

lead-based paint, lead-contaminated dust, and lead-contaminated soils.

### III. Federal Overfiling

TSCA section 404(b) makes it unlawful for any person to violate, or fail, or refuse to comply with any requirement of an approved State or Tribal program. Therefore, EPA reserves the right to exercise its enforcement authority under TSCA against a violation of, or a failure, or refusal to comply with any requirement of an authorized State or Tribal program.

### IV. Public Record and Electronic Submissions

The official record for this action, as well as the public version, has been established under docket control number "PB-402404-LA." Copies of this notice, the State of Louisiana's authorization application, and all comments received on the application are available for inspection in the Region 6 office, from 7:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket is located at EPA Region 6 Library, Environmental Protection Agency, 1445 Ross Ave., Suite 1200, Dallas, TX.

Electronic comments can be sent directly to EPA at:  
robinson.jeffrey@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number "PB-402404-LA." Electronic comments on this document may be filed online at many Federal Depository Libraries.

**Authority:** 15 U.S.C. 2682, 2684.

### List of Subjects

Environmental protection, Hazardous substances, Lead, Reporting and recordkeeping requirements.

Dated: April 17, 1998.

**Robert E. Hanneschlager,**

*Acting Division Director, Multimedia Planning and Permitting, Region VI.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6004-6]

### Notice of Proposed Revisions to Approved Programs To Administer the National Pollutant Discharge Elimination System Permitting Program in Illinois and Minnesota Resulting in Part From Adoption of the Water Quality Guidance for the Great Lakes System

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has received for review and approval revisions to the National Pollutant Discharge Elimination System (NPDES) programs in Illinois and Minnesota. Most of the proposed revisions were adopted to comply with section 118(c) of the Clean Water Act and 40 CFR 132.4, although in some cases, the State has also proposed revisions that are not related to those required by section 118(c) of the CWA and 40 CFR 132.4. EPA invites public comment on whether EPA should approve these revisions pursuant to 40 CFR 123.62 and 132.5.

**DATES:** Comments on whether EPA should approve the revisions to Illinois' and Minnesota's NPDES programs must be received in writing by May 28, 1998.

**ADDRESSES:** Written comments on these documents may be submitted to Jo Lynn Traub, Director, Water Division, Attn: GLI Implementation Procedures, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. In the alternative, EPA will accept comments electronically. Comments should be sent to the following Internet E-mail address: karnauskas.joan@epamail.epa.gov. Electronic comments must be submitted in an ASCII file avoiding the use of special characters and any form of encryption. EPA will print electronic comments in hard-copy paper form for the official administrative record. EPA will attempt to clarify electronic comments if there is an apparent error in transmission. Comments provided electronically will be considered timely if they are submitted electronically by 11:59 p.m. (Central Daylight Saving time) May 28, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mery Jackson-Willis, Standards and Applied Sciences Branch, Water Division, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-

3590, or telephone her at (312) 886-3717.

Copies of the rules adopted by the States, and other related materials submitted by the States in support of these revisions, are available for review at: EPA, Region 5, 77 West Jackson Boulevard, 15th Floor, Chicago, Illinois; Illinois Environmental Protection Agency, Library, 1021 North Grand Avenue East, Springfield, Illinois; Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota. To access the docket material in Chicago, call (312)886-3717 between 8 a.m. and 4:30 p.m. (Central Daylight Saving Time) (Monday-Friday); in Illinois, call (217) 782-9691; and in Minnesota, call (612) 296-7398.

**SUPPLEMENTARY INFORMATION:** On March 23, 1995, EPA published the Final Water Quality Guidance for the Great Lakes System (Guidance) pursuant to section 118(c)(2) of the Clean Water Act, 33 U.S.C. 1268(c)(2). (March 23, 1995, 60 FR 15366). The Guidance, which was codified at 40 CFR Part 132, requires the Great Lakes States to adopt and submit to EPA for approval, water quality criteria, methodologies, policies and procedures that are consistent with the Guidance. 40 CFR 132.4 & 132.5. EPA is required to approve of the State's submission within 90 days or notify the State that EPA has determined that all or part of the submission is inconsistent with the Clean Water Act or the Guidance and identify any necessary changes to obtain EPA approval. If the State fails to make the necessary changes within 90 days, EPA must publish a notice in the **Federal Register** identifying the approved and disapproved elements of the submission and a final rule identifying the provisions of Part 132 that shall apply for discharges within the State.

On February 13 and 20, 1998, EPA Region 5 received submissions from Minnesota and Illinois, respectively. The bulk of these submissions consist of new, revised or existing water quality standards which EPA is reviewing for consistency with the Guidance in accordance with 40 CFR 131 and 132.5. EPA is not soliciting comment on those portions of these submissions relating to the water quality criteria and methodologies, use designations or antidegradation. EPA also is not soliciting comment on the Guidance itself.

Instead, EPA is only requesting comment on whether it should approve, pursuant to 40 CFR 123.62, and 132.5(g), those portions of these submissions that revise the States' approved National Pollutant Discharge

Elimination System (NPDES) permitting program. In most cases these revisions relate to the following provisions of 40 CFR part 132, Appendix F: Procedure 3 ("Total Maximum Daily Loads, Wasteload Allocations for Point Sources, Load Allocations for Nonpoint Sources, Wasteload Allocations in the Absence of a TMDL, and Preliminary Wasteload Allocations for Purposes of Determining the Need for Water Quality Based Effluent Limits"); Procedure 4 ("Additivity"); Procedure 5 ("Reasonable Potential"); Procedure 6 ("Whole Effluent Toxicity"); Procedure 7 ("Loading Limits"); Procedure 8: ("Water Quality-based Effluent Limitations Below the Quantification Level"); Procedure 9 ("Compliance Schedules"). EPA is not soliciting comment on the States' adoption of requirements pertaining to Implementation Procedures 1 ("Site Specific Modifications") or 2 ("Variances") because those requirements constitute parts of the States' water quality standards, not its NPDES program.

Under 40 CFR 123.62(b)(2) and 132.5(e), whenever EPA determines that a proposed revision to a State NPDES program is substantial, EPA must provide notice and allow public comment on the proposed revisions. The extent to which the States have modified their NPDES programs to be consistent with the Guidance varies significantly, depending on the extent to which their existing programs already were "as protective as" the implementation procedures in the Guidance. EPA has not conducted a State-by-State review of the submissions to ascertain for each State individually whether their changes constitute substantial program modifications. However, in light of the fact that the States have modified these programs in response to the explicit statutory mandate contained in section 118(c) of the Clean Water Act, EPA believes that it is appropriate to consider the NPDES component of the States' submissions to be substantial program modifications, and therefore has decided to solicit public comment regarding those provisions.

Interested persons may request a public hearing regarding whether EPA should approve, pursuant to 40 CFR 123.62, and 132.5(g), those portions of the States' submissions that revise the States' approved NPDES permitting program. EPA will determine, based upon requests received, if there is significant interest to warrant a public hearing.

Based on General Counsel Opinion 78-7 (April 18, 1978), EPA has long

considered a determination to approve or deny a State NPDES program submission to constitute an adjudication because an "approval", within the meaning of the APA, constitutes a "license", which, in turn, is the product of an "adjudication". For this reason, the statutes and Executive Orders that apply to rulemaking action are not applicable here. Among these are provisions of the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.* Under the RFA, whenever a Federal agency proposes or promulgates a rule under section 553 [of the Administrative Procedures Act (APA)], after being required by that section or any other law to publish a general notice of proposed rulemaking, the Agency must prepare a regulatory flexibility analysis for the rule, unless the Agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. If the Agency does not certify the rule, the regulatory flexibility analysis must describe and assess the impact of a rule on small entities affected by the rule.

Even if the NPDES program modification were a rule subject to the RFA, the Agency would certify that approval of the State's modified program would not have a significant economic impact on a substantial number of small entities. EPA's action to approve an NPDES program modification merely recognizes revisions to the program which have already been enacted as a matter of State law; it would, therefore, impose no additional obligations upon those subject to the State's program. Accordingly, the Regional Administrator would certify that this program modification, even if a rule, would not have a significant economic impact on a substantial number of small entities.

Dated: April 15, 1998.

**Michelle D. Jordan,**

*Acting Regional Administrator, Region 5.*

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## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92-237; DA 98-782]

### Conference Call Meeting of the North American Numbering Council

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** On April 23, 1998, the Commission released a public notice

announcing the May 8, 1998, conference call meeting of the North American Numbering Council (NANC). The intended effect of this action is to make the public aware of the NANC's next meeting and its agenda.

**FOR FURTHER INFORMATION CONTACT:** Jeannie Grimes at (202) 418-2313. The address is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, 2000 M Street, NW, Suite 235, Washington, DC 20554. The fax number is: (202) 418-7314. The TTY number is: (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** Released April 23, 1998.

The North American Numbering Council (NANC), has scheduled a meeting to be held by conference call on May 8, 1998, from 1:00 p.m. until 3:30 p.m. EST. The conference bridge number is 1-888-582-4100, PIN 3531542. Due to limited port space, NANC members and Commission staff will have first priority on the call. Members of the public may join the call as remaining port space permits.

This notice of the May 8, 1998, NANC conference call meeting is being published in the **Federal Register** less than 15 calendar days prior to the meeting due to NANC's need to discuss and finalize its recommendation and report on Local Number Portability Administration Wireless Wireline Integration, before the next scheduled meeting. This statement complies with the General Services Administration Management Regulations implementing the Federal Advisory Committee Act. See 41 CFR § 101-6.1015(b)(2).

This meeting is open to the members of the general public. The FCC will attempt to accommodate as many participants as possible. Participation on the conference call is limited. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting. Requests to make an oral statement or provide written comments to the NANC should be sent to Jeannie Grimes at the address under **FOR FURTHER INFORMATION CONTACT**, stated above.

### Proposed Agenda

1. Local Number Portability Administration Working Group Report on Wireless Wireline Integration.