

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6232-4; CWA-HQ-99-003]

Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity To Comment Regarding Cellco Partnership and Its Affiliates Doing Business as Bell Atlantic Mobile or Cellular One

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has filed a civil administrative complaint against Cellco Partnership and its affiliates doing business as Bell Atlantic Mobile or Cellular One ("Cellco") for failure to prepare a Spill Prevention Control and Countermeasure ("SPCC") plan for 13 facilities where it stored diesel oil in above ground tanks in violation of the Clean Water Act ("CWA") and its implementing regulations. EPA, under CWA section 311, has assessed a civil penalty and provided notice to Cellco of its right to request a hearing. The Administrator, as required by CWA section 311, is providing public notice and opportunity for interested persons to comment on the complaint and the proposed final order.

DATES: Comments on this proposed order are due on or before March 12, 1999.

ADDRESSES: Mail written comments to Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-1999-004, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to Enforcement & Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC. Comments may also be submitted electronically to: doCKET.oeca@epa.gov. Comments may be submitted on disk in WordPerfect 8.0 or earlier version. Electronic comments on the complaint and the proposed order may be filed online at many Federal Depository Libraries.

The complaint, consent agreement, the proposed final order and public comments, if any, may be reviewed at the Enforcement & Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC. Persons interested in reviewing these materials must make advance arrangements to do so by

calling 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

The public record of the administrative enforcement proceeding is located in the Office of the EPA Headquarters Hearing Clerk, Ms. Bessie Hammel, Rm. C-400, 401 M St., SW., Washington, DC, Monday through Friday, excluding legal holidays from 8 a.m. to 4:30 p.m.; telephone (202) 260-4865.

FOR FURTHER INFORMATION CONTACT: Mr. Philip Milton, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone (202) 564-2235; fax (202) 564-0010; e-mail: milton.philip@epa.gov.

SUPPLEMENTARY INFORMATION:

Electronic Availability: Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the **Federal Register**—Environmental Documents entry (<http://www.epa.gov/fedrgstr/>).

I. Background

Cellco Partnership and its Affiliates doing business as Bell Atlantic Mobile or Cellular One ("Cellco"), 180 Washington Valley Road, Bedminster, New Jersey 07921, self-disclosed to EPA that it had failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for 13 facilities where it stored diesel oil in above ground storage tanks, in violation of the CWA and 40 CFR part 112. The disclosure was made pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66706 (December 22, 1995). EPA filed an administrative civil complaint against Cellco on February 5, 1999 (In the Matter of Cellco Partnership and its Affiliates doing business as Bell Atlantic Mobile or Cellular One, Docket No. CWA-HQ-99-003). The CWA administrative penalty proposed in the complaint is \$129,068. EPA intends to settle this action under the Audit Policy. Using the criteria set forth in the policy, EPA intends to waive any gravity based penalty and to assess a penalty equivalent to the economic benefit gained by the Respondent because of delayed compliance with the SPCC regulations. The proposed settlement figure for this matter is \$21,680. This settlement is subject to public notice and comment under CWA section 311, 33 U.S.C. 1321.

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321(b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from

which oil is discharged in violation of CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j) may be administratively assessed a civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR part 22.

The procedures by which the public may submit written comments on the complaint and on a proposed Class II penalty order or participate in a Class II penalty proceeding are set forth in 40 CFR 22.38. The deadline for submitting public comment on this proposed Class II order is March 12, 1999. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration and/or incorporation into the final order. The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

In order to provide an opportunity for public comment, EPA will not take final action in this proceeding prior to the close of the public comment period.

List of Subjects

Environmental protection.

Dated: February 5, 1999.

Melissa P. Marshall,

Director, Multimedia Enforcement Division, Office of Enforcement and Compliance Assurance.

[FR Doc. 99-3409 Filed 2-9-99; 8:45 am]

BILLING CODE 6560-50-P

EXPORT-IMPORT BANK OF THE UNITED STATES

[Public Notice 36]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Notice.

SUMMARY: The Export-Import Bank of the United States (Ex-Im Bank) provides a variety of export credit insurance policies to exporters and institutions financing exports. The forms covering these policies are the applications for insurance which incorporate questionnaires and certificates. They provide information which allows the Bank to obtain legislatively required reasonable assurance of repayment and they fulfill other statutory requirements. The forms, with the exception of EIB Form 92-48, have no change in content or purpose; they require only a three-

year extension. EIB Form 92-48 is in the process of being revised to include Ex-Im Bank guidelines describing standards of creditworthiness for foreign obligors and, under certain circumstances, the new form will require demonstration that such standards are met. The revisions to EIB 92-48 will probably result in a longer response time.

DATES: Written comments should be received on or before April 12, 1999.

ADDRESSES: Direct all written comments or requests for additional information to Daniel Garcia, Export-Import Bank of the United States, Room 1021, 811 Vermont Avenue, N.W., Washington, D.C. 20571, (202) 565-3335.

FOR FURTHER INFORMATION CONTACT: Daniel Garcia (202) 565-3335.

SUPPLEMENTARY INFORMATION: The following Ex-Im Bank forms (all with OMB Control Number 3048-0009) encompass a variety of export credit insurance policies. They affect all entities involved in the export of U.S. goods and services including exporters, banks, insurance brokers and non-profit or state and local governments acting as facilitators.

1. Application for Quotation Export Credit Insurance Commercial Bank Insureds, EIB 92-34
2. Application for Short-Term Single-Buyer Coverage Financial Institution Buyer Credit Policies, EIB 92-41
3. Financing or Operating Lease Coverage Explanation of Application Form for Export Credit Insurance, EIB 92-45
4. Application for Multibuyer Export Credit Insurance Policy, EIB 92-50
5. Application for Short-Term Single-Buyer Policy (For Exporters Only), EIB 92-64
6. Application for Export Credit Insurance Trade Association Policy, EIB 92-68
7. Application for Export Credit Insurance Umbrella Policy, EIB 92-72
8. Broker Registration Form, EIB 92-80
9. Application for Export Credit Medium Term Insurance (Capital Goods and Services Only), EIB 92-48

Burden Statement

Type of Request: Revision and/or extension of expiration date.

Annual Number of Respondents: 1,500.

Annual Burden Hours: 1,500.

Frequency of Reporting or Use: Applications submitted one time; renewals annually.

Dated: February 5, 1999.

Daniel A. Garcia,

Agency Clearance Officer.

[FR Doc. 99-3225 Filed 2-9-99; 8:45 am]

BILLING CODE 6690-01-M

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

Uniform Retail Credit Classification and Account Management Policy

AGENCY: Federal Financial Institutions Examination Council.

ACTION: Final notice.

SUMMARY: The Federal Financial Institutions Examination Council (FFIEC), on behalf of the Board of Governors of the Federal Reserve System (FRB), the Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of the Currency (OCC), and the Office of Thrift Supervision (OTS), collectively referred to as the Agencies, is publishing its revisions to the Uniform Policy for Classification of Consumer Installment Credit Based on Delinquency Status (Uniform Retail Credit Classification Policy). The National Credit Union Administration (NCUA), also a member of FFIEC, does not plan to adopt the policy at this time.

The Uniform Retail Credit Classification and Account Management Policy is a supervisory policy used by the Agencies for uniform classification and treatment of retail credit loans in financial institutions.

DATES: Changes in this policy that involve manual adjustments to the institutions' policies and procedures should be implemented for reporting in the June 30, 1999 Call Report or Thrift Financial Report, as appropriate. Any policy changes involving programming resources, should be implemented for reporting in the December 31, 2000 Call Report or Thrift Financial Report, as appropriate.

FOR FURTHER INFORMATION CONTACT: **FRB:** William Coen, Supervisory Financial Analyst, (202) 452-5219, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System. For the hearing impaired only, Telecommunication Device for the Deaf (TDD), Dorothea Thompson, (202) 452-3544, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551.

FDIC: James Leitner, Examination Specialist, (202) 898-6790, Division of Supervision. For legal issues, Michael Phillips, Counsel, (202) 898-3581,

Supervision and Legislation Branch, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

OCC: Stephen Jackson, National Bank Examiner, Credit Risk Division, (202) 874-4473, or Ron Shimabukuro, Senior Attorney, Legislative and Regulatory Activities Division (202) 874-5090, Office of the Comptroller of the Currency, 250 E Street SW, Washington, DC 20219.

OTS: William J. Magrini, Senior Project Manager, (202) 906-5744, Supervision Policy; or Vern McKinley, Senior Attorney, (202) 906-6241, Regulations and Legislation Division, Chief Counsel's Office, Office of Thrift Supervision, 1700 G Street NW, Washington, DC 20552.

SUPPLEMENTARY INFORMATION:

Background Information

On June 30, 1980, the FRB, FDIC, and OCC adopted the FFIEC uniform policy for classification of open-end and closed-end credit (1980 policy). The Federal Home Loan Bank Board, the predecessor of the OTS, adopted the 1980 policy in 1987. The 1980 policy established uniform guidelines for classification of installment credit based on delinquency status and provided different charge-off time frames for open-end and closed-end credit. The 1980 policy recognized the statistical validity of determining losses based on past due status.

The Agencies undertook a review of the 1980 policy as part of their review of all written policies mandated by Section 303(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRI). As noted in their September 23, 1996 Joint Report to Congress on CDRI review efforts,¹ the Agencies believe that the 1980 policy should be revised due to changes that have taken place within the industry.

In 1980, open-end credit consisted largely of credit card accounts with small lines of credit to the most creditworthy borrowers. Today, open-end credit generally includes accounts with much larger lines of credit to diverse borrowers with a variety of risk profiles. The change in those accounts and inconsistencies in reporting and charge-off practices of open-end accounts by financial institutions prompted the Agencies to consider several revisions to the 1980 policy. Specifically, the FFIEC had concerns

¹ Joint Report: Streamlining of Regulatory Requirements—Section 303(a)(3) of the Riegle Community Development and Regulatory Improvement Act of 1994, page I-41.