

endocrine disrupting potential) will be considered where appropriate.

V. Intended Legal Affect of this Policy Statement

The policy discussed in this document provides general guidance on the Agency's use of a category grouping for PBT new chemical substances to facilitate the PMN assessment process for PMN submitters and EPA reviewers. EPA uses groupings of new chemical substances with similar structural and toxicological properties to allow PMN submitters and EPA reviewers to benefit from accumulated data and decisional precedents, as well as streamlined procedural requirements related to the review of and follow-up for new chemical substances.

As guidance, the policy presented in this document is not binding on either EPA or any outside parties, and this document is not intended, nor can it be relied upon, to create any rights enforceable by any party in litigation with the United States. Although this guidance provides a starting point for assessing PBT new chemical substances, EPA will depart from its policy where the facts or circumstances warrant. In such cases, EPA will explain why a different course was taken. Similarly, outside parties remain free to assert that this policy is not appropriate for a specific PMN or that the circumstances surrounding a specific PMN demonstrate that this policy should not be applied. Although the Agency has provided an opportunity for public comment on the guidance provided in this policy statement and is likely to request additional feedback if changes are necessary at some point in the future, the Agency may revise, clarify, or update the text of this guidance without public notice.

VI. References

The OPPTS harmonized test guidelines referenced in this document are available on EPA's World Wide Web site (http://www.epa.gov/OPPTS_Harmonized/).

1. Sijm, D.T.H.M., Schuurmann, G., de Vries, P.J., Opperhuizen, A. Aqueous Solubility, Octanol Solubility, and Octanol/Water Partition Coefficient of Nine Hydrophobic Dyes. *Environ. Toxicol. and Chem.* 18:1109-1117.
2. Mackay, D., Di Guardo, A., Paterson, S., Cowan, C.E. 1996. Evaluating the environmental fate of a variety of types of chemicals using the EQC model. *Environ. Toxicol. Chem.* 15:1627-1637.
3. Boethling RS, PH Howard, JA Beauman and ME Larosche. 1995. Factors for intermedia extrapolation in

biodegradability assessment. *Chemosphere* 30: 741-752.

4. Federle TW, SD Gasior and BA Nuck. 1997. Extrapolating mineralization rates from the ready CO₂ screening test to activated sludge, river water, and soil. *Environ. Toxicol. Chem.* 16: 127-134.

5. Boethling RS, Howard PH, Meylan W, Stiteler W, Beauman J, Tirado N. 1994. Group contribution method for predicting probability and rate of aerobic biodegradation. *Environ. Sci. Technol.* 28: 459-465.

6. USEPA. March, 1997. Chemistry Assistance Manual for Premanufacture Notification Submitters. EPA 744-R-97-003. Also available as Premanufacture Notification: Chemistry Assistance for Submitters, by Steven C. DeVito and Carol A. Farris (ISBN: 0-471-19151-5) through the publisher, John Wiley and Sons, at 1-800-225-5945 or the TSCA Hot Line, at 202-554-1404.

7. USEPA. March, 1994. U.S. EPA/EC Joint Project on the Evaluation of (Quantitative) Structure Activity Relationships. EPA 743-R-94-001.

8. USEPA. 1988. Letter from Charles L. Elkins to Geraldine V. Cox (Chemical Manufacturers Association). Office of Toxic Substances, USEPA (September 22, 1988).

9. USEPA. 1989. Letter from Charles L. Elkins to Geraldine V. Cox (Chemical Manufacturers Association). Office of Toxic Substances, USEPA (August 31, 1989).

10. Ministry of Environment and Energy for Ontario (MOEE). 1992. Candidate substances list for bans or phase-outs. Report prepared by the Hazardous Contaminants Branch and the Water Resources Branch, MOEE. Ontario, Canada, ISBN 0-7729-9764-0.

11. Accelerated Reduction/Elimination of Toxics (ARET) Secretariat. 1995. Environment leaders 1. Voluntary commitments to action on toxics through ARET. March 95.
12. Accelerated Reduction/Elimination of Toxics (ARET) Secretariat. 1994. The ARET substance selection process and guidelines. January 94.

13. International Joint Commission (IJC). 1993. A strategy for the virtual elimination of persistent toxic substances. Vol. 1, report of the Virtual Elimination Task Force to the IJC. Windsor, Ontario, Canada, 72 pp.

14. United Nations Economic Commission for Europe, Convention on Long-Range Transboundary Air Pollution (UNECE-LRTAP). 1998. Draft composite negotiating text for a protocol on persistent organic pollutants. UNECE, EB.AIR/1998/2, 31 March 1998.

15. Zeeman, M., D Rodier, and JV Nabholz. 1999. Chapter 2. Ecological Risks of a New Industrial Chemical. Under TSCA. In Ecological Risk Assessment in the Federal Government (Executive Office of the President, National Science and Technology Council, Committee on Environment and Natural Resources, Ed.). CENR/5-99/001, May, 1999, pp 2-1 to 2-30.

16. Stumm, W. and JJ Morgan. 1996. *Aquatic Chemistry*, 3rd ed. New York: Wiley.

List of Subjects

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

Dated: October 22, 1999.

Susan H. Wayland,

Deputy Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 99-28888 Filed 11-3-99; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6469-6]

Notice of Proposed Assessment of Clean Water Act Class II Administrative Penalty and Opportunity To Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is providing notice of a proposed administrative penalty for alleged violations of the Clean Water Act. EPA is also providing notice of opportunity to comment on the proposed penalty.

EPA is authorized under section 311(b)(6) of the Clean Water Act, 33 U.S.C. 1321(b)(6), to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons public notice of the proposed penalty and a reasonable opportunity to comment on its issuance. Under section 311(b)(6), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility in violation of the regulations issued under section 311(j) of the Clean Water Act, 33 U.S.C. 1321(j), ("Oil Pollution Prevention Regulations"—40 CFR part 112) may be assessed a civil penalty of up to \$137,500 by EPA in a "Class II" administrative penalty proceeding. Class II proceedings under section 311(b)(6) of the Clean Water Act are

conducted in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation and Suspension of Permits at 40 CFR part 22 ("part 22")."

Pursuant to section 311(b)(6)(C) of the Clean Water Act, 33 U.S.C. 1321(b)(6)(C), EPA is providing notice of the following proposed Class II penalty proceeding initiated by the Superfund Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, CA 94105:

In the Matter of Paramount Petroleum Corporation, Inc. and Eott Energy Operating Limited Partnership, Docket No. OPA-09-99-0002, filed September 30, 1999; proposed penalty \$137,500; for violations of the Oil Pollution Prevention Regulations (40 CFR part 112) at the asphalt storage, processing and distribution facility located in Flagstaff, AZ.

The procedures by which the public may submit written comments on a proposed Class II penalty order or participate in a Class II penalty proceeding are set forth in part 22. The deadline for submitting public comment on a proposed Class II order is thirty days after issuance of public notice.

FOR FURTHER INFORMATION CONTACT: Persons wishing to receive a copy of part 22, review the Complaint or other documents filed by the parties in this proceeding, comment upon the proposed penalty assessment, or participate in any hearing that may be held, should contact the Danielle Carr, Regional Hearing Clerk (RC-1), U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, CA 94105, (415) 744-1391. Documents filed as part of the public record in this proceeding are available for inspection during business hours at the office of the Regional Hearing Clerk.

In order to provide opportunity for public comment, EPA will not take final action in this proceeding prior to thirty days after issuance of this document.

Dated: September 22, 1999.

Michael Feeley,

Acting Director, Superfund Division, Region IX.

[FR Doc. 99-28886 Filed 11-3-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

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

October 27, 1999.

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 December 6, 1999. 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 1-C804, 445 12th Street, SW, Washington, DC 20554 or via the 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 the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-0627.

Title: Application for AM Broadcast Station License.

Form No.: FCC Form 302-AM.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions.

Number of Respondents: 380.

Estimated Time Per Response: 92-512 hours per respondent.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 2,800 hours.

Total Annual Cost: \$10,070,000.

Needs and Uses: On October 22, 1998, the Commission adopted a Report and Order in MM Docket Nos. 98-43 and 94-149. Among other things, this Report and Order substantially revised the FCC Form 302-AM to facilitate electronic filing by replacing narrative exhibits with the use of certifications and an engineering technical box. The Commission also removed and narrowed overly burdensome questions. The FCC Form 302-AM will be supplemented with detailed instruction to explain processing standards and rule interpretations to help ensure that applicants certify accurately. These changes will reduce applicant filing burdens in the preparation and submission of exhibits in support of applications. In addition, these changes will streamline the Commission's processing of FCC 302-AM applications. The Commission has also adopted a formal program of pre-and post-application grant random audits to preserve the integrity of our streamlined application process.

The data will be used by FCC staff to confirm that the station has been built to the terms specified in the outstanding construction permit, and to update FCC station files. Data is then extracted from the FCC 302-AM for inclusion in the subsequent license to operate the station.

OMB Control No.: 3060-0506.

Title: Application for FM Broadcast Station License.

Form No.: FCC Form 302-FM.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions.

Number of Respondents: 925.

Estimated Time Per Response: 4-0 hours per respondent.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 1,840 hours.

Total Annual Cost: \$665,500.

Needs and Uses: On October 22, 1998, the Commission adopted a Report and Order in MM Docket Nos. 98-43 and 94-149. Among other things, this Report and Order substantially revised the FCC Form 302-FM to facilitate electronic filing by replacing narrative exhibits with the use of certifications and an engineering technical box. The Commission also removed and narrowed overly burdensome questions. The FCC Form 302-FM will be