

Region I acknowledges New Hampshire's support of environmental justice principles.

Section 4005(a) of RCRA, 42 USC § 6945(a) provides that citizens may use the citizen suit provisions of Section 7002 of RCRA, 42 USC 6972, to enforce the Federal MSWLF Criteria set forth in 40 CFR part 258 independent of any State/Tribal enforcement program. As EPA explained in the preamble to the final MSWLF criteria, EPA expects that any owner or operator complying with provisions in a State/Tribal program approved by EPA should be considered to be in compliance with the Federal Criteria. See, 56 FR 50978, 50995 (October 9, 1991).

Today's action takes effect on the date of publication. EPA believes it has good cause under Section 553(d) of the Administrative Procedure Act, 5 USC § 553(d), to put this action into effect less than 30 days after the publication in the **Federal Register**. All of the requirements and obligations in the State's program are already in effect as a matter of state law. EPA's action today does not impose any new requirements that the regulated community must begin to comply with. Nor do these requirements become enforceable by EPA as federal law. Consequently, EPA finds that it does not need to give notice prior to making its approval effective.

#### *Compliance With Executive Order 12866*

The Office of Management and Budget has exempted this notice from the requirements of Section 6 of Executive Order 12866.

#### *Certification Under the Regulatory Flexibility Act*

Pursuant to the provisions of 5 USC 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities. This notice, therefore, does not require a regulatory flexibility analysis.

**Authority:** This notice is issued under the authority of Sections 2002, 4005 and 4010(c) of the Solid Waste Disposal Act as amended, 42 USC §§ 6912, 6945 and 6949a(c).

Dated: February 4, 1995.

**John P. DeVillars,**

*Regional Administrator.*

[FR Doc. 95-3660 Filed 2-13-95; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collection Requirement Submitted to Office of Management and Budget for Review

February 7, 1995.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW, Suite 140, Washington, DC 20037, (202) 857-3800. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 418-0214. Persons wishing to comment on this information collection should contact Timothy Fain, Office of Management and Budget, Room 10214 NEOB, Washington, DC 20503, (202) 395-3561.

**OMB Number:** 3060-0136.

**Title:** Temporary Permit to Operate a General Mobile Radio Service System.

**Form Number:** FCC Form 574-T.

**Action:** Extension of a currently approved collection.

**Respondents:** Individuals or households.

**Frequency of Response:** Recordkeeping requirement.

**Estimated Annual Burden:** 1,500 recordkeepers; .10 hours average burden per recordkeeper, 150 hours total annual burden.

**Needs and Uses:** Commission rules state that eligible applicants for new or modified radio stations in the General Mobile Radio Service complete FCC Form 574-T for immediate authorization to operate the radio station. The applicant is required to retain this form during processing of the application for license grant.

Federal Communications Commission.

**William F. Caton,**

*Secretary.*

[FR Doc. 95-3576 Filed 2-13-95; 8:45 am]

BILLING CODE 6712-01-F

## FEDERAL MARITIME COMMISSION

[Docket No. 94-29 et al.]

### Trans-Atlantic Agreement

In the matter of; docket No. 94-29, practices of the Trans-Atlantic Agreement and its members with respect to independent action; docket No. 94-30, container pool practices of the Trans-Atlantic Agreement and its members; fact finding investigation

No. 21, activities of the Trans-Atlantic Agreement and its members, order inviting amicus curiae filings.

On February 2, 1995, the Trans-Atlantic Conference Agreement ("TACA" or "Conference") and its member lines, the Commission's Bureau of Hearing Counsel ("Hearing Counsel") and the Investigative Officers in Fact Finding Investigation No. 21 submitted a proposed settlement of these proceedings. The settlement is now before the Commission for review.

By this Order, the Commission is inviting any interested member of the public to comment on the settlement. This is being done pursuant to the Commission's *amicus curiae* procedure, 46 CFR 502.76, whereby the Commission at its own initiative may solicit expressions of views on matters of law or policy.

Under the terms of the settlement, the TACA lines would agree to certain undertakings, including broad rate reductions; amendments to the TACA agreement provisions on service contracts, independent action ("IA") and other matters; cancellation of other agreements; and increased reporting to the Commission. These undertakings are described in more detail below. In exchange, the Commission would terminate or withdraw Dockets Nos. 94-29, 94-30, Fact Finding Investigation No. 21 and its outstanding subpoenas, and certain other orders issued under section 15 of the Shipping Act of 1984 ("1984 Act"). TACA and its members would not admit to any violations of law. In addition, the settlement agreement would bar the Commission from commencing any new actions or proceedings against the Conference or its members for possible violations or actions in contravention of sections 5, 6, and 10 of the 1984 Act, Commission regulations, or Commission orders, if such possible violations arose from activities or practices disclosed to the Commission through one of the following sources: Fact Finding Investigation No. 21; documents or depositions furnished by TACA in Dockets Nos. 94-29 or 94-30; documents furnished pursuant to the settlement agreement; minutes or conference documents provided by TACA to the Commission; additional information requested by the Commission pursuant to section 6(d) of the 1984 Act; and documents furnished by TACA in response to the Commission's section 15 compulsory orders of March 28 and July 17, 1994.

The settlement includes the following commitments from TACA and its member lines:

- **Rate Reductions:** TACA would suspend all rate increases implemented under its 1995 Business Plan. Specifically, within fifteen (15) days after approval of the settlement by the Commission, TACA would reduce its current tariff rates to those in effect on December 31, 1994. In addition, the Conference would offer to amend current service contracts to undo 1995 rate increases and replace them with the rates offered in 1994. The suspension of the 1995 increases would remain in effect through December 31, 1995, for both tariff rates and service contract rates. In a joint memorandum in support of the settlement proposal, Hearing Counsel estimate that the value to the shipping public of the rate reductions would be \$60–70 million, depending on such factors as cargo volumes and trade growth.

- **Service Contracts:** (1) TACA agreement provisions would be revised to provide that shippers may negotiate with the carrier of the shippers' choice; however, the Conference Secretariat could elect to participate in such negotiations. (2) NVOCC service contracts would be amended to remove volume caps and geographic limits. (3) TACA would offer to remove or revise certain restrictions in existing service contracts, including 7-day booking notice requirements and requirements that cargo must be owned by the shipper. (4) TACA may not adopt a general policy of treating shippers who did not sign service contracts in a prior period less favorably than those who did sign contracts.

- **IA:** TACA agreement provisions would be revised as follows: (1) When a TACA member communicates an IA rate to the Conference Secretariat, the Secretariat would be required to publish the IA rate immediately, rather than first notifying other members. (2) The lines could not agree that they must discuss IA with other members. (3) Each line would be free to designate who within its company is authorized to take IA. (4) Quarterly IA reporting would be made to the Commission.

- **Withdrawal from Discussion Agreements:** the TACA lines would withdraw from membership in, or cancel, a number of rate discussion and rate-setting agreements, including the Eurocorde Discussion Agreement, FMC No. 202–010829, and the Gulfway Agreement, FMC No. 203–011141, which authorize discussions about rates between TACA lines and independent lines.

Furthermore, under the settlement, the TACA lines would also eliminate much of their current broad space charter authority; instead, long-term

charter arrangements between Conference lines would be covered by separate and discrete filed agreements. Also, all connecting carrier agreements with NVOCCs would be cancelled, and applicable tariffs and service contracts would set forth the terms by which containers and equipment will be made available to shippers. Beginning in September 1995, representatives of TACA and the Commission would meet semi-annually to discuss TACA activities and plans.

As with the proposed rate reductions, the settlement agreement ties the proposed changes to TACA to the date of any settlement approval by the Commission.

As a matter of clarification, it should be noted that the amendments to TACA called for by the settlement are in addition to those which the Commission obtained from the Conference in October 1994, *i.e.*:

- removal of the Conference's "capacity regulation" program, whereby the TACA lines had withheld part of their vessel capacity from the shippers;
- authorization allowing Conference carriers not participating in a TACA service contract to unilaterally negotiate different rates with the shippers during a 15-day window following filing of the TACA contract;

- reduction of the IA notice on rates from five to three days;
- reduction of the number of Conference carriers required to approve a service contract from a "majority-minus-two" formula to five favorable votes;

- outright elimination of the 100 TEU or \$100,000 minimum volume or value requirement for service contracts; and

- the deletion of provisions authorizing TACA carriers to collectively negotiate with inland carriers concerning European inland segments of through transportation, and to enter into agreements with other parties.

The Commission believes that this solicitation of public comment pursuant to the agency's *amicus curiae* procedure is warranted by the general importance of the TACA investigations, which require us to consider any settlement under broad public interest considerations as well as by the usual settlement criteria such as cost savings and effective law enforcement. For that reason and because the rate reduction and other provisions of the settlement could have a direct and immediate effect on the economic interests of shippers currently doing business with TACA, the Commission wishes to allow an opportunity for any interested person to express its opinion on the settlement

before we act upon it. The Commission has already received comments opposing the settlement from the National Industrial Transportation League, Container Freight International I/S and Danish Consolidation Services, and favorable comments from the North American Shippers Association, Inc., and the New York/New Jersey Foreign Freight Forwarders and Brokers Association, Inc. These comments will be considered as filed in response to this Order, and need not be refiled.

As a matter of fairness to all parties, the Commission wishes to resolve the status of this proposed settlement as quickly as possible. For that reason, comments from shippers and other interested persons must be received by the Commission no later than February 21, 1995. The Commission intends to meet on the settlement on February 24, 1995.

Therefore, it is ordered, That pursuant to Rule 76 of the Commission's Rules of Practice and Procedure, 46 CFR 502.76, the Commission hereby grants permission to any interested person to file comments as *amicus curiae* on the proposed settlement of these proceedings;

It is further ordered, That an original and fifteen copies of such comments must be physically lodged with the Secretary of the Commission on or before February 21, 1995.

By the Commission.

**Joseph C. Polking,**  
Secretary.

[FR Doc. 95–3754 Filed 2–13–95; 8:45 am]

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## FEDERAL RESERVE SYSTEM

### City Holding Company; Notice of Application To Engage *de novo* in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the