.W., Washington, D.C. 20429. Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m. (Fax number (202) 898-3838; Internet address: comments@fdic.gov). Comments may be inspected and photocopied in the FDIC Public Information Center, Room 100, 801 17th Street, NW, Washington, DC 20429, between 9:00 a.m. and 4:30 p.m. on business days.

FOR FURTHER INFORMATION CONTACT: Jesse G. Snyder, Assistant Director, Division of Supervision, (202) 898-6915; or Nancy L. Alper, Counsel, Legal Division, (202) 736-0828, Federal Deposit Insurance Corporation, 550 17th Street, N.W., Washington, D.C. 20429.

## SUPPLEMENTARY INFORMATION:

### Background

The Financial Institutions Reform, Recovery, and Enforcement Act of 1989 and the Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 significantly expanded the provisions of section 19 of the Federal Deposit Insurance Act, 12 U.S.C. 1829. As amended by FIRREA and the Crime Control Act, section 19 now prohibits, without the prior consent of the FDIC, a "person" convicted of a criminal offense involving dishonesty, breach of trust or money laundering, or who has agreed to enter into a pretrial diversion or similar program in connection with a prosecution for such offense, from owning or controlling directly or indirectly an insured depository institution, becoming or continuing as an institution-affiliated party, or otherwise participating, directly or indirectly, in the conduct of the affairs of an insured depository institution. Further, section 19 now provides that

conviction for certain enumerated violations of Title 18 of the United States Code pertaining to financial institution-related crimes precludes the FDIC for ten years from considering or consenting to an application filed by a person convicted of such an offense, unless an exception is granted by the sentencing court.

## Request for Comments.

The FDIC has received many inquiries regarding what constitutes "participation" and who is a "person." This request for comments is intended to provide an opportunity to comment on the proposal. In general, the FDIC is interested in comments on the following: the scope of section 19, including what constitutes "participation, directly or indirectly, in the conduct of the affairs," what comprises "own or control, directly or indirectly, any insured depository institution;" whether the current interpretations of "dishonesty" or "breach of trust" should be changed or clarified; criteria for determining what constitutes offenses involving dishonesty, money laundering or breach of trust; procedures for filing a section 19 application, including whether a section 19 application should be filed where there is a *de minimis* crime (e.g., juvenile offense of theft) and what would constitute a *de minimis* crime; what duty to inquire should be imposed upon insured depository institutions, including what due diligence should be undertaken by insured depository institutions in determining what persons come within the parameters of section 19; and the standards for granting consent to a section 19 application.

In particular, the FDIC would like comments on the following areas. First, the FDIC is requesting comments on its longstanding policy of requiring an insured depository institution to file a section 19 application on behalf of an individual. The rationale for this policy has been that in determining whether to approve a section 19 application, the FDIC must assess whether the person's participation in the insured institution constitutes a risk to the safety and soundness of the institution or whether the person's participation in the institution threatens to impair public confidence in the institution or the banking system in general. In making its determination, the FDIC traditionally has considered the position which the person will occupy in the institution, the extent of the supervision of the person which the institution provides, the size and condition of the institution, and fidelity bond coverage of the person