

Permitting authority	Citation
State of Michigan .....	66 FR 64038, December 11, 2001.
State of Indiana .....	66 FR 64039, December 11, 2001.
District of Columbia .....	66 FR 65947, December 21, 2001.
State of Washington .....	67 FR 72, January 2, 2002.
State of Texas .....	67 FR 732, January 7, 2002.

Also in accordance with the December 11, 2000, notice, EPA has issued Agency response letters to citizen comments which explain EPA's reasoning in those instances where the Agency disagrees that particular alleged problems constitute deficiencies within the meaning of part 70. The EPA hereby notifies the public that these letters are available via the internet at the following web address: (<http://www.epa.gov/air/oaqps/permits/response/>). The EPA notes further that the terms "deficiency" and "notice of deficiency" are terms of art under the operating permits regulations in part 70. Thus, as explained in our letters responding to citizen comments, in some instances where EPA declined to issue a notice of deficiency, it was because the Agency disagreed that there was a problem with the State program or its implementation that requires correction. In other instances, however, EPA agreed in whole or in part with commenters that a program was not being properly implemented but nevertheless did not issue a notice of deficiency. Rather, EPA determined that the alleged deficiency had been corrected because the State had made a firm commitment to correct program implementation shortcomings where that could be accomplished on a timely basis by the State administratively without additional rulemaking or legislation.

#### Background

Pursuant to section 502(b) of the Act, EPA has promulgated regulations establishing the minimum requirements for State and local air agency operating

permits programs. We promulgated these regulations on July 21, 1992 (57 FR 32250), in part 70 of title 40, chapter I, of the Code of Federal Regulations. Section 502(d) of the Act requires each State to develop and submit to EPA an operating permits program meeting the requirements of the part 70 regulations and requires us to approve or disapprove the submitted program. In some cases, States have delegated authority to local city, county, or district air pollution control agencies to administer operating permits programs in their jurisdictions. These operating permits programs must meet the same requirements as the State programs. In accordance with section 502(g) of the Act and 40 CFR 70.4(d), for 99 State and local operating permits programs, we granted "interim" rather than full approval because the programs substantially met, but did not fully meet, the provisions of part 70. For interim approved programs, we identified in the notice of interim approval those program deficiencies that would have to be corrected before we could grant the program full approval. As of December 11, 2000, some of those 99 programs had since been granted full approval and the remainder still had interim approval status.

After a State or local permitting program is granted full or interim approval, EPA has oversight of the program to insure that the program is implemented correctly and is not changed in an unacceptable manner. Section 70.4(i) of the part 70 regulations requires permitting authorities to keep us apprised of any proposed program

modifications and also to submit any program modifications to us for approval. Section 70.10(b) requires any approved operating permits program to be implemented " \* \* \* in accordance with the requirements of this part and of any agreement between the State and the Administrator concerning operation of the program."

Furthermore, §§ 70.4(i) and 70.10(b) provide authority for us to require permitting authorities to correct program or implementation deficiencies. As explained previously, EPA has exercised these authorities by in some instances issuing notices of deficiency and in other instances issuing letters explaining why we do not agree that deficiencies exist.

Dated: February 5, 2002.

**Anna B. Duncan,**

*Acting Director, Information Transfer and Program Integration Division.*

[FR Doc. 02-3548 Filed 2-12-02; 8:45 am]

**BILLING CODE 6560-50-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### Sunshine Act Meeting; Open Commission Meeting Thursday, February 14, 2002

February 7, 2002.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, February 14, 2002, which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

Item No.	Bureau	Subject
1	Common Carrier .....	<i>Title:</i> Appropriate Framework for Broadband Access to the Internet over Wireline Facilities; and Universal Service Obligations of Broadband Providers. <i>Summary:</i> The Commission will consider a Notice of Proposed Rule Making initiating a thorough examination of the appropriate legal and policy framework under the Communications Act of 1934, as amended, for broadband access to the Internet provided over domestic wireline facilities.
2	Common Carrier .....	<i>Title:</i> Federal-State Joint Board on Universal Service (CC Docket No. 96-45); 1998 Biennial Regulatory Review (CC Docket No. 98-171); Telecommunications Services for Individuals with Hearing and Speech Disabilities (CC Docket No. 90-571); Administration of the North American Numbering Plan (CC Docket No. 92-327); Number Resource Optimization (CC Docket No. 99-200); Telephone Number Portability (CC Docket No. 95-116); and Truth-in-Billing and Billing Format (CC Docket No. 98-170). <i>Summary:</i> The Commission will consider a Further Notice of Proposed Rulemaking and Order concerning the system for assessment and recovery of universal service contributions.

Item No.	Bureau	Subject
3	Mass Media .....	<i>Title:</i> Reexamination of the Comparative Standards for Noncommercial Educational Applicants (MM Docket No. 95–31); and Association of America's Public Television Stations' Motion for Stay of Low Power Television Auction (No. 81). <i>Summary:</i> The Commission will consider a Second Further Notice of Proposed Rule Making to adopt new procedures for licensing spectrum in which both commercial and noncommercial educational entities have an interest.
4	International .....	<i>Title:</i> Amendment of the Commission's Space Station Licensing Rules and Policies; and 2000 Biennial Regulatory Review—Streamlining and Other Revisions of Part 25 of the Commission's Rules Governing the Licensing of and Spectrum Usage by Satellite Network Earth Stations and Space Stations (IB Docket No. 00–248). <i>Summary:</i> The Commission will consider a Notice of Proposed Rule Making and First Report and Order inviting comments on revising the procedures for considering satellite license applications.
5	Consumer Information .....	<i>Title:</i> Establishment of Rules Governing Procedures to Be Followed When Informal Complaints Are Filed by Consumers Against Entities Regulated by the Commission; and Amendment of Subpart E of Chapter 1 of the Commission's Rules Governing Procedures to Be Followed When Informal Complaints Are Filed Against Common Carriers—2000 Biennial Regulatory Review (CC Docket No. 94–93). <i>Summary:</i> The Commission will consider a Notice of Proposed Rule Making to establish a uniform consumer complaint process applicable to all services regulated by the Commission which are not currently covered by the common carrier informal complaint rules.
6	Office of Engineering and Technology .....	<i>Title:</i> Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission System (ET Docket No. 98–153). <i>Summary:</i> The Commission will consider a First Report and Order to provide for new ultra-wideband devices.
7	Wireless Tele-Communications and Office of Engineering and Technology.	<i>Title:</i> The 4.9 GHz Band Transferred from Federal Government Use (WT Docket No. 00–32). <i>Summary:</i> The Commission will consider a Second Report and Order regarding the allocation and designation of the 4940–4990 MHz band; and a Further Notice of Proposed Rule Making concerning the service rules for this band.

Additional information concerning this meeting may be obtained from Maureen Peratino or David Fiske, Office of Media Relations, telephone number (202) 418–0500; TTY 1–888–835–5322.

Copies of materials adopted at this meeting can be purchased from the FCC's duplicating contractor, Qualex International (202) 863–2893; Fax (202) 863–2898; TTY (202) 863–2897. These copies are available in paper format and alternative media, including large print/type; digital disk; and audio tape. Qualex International may be reached by e-mail at [Qualexint@apl.com](mailto:Qualexint@apl.com)

This meeting can be viewed over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. For information on these services call (703) 834–1470 Ext. 10. The audio portion of the meeting will be broadcast live on the Internet via the FCC's Internet audio broadcast page at <http://www.fcc.gov/realaudio/>. The meeting can also be heard via telephone, for a fee, from National Narrowcast Network, telephone (202) 966–2211 or fax (202) 966–1770. Audio and video tapes of this meeting can be purchased from Infocus, 341 Victory Drive, Herndon, VA 20170, telephone (703) 834–0100; fax number (703) 834–0111.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 02–3576 Filed 2–8–02; 4:38 pm]

**BILLING CODE 6712–01–P**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Agency Meeting; Sunshine Act

Pursuant to the provisions of the “Government in the Sunshine Act” (5 U.S.C. 552b), notice is hereby given that at 2:25 p.m. on Thursday, February 7, 2002, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters relating to the Corporation's resolution activities.

In calling the meeting, the Board determined, on motion of Director James E. Gilleran (Director, Office of Thrift Supervision), seconded by Director John M. Reich (Appointive), concurred in by Chairman Donald E. Powell, and Ms. Julie L. Williams, acting in the place and stead of Director John D. Hawke, Jr. (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did

not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the “Government in the Sunshine Act” (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B))

The meeting was held in the Board Room of the FDIC Building located at 550–17th Street, NW., Washington, DC.

Dated: February 8, 2002.

Federal Deposit Insurance Corporation.

**James D. LaPierre,**

*Deputy Executive Secretary.*

[FR Doc. 02–3613 Filed 2–11–02; 10:49 am]

**BILLING CODE 6714–01–M**

## 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,