

proposed agreement will not be made final until after the Attorney General has approved it.

DATES: Comments must be provided on or before September 24, 1998.

ADDRESSES: Comments should be addressed to Karen L. Peaceman, Assistant Regional Counsel, Mail Code C-14J, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604, and should refer to: In the Matter of Sturgis Municipal Well Field Superfund Site.

FOR FURTHER INFORMATION CONTACT: Karen L. Peaceman, Mail Code C-14J, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-5751.

SUPPLEMENTARY INFORMATION: The following party executed binding certification of its consent to participate in the settlement: The Newell Co.

The Newell Co. will pay \$1,486,015.43 for response costs related to the Sturgis Municipal Well Field Superfund Site, if the United States Environmental Protection Agency determines that it will not withdraw or withhold its consent to the proposed settlement after consideration of comments submitted pursuant to this document.

U.S. EPA may enter into this settlement under the authority of section 122(h) of CERCLA. Section 122(h)(1) authorizes EPA to settle any claims under section 107 of CERCLA where such claim has not been referred to the Department of Justice. Pursuant to this authority, the agreement proposes to settle with a party who is potentially responsible for costs incurred by EPA at the Sturgis Municipal Well Field Superfund Site.

A copy of the proposed administrative order on consent and additional background information relating to the settlement are available for review and may be obtained in person or by mail from Karen L. Peaceman, Mail Code C-14J, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

The U.S. Environmental Protection Agency will receive written comments relating to this settlement for thirty days from the date of publication of this document.

Authority: The Comprehensive Environmental Response, Compensation, and

Liability Act of 1980, as amended, 42 U.S.C. section 9601 *et seq.*

William E. Muno,

Director, Superfund Division, Region 5.

[FR Doc. 98-22789 Filed 8-24-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6147-6]

Proposed National Pollutant Discharge Elimination System General Permit and Reporting Requirements for the Final Beneficial Reuse or Disposal of Municipal Sewage Sludge (ARG650000)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Pursuant to section 405(f)(1) of the Clean Water Act (CWA) EPA is proposing a General Permit to treatment works treating domestic sewage (TWTDS), including publicly owned treatment works (POTWs), in the State of Arkansas. Notice is for the draft general permit for the land application, surface disposal, and disposal in a municipal solid waste landfill (MSWLF) of sewage sludge generated during the treatment of domestic sewage in a treatment works.

SUMMARY: Section 305(f)(1) of the CWA provides all permits issued under section 402 to a POTW or any other TWTDS must include requirements for the use and disposal of sludge that implement the regulations established pursuant to section 405(d) of the CWA (see 40 CFR Part 503 and Part 258).

The State of Arkansas was authorized to implement the National Pollutant Discharge Elimination System (NPDES) program on November 1, 1986. It is not applying for authorization to implement the sewage sludge program. The Arkansas Pollutant Discharge Elimination System permits issued to wastewater treatment facilities will not provide permit coverage for disposal of sewage sludge. EPA is proposing this permit to assure sewage sludge is beneficially reused or disposed in accordance with regulations to protect human health and the environment. The 40 CFR Part 503 Standards consist of general requirements, pollutant limits, management practices, and operational

standards, for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. Reuse or disposal methods addressed in the general permit include sewage sludge applied to the land, placed on a surface disposal site, and disposed in a municipal solid waste landfill. This notice requests comments on the general permit.

DATES: Comments on the proposed permit must be received on or before October 26, 1998. See HEARINGS for information on hearing dates.

ADDRESSES: The public should send an original and two copies of their comments addressing any aspect of this notice to Wilma Turner, Administrative Team of the Water Quality Protection Division (6WQ-CA), U.S. Environmental Protection Agency Region 6, 1445 Ross Ave. Suite 1200, Dallas, Texas 75202 (214) 665-7516.

The public record is located at EPA Region 6, and is available upon written request. Requests for copies of the public record should be addressed to Wilma Turner at the address above. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: For further information on the proposed draft general permit or a complete copy of the entire fact sheet and general permit contact Wilma Turner, Administrative Team of the Water Quality Protection Division (6WQ-CA), U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Suite 1200, Dallas, Texas 75202 (214) 665-7516.

HEARINGS: A meeting and public hearing will be held on September 30, 1998, at the following location: La Quinta Inn, Otter Creek, 11701 Interstate 30, Little Rock, Arkansas 72209, Phone: 501-455-2300.

The public meeting will begin at 3:00 pm and end at 5:00 pm. The public hearing will begin at 7:00 pm with registration beginning at 6:30 pm. The public meeting will provide information on the permit conditions. The public can make formal statements and comments for the public record at the public hearing.

SUPPLEMENTARY INFORMATION:

I. Framework of Permitting System

Regulated entities include:

Category	Examples of regulated entities
Treatment Works Treating Domestic Sewage	Publicly Owned Treatment Works (Municipalities).
Treatment Works Treating Domestic Sewage	Sewage Sludge Treatment Devices (Including Blenders of Sewage Sludge).
Treatment Works Treating Domestic Sewage	Wastewater Treatment Devices.
Treatment Works Treating Domestic Sewage	Federal Facilities Treating Domestic Sewage.

Category	Examples of regulated entities
Treatment Works Treating Domestic Sewage	Owners of Land Dedicated to the Disposal of Sewage Sludge.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your operation is regulated by this action, you should carefully examine the applicability criteria found in 40 CFR Subpart 122.21(c)(2) of title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Section 405(f) of the CWA requires that any permit issued under section 402 of the Act to a POTW or any other TWTDS shall include the requirements established pursuant to section 405(d) of the CWA, unless such requirements have been included in a permit issued under the appropriate provisions of subtitle C of the Solid Waste Disposal Act, Part C of the Safe Drinking Water Act, the Marine Protection, Research, and Sanctuaries Act of 1972, or the Clean Air Act.

II. Permitting

A. Permit Application Regulations

1. Regulations Requiring POTW NPDES/Sludge Permit Coverage

In accordance with 40 CFR Subpart 122.21(c)(2), all POTWs and any other existing TWTDS are required to apply for a NPDES permit. POTWs generating/treating/blending/disposing of sewage sludge are subject to the application submission deadlines as defined in the February 19, 1993, **Federal Register**. 40 CFR Subpart 122.21(a) excludes persons covered by general permits from requirements to submit individual permit applications. Coverage under this general permit will eliminate the operator's need to reapply for an individual sewage sludge permit.

2. Regulations Requiring All Other TWTDS Coverage

All other TWTDS must apply for a permit. A TWTDS is defined in 40 CFR Subparts 122.2 and 501.2 as "a POTW or any other sewage sludge or waste water treatment devices or systems, regardless of ownership (including federal facilities), used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage,

including land dedicated for the disposal of sewage sludge. This includes facilities that generate sewage sludge or otherwise effectively control the quality or change the characteristics (e.g., blenders) of sewage sludge or the manner in which it is disposed. In addition, all TWTDS disposing of sewage sludge in a State-permitted Municipal Solid Waste Landfill (MSWLF) must also apply for a permit. 40 CFR Part 503 requires all sewage sludge disposed in a MSWLF meet the requirements in 40 CFR Part 258 concerning the quality of the materials disposed.

3. Application of General Permit

This public notice specifies that official notification is required for coverage under this general permit pursuant to 40 CFR Subpart 122.28(b)(2). Notifying EPA under a general permit is a mechanism which can be used to establish an accounting of the number of permittees covered by the general permit, the nature of operations at the facility generating the sewage sludge, and the identity and location of sludge disposal sites. This type of information is appropriate since the sewage sludge is being monitored and tracked. This permit will apply to all TWTDS (including POTWs) covered by permitting requirements under 40 CFR Part 503 and 40 CFR Part 258.

4. Individual Permit Application Requirements

The requirements for an individual permit application are found in 40 CFR Subpart 501.15(a)(2). The information is intended to develop the site-specific conditions generally associated with individual permits. Individual permit applications may be needed under several circumstances. Examples include: a TWTDS authorized by a general permit that covers final reuse or disposal of sewage sludge and requests to be excluded from the coverage of the general permit by applying for an individual permit, and EPA has determined the appropriateness of the permit (see 40 CFR Subpart 122.28(b)(3)(i) for EPA issued general permits); or the Director requires a TWTDS authorized by a general permit to apply for an individual permit (see 40 CFR Subpart 122.28(b)(3)(iii) for EPA issued general permits).

III. Draft General Permit for Final Beneficial Reuse and Disposal of Municipal Sewage Sludge

A. Today's Notice

Today's notice proposes a general permit for final beneficial reuse and disposal of municipal sewage sludge in Arkansas. The following portion provides notice for the draft general permit and accompanying fact sheet for a general Sewage Sludge permit in Arkansas. This draft general permit is intended to cover the final beneficial reuse and disposal of municipal sewage sludge in accordance with the *Standards for the Use or Disposal of Sewage Sludge* 40 CFR Part 503. The proposed permit contains: The Federal guidelines to insure that the permittee's practices do not pose a threat to human health and the environment due to toxic pollutants and pathogens.

Effective Date of Requirements

This permit shall be effective the first day of the month following issuance.

EPA Contacts

United States EPA, Region 6, Water Quality Protection Division (6WQ-PO). First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, 12th Floor, Suite 1200, Dallas, TX 75202.

Comment Period Closes

The comment period ends 60 days following the publication of this general permit in the **Federal Register**.

B. Preamble for Draft General Permit

1. Coverage Under the Proposed General Permit

Types of Final Sludge Reuse or Disposal Practices Covered. Those facilities generating sewage sludge or used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated for the disposal of sewage sludge. The permit being proposed is intended to cover all TWTDS (including POTWs) in the State of Arkansas with requirements for the final reuse or disposal of municipal sewage sludge.

Designated Treatment Works Treating Domestic Sewage. In accordance with 40 CFR Subpart 122.2 (definition of TWTDS), the Regional Administrator may designate any facility a TWTDS if he or she becomes aware of facilities which do not automatically fit the definition of TWTDS, but finds that the

facility poses a potential for adverse effects on the public health and the environment from poor sludge quality or poor sludge handling, use or disposal practices, or where he or she finds that such designation is necessary to ensure that such person is in compliance with 40 CFR Part 503.

POTWs with Pending Application. Some existing TWTDS have submitted applications in accordance with NPDES requirements and have remained unpermitted due to the administrative work load and priorities. All of these applicants will gain coverage under the sewage sludge program through the issuance of this permit. Region 6 believes this benefits those applicants without a permit. Any permittee desiring an individual permit may petition the Director in accordance with 40 CFR Subpart 122.28(b)(3)(iii).

2. Permit Conditions

a. Description of draft permit conditions. The conditions of this draft permit have been developed to be consistent with the self implementing requirements of the 40 CFR Part 503 regulations. The draft permit contains requirements for TWTDS (including POTWs) that land apply municipal sewage sludge, surface dispose municipal sewage sludge, and dispose of municipal sewage sludge in a municipal solid waste landfill.

(1) For sewage sludge that is land applied, permit conditions specifically address the following: (A) Requirements specific to bulk sewage sludge for application to the land meeting class A or B pathogen reduction and the cumulative loading rates in Table 2 of the permit, or class B pathogen reduction and the pollutant concentrations in Table 3 of the permit. (B) Requirements specific to bulk sewage sludge meeting pollutant concentrations in Table 3 of the permit and Class A pathogen reduction requirements. (C) Requirements specific to sludge sold or given away in a bag or other container for application to the land that does not meet the pollutant concentrations in Table 3 of the permit.

(2) For sewage sludge that is surface disposed, permit conditions specifically address the following: (A) Requirements specific to surface disposal sites without a liner and leachate collection system. (B) Requirements specific to surface disposal sites with a liner and leachate collection system.

(3) For sewage sludge that is disposed in a municipal solid waste landfill, 40 CFR Subpart 503.4 states that permit conditions require sewage sludge disposed to meet the quality requirements of 40 CFR Part 258. Major

POTWs (those POTWs with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR Subpart 403.8(a)) disposing of sewage sludge in a municipal solid waste landfill are required to conduct a TCLP test once/permit life to determine if the sludge is hazardous as well as an annual paint filter test to assure that the sludge does not contain free liquids. Compliance with these testing requirements will assure that the sewage sludge meets the quality requirements.

b. Sludge Quality Limitations. Specific numerical permit conditions for metals are dependent upon the quality of the sludge as well as the method used by the TWTDS for the final reuse or disposal of municipal sewage sludge.

IV. Economic Impact

EPA believes that this proposed general permit will be economically beneficial to the regulated community. It provides an economic alternative to the individual application process the facilities covered by this permit would otherwise have to face. The requirements are consistent with those already imposed by effective federal regulations and State requirements.

An economic analysis was prepared when the 40 CFR Part 503 regulations were proposed and finalized. Region 6 believes that the general permit conditions provide the same requirements as the self-implementing requirements under the 40 CFR Part 503 rule. Also Region 6 believes that this general permit is the most economical permitting option available to all TWTDS with NPDES application requirements.

V. Compliance With Other Federal Regulations

A. National Environmental Policy Act

CWA Section 511(c)(1) excludes this action from the National Environmental Policy Act of 1969.

B. Endangered Species Act

The Endangered Species Act (ESA) of 1973 requires Federal Agencies such as EPA to ensure, in consultation with the U.S. Fish and Wildlife Service (Service) that any actions authorized, funded, or carried out by the Agency (e.g., EPA issued sewage sludge permits requiring compliance with the conditions in the Part 503 regulations) are not likely to adversely affect the continued existence of any federally-listed endangered or threatened species or adversely modify

or destroy critical habitat of such species (see 16 U.S.C. 1536(a)(2), 50 CFR Part 402 and 40 CFR Subpart 122.49(c)).

Accordingly, sewage sludge final reuse and disposal activities that are likely to adversely affect species are not eligible for permit coverage under this sewage sludge general permit.

To be eligible for coverage under the sewage sludge general permit, applicants are required to review the list of species and their locations and which are described in the instructions for completing the application requirements under this permit. If an applicant determines that none of the species identified are found in the county in which the TWTDS, surface disposal site, land application site or MSWLF is located, then there is no likelihood of an adverse effect and they are eligible for permit coverage. Applicants must then certify that their operation is not likely to adversely affect species and will be granted sewage sludge general permit coverage 48 hours after the date of the postmark on the envelope used to mail in the notification.

If species are found to be located in the same county as the TWTDS, surface disposal site, land application site, or MSWLF then the applicant next must determine whether the species are in proximity to the sites. A species is in proximity if it is located in the area of the site where sewage sludge will be generated, treated, reused or final disposed. If an applicant determines there are no species in proximity to the potential sites, then there is no likelihood of adversely affecting the species and the applicant is eligible for permit coverage.

If species are in proximity to the sites, as long as they have been considered as part of a previous ESA authorization of the applicant's activity, and the environmental baseline established in that authorization is unchanged, the applicant may be covered under the permit. For example, an applicant's activity may have been authorized as part of a section 7 consultation under ESA, covered under a section 10 permit, or have received a clearance letter. The environmental baseline generally includes the past and present impacts of all federal, state and private actions that were contemporaneous to an ESA authorization. Therefore, if a permit applicant has received previous authorization and nothing has changed or been added to the environmental baseline established in the previous authorization, then coverage under this permit will be provided.

In the absence of such previous authorization, if species are in proximity to the sites, then the applicant must determine whether there is any likely adverse effect upon the species. This is done by the applicant conducting a further examination or investigation which includes contacting the Services for a determination on potential adverse effects of endangered species. If the applicant determines that there likely is, or will likely be an adverse effect, then the applicant is not eligible for general permit coverage.

All TWTDS applying for coverage under this permit must provide in the notification to EPA the following information: (1) a determination as to whether there are any species in proximity to the sites, and (2) a certification that their sewage sludge treatment, reuse, or disposal are not likely to adversely effect species or are otherwise eligible for coverage due to a previous authorization under the ESA. Coverage is contingent upon the applicant's providing truthful information concerning certification and abiding by any conditions imposed by the permit.

TWTDS who are not able to determine that there will be no likely adverse effect to species or habitats and cannot sign the certification to gain coverage under this sewage sludge general permit, must apply to EPA for an individual sludge only permit. As appropriate, EPA will conduct ESA § 7 consultation when issuing such individual permits.

Regardless of the above conditions, EPA may require that a permittee apply for an individual sewage sludge permit on the basis of possible adverse effects on species or critical habitats. Where there are concerns that coverage for a particular discharger is not sufficiently protective of listed species, the Service (as well as any other interested parties) may petition EPA to require that the discharger obtain an individual NPDES permit and conduct an individual section 7 consultation as appropriate.

In addition, the Service may petition EPA to require that a permittee obtain an individual sewage sludge permit. The permittee is also required to make the record keeping information required by the 40 CFR Part 503 regulations and the permit available upon request to the U.S. Fisheries and Wildlife Service Regional Director, or his/her authorized representative.

These mechanisms allow for the broadest and most efficient coverage for the permittee while still providing for the most efficient protection of endangered species. It significantly reduces the number of TWTDS that

must be considered individually and therefore allows the Agency and the Services to focus their resources on those discharges that are indeed likely to adversely affect water-dependent listed species. Straightforward mechanisms such as these allow applicants with expedient permit coverage, and eliminates "permit limbo" for the greatest number of permitted discharges. At the same time it is more protective of endangered species because it allows both agencies to focus on the real problems, and thus, provide endangered species protection in a more expeditious manner. Prior to the publication of the public notice of this draft permit in the **Federal Register**, the Service concurred that the draft permit would not adversely affect listed species. No comments were submitted.

C. National Historic Preservation Act

The National Historic Preservation Act (NHPA) prohibits Federal actions that would affect a property that either is listed on, or is eligible for listing, on the National Historic Register. EPA therefore cannot issue permits to treatment works treating domestic sewage (including publicly owned treatment works (POTWs)) affecting historic properties unless measures will be taken such as under a written agreement between the applicant and the State Historic Preservation Officer (SHPO) outlining all measures to be undertaken by the applicant to mitigate or prevent adverse effects to the historic property. Therefore, under today's permit land applying, surface disposing, or disposing of sewage sludge in a municipal solid waste landfill may be covered only if the action will not affect a historic property that is listed or is eligible to be listed in the National Historic Register, or the operator has obtained and is in compliance with a written agreement signed by the State Historic Preservation Officer (SHPO) that outlines measures to be taken to mitigate or prevent adverse effects to the historic site. Prior to the publication of the public notice of this draft permit in the **Federal Register**, the Arkansas State Historic Preservation Program determined it had no objections to the general permit based on the NHPA. No comments were submitted.

D. Executive Order 12866

Under Executive Order 12866 (58 FR 51735 [October 4, 1993]), the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely

to result in a rule that may have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, 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. It has been determined that this general permit is not a "significant regulatory action" under the terms of Executive Order 12866.

E. Paperwork Reduction Act

The information collection required by this permit has been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, in submission made for the NPDES permit program and assigned OMB control number 2040-0004 for the discharge monitoring reports. Permit application and Notice of Intent information has been assigned the OMB control number 2040-0086.

F. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a Federal agency must prepare an initial regulatory flexibility analysis "for any proposed rule" for which the agency "is required by section 553 of [the Administrative Procedure Act (APA)], or any other law, to publish general notice of proposed rulemaking." The RFA exempts from this requirement any rule that the issuing agency certifies "will not, if promulgated, have a significant economic impact on a substantial number of small entities."

EPA did not prepare a regulatory flexibility analysis (IRFA) for the proposed permit. EPA views issuance of a "sewage sludge only" general permit to not be subject to rulemaking requirements, including the requirement for a general notice of proposed rulemaking, under APA section 553 or any other law, and is thus not subject to the RFA requirement to prepare an IRFA. The EPA concluded that the permit, if issued as drafted, would not have a significant impact on a substantial number of small entities. 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 Clean Water Act (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."

G. Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), P.L. 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" and "rule" by reference to section 658 of Title 2 of the U.S. Code, which in turn defines "regulation" and "rule" by reference to section 601(2) of the 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. . . ."

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 Clean Water Act (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 UMRA purposes but are treated with rule-like procedures.

Signed this 17th day of August, 1998.

Oscar Ramirez, Jr.,

Deputy Director, Water Quality Protection Division (6WQ), EPA Region 6.

[FR Doc. 98-22652 Filed 8-24-98; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

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

August 18, 1998.

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, 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 information techniques or other forms of information technology.

DATES: Written comments should be submitted on or before September 24, 1998. 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 Les Smith, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at 202-418-0217 or via internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060-0819.

Title: 47 CFR 54.400-54.417, Lifeline Assistance (Lifeline) Connection Assistance (Link Up) Reporting Worksheet and Instructions.

Form Number: FCC 497.

Type of Review: Revision of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents: 1,500.

Estimated Time Per Response: 3 hours.

Frequency of Response: Monthly; Quarterly; Semi-annually; and On Occasion reporting requirements.

Total Annual Burden: 42,000 hours.

Cost to Respondents: \$0.

Needs and Uses: The Telecommunications Act of 1996 directed the FCC to initiate a

rulemaking to reform our system of universal service so that universal service is preserved and advanced as markets move toward competition. On May 8, 1997, the Commission released a Report and Order on Universal Service (Universal Service Order) in CC Docket 96-45 that established new federal universal service support mechanisms consistent with Section 254. In the Universal Service Order, the Commission expanded and made competitively neutral its programs for low-income consumers, Lifeline and Link Up. On December 30, 1997, the Commission released a Fourth Order on Reconsideration that amended some of the Lifeline and Link Up rules. The following describes the universal service support reimbursement available to eligible telecommunications carriers for providing Lifeline and Link Up programs to qualifying low-income customers: Eligible telecommunications carriers are permitted to receive universal service support reimbursement for offering Lifeline service to qualifying low-income customers; eligible telecommunications carriers may receive universal service support reimbursement for the revenue they forego in reducing their customary charge for commencing telecommunications service and for providing a deferred schedule for payment of the charges assessed for commencing service for which the consumer does not pay interest, in conformity with 47 CFR 54.411; eligible telecommunications carriers providing toll-limitation services (TLS) for qualifying low-income subscribers will be compensated from universal service mechanisms for the incremental cost of providing either toll blocking or toll control; and eligible telecommunications carriers that service qualifying low-income consumers who have toll blocking shall receive universal service support reimbursement for waiving the Presubscribed Interexchange Carriers Charge (PICC) for Lifeline customers. FCC Form 497 implements the Lifeline and Link Up reimbursement programs. This information is necessary in order for eligible telecommunications carriers to receive universal service support reimbursement for providing Lifeline and Link Up.

Federal Communications Commission

Magalie Roman Salas,

Secretary.

[FR Doc. 98-22688 Filed 8-24-98; 8:45 am]

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