

Bay Estuary Program. Regarding the enforcement of the NDZ, the U.S. Coast is responsible for the enforcement and the State of New Jersey has a Memorandum of Understanding, with the Coast Guard, designating the New Jersey State Police as the lead law enforcement agency. The petition submitted to EPA states that the State Police will enforce the boating safety standards and marine sanitation device regulations. ALS raises a question regarding improvements in water quality and whether EPA or NJDEP will attempt to quantify the improvements in water quality as a result if this designation is approved. Certainly, improvements in water quality can be demonstrated through routine ambient

sampling. Since there are several ongoing programs to improve the water quality in the estuary, it is difficult to attribute these improvements to a specific program. Currently, EPA is undertaking a national study to evaluate the efficacy of the NDZ designations and will publish the results when they are available. ALS asked whether EPA is aware of a legislative bill that was introduced by Congressman Saxton that would eliminate NDZ restrictions for vessels that use state of art treatment devices. ALS raised certain concerns about this bill and asked if EPA had comments or concerns. In response, EPA is aware of the legislative bill but chooses not to comment on the bill at this time.

No changes to the determination are necessary based on the comments received.

Barnegat Bay is a shallow, lagoon-type estuary characteristic of a back bay system of a barrier island coastline. Barnegat Bay is bordered by two barrier islands, Island Beach and Long Beach Island. These islands are approximately 64 km in total length, are oriented north-south and separate the bay from the Atlantic Ocean. The NDZ will include Barnegat Bay Complex and its navigable tributaries. The boundary lines have been defined for the Point Pleasant Canal, Barnegat Inlet and Egg Harbor Inlet as lines between the following points:

Point Pleasant Canal .....	40 04.030 N	40 04.068 N
	74 03.281 W	74 03.278 W
Barnegat Inlet .....	Inside South Buoy	Inside North Buoy
	39 45.457 N	39 45.525 N
	74 05.519 W	74 05.519 W
Egg Harbor Inlet .....	39 30.521 N	39 30.476 N
	74 18.389 W	74 17.322 W

Barnegat Bay provides recreational, economic, and aesthetic benefits to the coastal users of New Jersey. The estuary is productive for shellfish harvesting, recreational activities such as fishing, kayaking, swimming and boating. The bay supports hard clam harvest and blue crab landings. NJDEP Bureau of Marine Water Classification and Analysis has divided the State into 36 Shellfish growing water reaches. The bay complex is identified as Reaches 7 through 13 which are as follows:

- Reach 7—Barnegat Bay (Bay Head to Seaweed Point)
- Reach 8—Barnegat Bay (Seaweed Point to Mathis Bridge)
- Reach 9—Toms River
- Reach 10—Barnegat Bay (Mathis Bridge to Forked River)
- Reach 11—Barnegat Bay (Forked River to Main Point)
- Reach 12—Manahawkin/Little Egg Harbor Bay (Main Point to Long Point)
- Reach 13—Long Point to Beach Haven Inlet

Information submitted by the State of New Jersey indicate that there are sixty-six existing pumpout facilities and three pumpout boats available to service vessels throughout the Barnegat Bay Complex. The typical facility is available to the boating community from April through November with hours of operation from 8:00AM until 5:00PM, seven days a week. Seven facilities are available all year. Sixty-three of the existing pumpout facilities are connected to municipal sewage lines.

Sewage from these facilities is routed to the Ocean County Utilities Authority where it undergoes secondary treatment. Three pumpout facilities (Ocean Gate Yacht Basin, Ocean Beach South and Causeway Boat Rental and Marina) store their waste in holding tanks for disposal by a septic waste hauler.

According to the State's petition, the vessel population for the waters of Barnegat Bay Complex is approximately 15,587 vessels which are docked at private residences and 12,900 vessels docked or moored at marinas or yacht clubs. The total vessel population is 28,487. The ratio of boats to pumpout facilities has been based on the total number of vessels which could be expected. With sixty-six shore-side pumpout facilities and two pumpout vessel available to boaters, the ratio of docked or moored boats (including transients) is approximately 420 vessels per pumpout. Standard guidelines refer to acceptable ratios falling in the range of 300 to 600 vessels per pumpout. If the EPA calculation is employed (as listed in the guidance manual entitled, "Protecting Coastal Waters from Vessel and Marina Discharges: A Guide for State and Local Officials—April 1994"), it estimates that twenty-four pumpouts are needed to provide adequate facilities.

Commercial vessels which operate in and around Barnegat Bay are engaged in fishing activities exclusively. Most of the operators will use the pumpout facilities where they dock or obtain fuel.

The larger fishing vessels do not operate in the bay, but dock in the vicinity of Barnegat Light and fish the Atlantic Ocean.

The EPA hereby makes a final affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the Barnegat Bay Complex in Ocean County, New Jersey.

Dated: May 30, 2003.

**Jane M. Kenny,**

*Regional Administrator, Region 2.*

[FR Doc. 03-14879 Filed 6-11-03; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collections Approved by Office of Management and Budget

June 4, 2003.

**SUMMARY:** The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Laurenzano, Federal Communications

Commission, 445 12th Street, SW., Washington, DC 20554, (202) 418-1359 or via the Internet at [pl Laurenz@fcc.gov](mailto:pl Laurenz@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-0810.

*OMB Approval Date:* 05/23/2003.

*Expiration Date:* 05/31/2006.

*Title:* Procedures for Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended.

*Form No.:* N/A.

*Estimated Annual Burden:* 100 responses; 6,200 total annual hours; 62 hours per respondent.

*Needs and Uses:* 47 U.S.C. 214(e)(6) states that a telecommunications carrier that is not subject to the jurisdiction of a state may request that the Commission determine whether it is eligible. The Commission must evaluate whether such telecommunications carriers meet the eligibility criteria set forth in the Act. In this Order, the Commission concludes that petitions for designation filed under section 214(e)(6) relating to "near reservation" areas will not be considered as petitions relating to tribal lands and as a result, petitioners seeking ETC designation in such areas must follow the procedures out-lined in the Twelfth Report and Order for non-tribal lands prior to submitting a request for designation to this Commission under section 214(e)(6).

*OMB Control No.:* 3060-0514.

*OMB Approval Date:* 05/20/2003.

*Expiration Date:* 05/31/2006.

*Title:* Section 43.21 (b)—Holding Company Annual Report.

*Form No.:* N/A.

*Estimated Annual Burden:* 20 responses; 20 total annual hours; 1 hour per respondent.

*Needs and Uses:* The SEC 10K form is needed from holding companies of communications common carriers to provide the Commission with the data required to fulfill its regulatory responsibilities and by the public in analyzing the industry. Selected information is compiled and published in the Commission's annual common carrier statistical publication.

*OMB Control No.:* 3060-0400.

*OMB Approval Date:* 05/20/2003.

*Expiration Date:* 05/31/2006.

*Title:* Tariff Review Plan.

*Form No.:* N/A.

*Estimated Annual Burden:* 41 responses; 2,501 total annual hours; 61 hours per respondent.

*Needs and Uses:* Certain local exchange carriers are required annually to submit Tariff Review Plan in partial fulfillment of cost support material required by 47 CFR part 61. The

information used by FCC and the public to determine the justness and reasonableness of rates, terms and conditions in tariffs as required by the Communications Act of 1934, as amended.

*OMB Control No.:* 3060-0894.

*OMB Approval date:* 05/09/2003.

*Expiration Date:* 05/31/2006.

*Title:* Certification Letter Accounting for Receipt of Federal Support—CC Docket Nos. 96-45 and 96-262.

*Form No.:* N/A.

*Estimated Annual Burden:* 51 responses; 153 total annual hours; 3 hours per respondent.

*Needs and Uses:* The Commission requires states to certify that carriers within the state had accounted for its receipt of federal support in its rates or otherwise used the support pursuant with Section 254 (e).

*OMB Control No.:* 3060-0755.

*OMB Approval Date:* 05/09/2003.

*Expiration Date:* 05/31/2006.

*Title:* 47 CFR Sections 59.1-59.4—Infrastructure Sharing.

*Form No.:* N/A.

*Estimated Annual Burden:* 1,425 responses; 2,325 total annual hours; 1-2 hours per respondent.

*Needs and Uses:* In CC Docket No. 96-237, the Commission implemented the infrastructure sharing provisions of the Communications Act of 1934, as added by the Telecommunications Act of 1996. Section 259 requires incumbent LECs to file any arrangements showing the conditions under which they share infrastructure per section 259. Section 259 also requires incumbent LECs to provide information on deployments of new services and equipment to qualifying carriers. The Commission also requires incumbent LECs to provide 60 day notices prior to terminating section 259 agreements.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

[FR Doc. 03-14814 Filed 6-11-03; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-03-54-B (Auction No. 54); DA 03-1547]

### Closed Broadcast Auction No. 54 Construction Permits for New Broadcast Stations Scheduled for July 23, 2003; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the procedures, minimum opening bids, and revised inventory for the upcoming auction of construction permits for new full power television (TV), low power television (LPTV), and FM broadcast stations ("Auction No. 54") scheduled for July 23, 2003. This document is intended to familiarize prospective bidders with the procedures and minimum opening bids for this auction.

**DATES:** Auction No. 54 is scheduled to begin on July 23, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Auctions and Industry Analysis Division: Kenneth Burnley, Legal Branch at (202) 418-0660; Lyle Ishida, Operations Branch at (202) 418-0660 or Linda Sanderson, Operations Branch at (717) 338-2888. Audio Division: Lisa Scanlan at (202) 418-2700. Video Division: Shaun Maher at (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Auction No. 54 Procedures Public Notice* released on May 12, 2003. The complete text of the *Auction No. 54 Procedures Public Notice*, including attachments, is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC, 20554. The *Auction No. 54 Procedures Public Notice* may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). This document is also available on the Internet at the Commission's Web site: <http://wireless.fcc.gov/auctions/54/>.

## I. General Information

### A. Introduction

1. The *Auction No. 54 Procedures Public Notice* announces the procedures and minimum opening bids for the upcoming auction of construction permits for new full power television (TV), low power television (LPTV), and FM broadcast stations ("Auction No. 54"), scheduled for July 23, 2003. On April 11, 2003, in accordance with the Balanced Budget Act of 1997, the Media Bureau ("MB") and the Wireless Telecommunications Bureau ("WTB") (collectively, the "Bureaus") released the *Auction No. 54 Comment Public Notice*, 68 FR 19816 (April 22, 2003), seeking comment on the establishment of reserve prices and/or minimum opening bids and other procedures for