believes normal use patterns and rapid degradation of the organism will not lead to accumulation of the killed cells in the environment.

F. Safety Determination

1. *U.S. population.* Toxicology information regarding delta endotoxins derived from *Bacillus thuringiensis* is well established. During the widespread use of *Bacillus thuringiensis* over several decades for pest control purposes there has not been any confirmed reports indicating toxicity to humans or animals. In the Draft Registration Standard for *Bacillus thuringiensis*, EPA Case No. 0247 dated December 1986, EPA stated that the delta endotoxin in *Bacillus thuringiensis* ''has no known toxic pathogenic effect in humans or other mammals.''

2. Infants and Children. Mycogen states that the Cry1F derived delta endotoxin of *Bacillus thuringiensis* encapsulated in killed Pseudomonas fluorescens is practically non-toxic to humans and presents minimal risk to the environment. A determination of safety for infants and children can be made based on: (a) the established toxicology database demonstrating no mammalian toxicity; (b) the historical safe use of similar products using delta endotoxins from *Bacillus thuringiensis*; (c) the lack of persistence and mobility of the killed cells in the environment; and (d) the absence of use patterns under the Experimental Use Permit which may lead to exposure to infants and children.

G. Effects on the Immune and Endocrine Systems

Mycogen states that the toxicology database on delta endotoxins derived from *Bacillus thuringiensis* demonstrate no toxicity to mammalian immune or endocrine systems. Using the encapsulation process to effectively kill all cells ensures that no metabolic byproducts are produced which could potentially present an adverse effect to the immune or endocrine systems. The decomposition of the killed cells in the environment and in mammalian metabolic systems will not lead to adverse effects to the immune or endocrine systems.

H. Existing Tolerances

Strains of *Bacillus thuringiensis* are approved for use on raw agricultural commodities under the general tolerance exemption established by 40 CFR 180.1011. The gene encoding the Cry1F delta endotoxin is derived from *Bacillus thuringiensis* variety aizawai. Several products registered with EPA currently use the aizawai strain and are exempt from the requirement of a tolerance.

The use of other similar delta endotoxins derived from *Bacillus thuringiensis* and encapsulated in killed Pseudomonas fluorescens are approved under 40 CFR 180.1107, 180.1108, and 180.1154. The encapsulated Cry1F derived delta endotoxin was already previously approved on April 29, 1994 under a temporary tolerance exemption from Mycogens Petition Number 3G4224.

[FR Doc. 97–16658 Filed 6–24–97; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[OPPT–59360; FRL–5727–5]

Certain Chemicals; Approval of a Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of an application for test marketing exemption (TME) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated this application as TME–97–6. The test marketing conditions are described below.

DATES: This notice becomes effective June 18, 1997. Written comments will be received until July 10, 1997.

ADDRESSES: Written comments, identified by the docket control number [OPPT–59360] and the specific TME number should be sent to: TSCA Nonconfidential Information Center (NCIC), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. NEB–607 (7407), 401 M St., SW., Washington, DC, 20460, (202) 554–1404, TDD (202) 554–0551.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppt.ncic@epamail.epa.gov. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by [OPPT–59360]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: Shirley D. Howard, New Chemicals Notice Management Branch, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–611, 401 M St. SW., Washington, DC 20460, (202) 260–3780. e-mail: howard.sd@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves TME–97–6. EPA has determined that test marketing of the new chemical substance described below, under the conditions set out in the TME application, and for the time period and restrictions specified below, will not present an unreasonable risk of injury to human health or the environment. Production volume, use, and the number of customers must not exceed that specified in the application. All other conditions and restrictions described in the application and in this notice must be met.

A notice of receipt of this application was not published in advance of approval. Therefore, an opportunity to submit comments is being offered at this time. EPA may modify or revoke the test marketing exemption if comments are received which cast significant doubt on its finding that this test marketing activity will not present an unreasonable risk of injury.

The following additional restrictions apply to TME–97–6. A bill of lading accompanying each shipment must state that the use of the substance is restricted to that approved in the TME. In addition, the applicant shall maintain the following records until 5 years after the date they are created, and shall make them available for inspection or copying in accordance with section 11 of TSCA:

1. Records of the quantity of the TME substance produced and the date of manufacture.

2. Records of dates of the shipments to each customer and the quantities supplied in each shipment.

3. Copies of the bill of lading that accompanies each shipment of the TME substance.

TME–97–6

Date of Receipt: May 16, 1997. The extended comment period will close (*insert date 15 days after the date of publication in the* **Federal Register**).

Applicant: Reichhold Chemicals Inc.

Chemical: (G) Polyurethane Adhesive.

Use: (G) Hot melted adhesive.

Production Volume: Confidential.

Number of Customers: Confidential.

Test Marketing Period: Confidential. Commencing on first day of commercial manufacture.

Risk Assessment: EPA identified no significant health or environmental concerns for the test market substance. Therefore, the test market activities will not present any unreasonable risk of injury to human health or the environment.

The Agency reserves the right to rescind approval or modify the conditions and restrictions of an exemption should any new information that comes to its attention cast significant doubt on its finding that the test marketing activities will not present any unreasonable risk of injury to human health or the environment.

List of Subjects

Environmental protection, test marketing exemptions.

Dated: June 18, 1997.

Flora Chow,

Chief, New Chemicals Notice Management Branch, Office of Pollution Prevention and Toxics.

[FR Doc. 97–16656 Filed 6–24–97; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

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

June 19, 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, 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 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 Commissions, 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 collections contact Judy Boley at 202–418–0214 or via internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval No.: 3060–0XXX.

Title: Accounting for Judgements and Other Costs Associated with Litigation, CC Docket No. 93–240.

Form No: N/A.

Type of Review: New collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 1.

Estimated Hour Per Response: 36 hours.

Frequency of Response: On occasion reporting requirement.

Estimated Total Annual Burden: 36 hours.

Needs and Uses: In CC Docket No. 93–240, the Commission considers the issue of the accounting rules and ratemaking policies that should apply to litigation costs incurred by carriers subject to Part 32 of its rules and regulations. The Commission concludes that there should be special rules to govern the accounting treatment of federal antitrust judgements and settlements, in excess of the avoided costs of litigation, but not for litigation expenses. The Commission further concludes that these special rules should not apply to costs arising in other kinds of litigation. To receive recognition of its avoided costs of litigation, a carrier must demonstrate, in a request for special relief, the avoided costs of litigation by showing the amount corresponding to the additional litigation expenses discounted to present value, that the carrier reasonably estimates it would have paid if it had not settled. A carrier requesting recovery of the avoided costs of litigation must accompany its request with clear and convincing evidence that, without the settlement, it would have incurred the expenses it estimates.

OMB Control No.: 3060–0760.

Title: Access Charge Reform, CC Docket No. 96–272 (First Report and Order).

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Estimated Annual Burden: 13 respondents; 138,714 hours per response (avg.); 1,803,282 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: $31,200.

Frequency of Response: On occasion reporting requirement.

Needs and Uses: In the Access Charge Reform First Report and Order, the Commission adopts, that, consistent with principles of cost-causation and economic efficiency, non-traffic sensitive (NTS) costs associated with local switching should be recovered on an NTS basis, through flat-rated, per month charges. The information collections resulting from this Report and Order are as follows. The information collected would be submitted to the FCC by incumbent LECs for use in determining whether the incumbent LECs should receive the regulatory relief proposed in the Order. Compliance is mandatory.

a. Showings under the Market-Based Approach. As competition develops in the market, the FCC will gradually relax and ultimately remove existing Part 69 federal access rate structure requirements and Part 61 price cap restrictions on rate level changes. Regulatory reform will take place in two phases. The first phase of regulatory reform will take place when an incumbent LEC network has been opened to competition for interstate access services. Detariffing will take place when substantial competition has developed for the access charge elements. We proposed that in order for LECs to meet this standard, they have to demonstrate that: (1) Unbundled network element prices are based on geographically deaveraged, forward-looking economic costs in a manner that reflects the way costs are incurred; (2) transport and termination charges are based on the additional cost of