

stumps, limbs, etc., resulting from federally-funded activities shall also be recycled as appropriate.

Federal agencies shall use landscape management practices, including plant selection and placement, which control and minimize soil erosion, runoff of chemicals, and pollution of groundwater. Federal agencies shall also consider energy and water conservation benefits in the siting and selection of plants.

Federal agencies and facilities subject to the requirements of Executive Order 12856 shall identify those chemicals used at their facilities for landscape management and develop alternative landscape management practices to reduce or eliminate the use of those chemicals.

#### 4. Implement Water and Energy Efficient Landscape Practices

Federal agencies, Federal projects or federally-funded projects, shall use water-efficient landscape design and management practices. These practices (such as Xeriscape) shall include planning and designing landscaping projects with consideration to: watering requirements, existing vegetation, topography, climate, intended use of the property and water-use zones. In addition, facility managers shall conduct soil analyses and, as appropriate, amend the soil at the project site to improve its ability to support plants and retain water. Initial site design as well as the addition of plants in established areas shall seek to establish water-use zones and promote efficient irrigation practices.

Where irrigation systems have been installed, irrigation scheduling should be adjusted seasonally to the evapotranspiration rate (ET) for the plants in that particular climate.

Irrigation with recycled or reclaimed water, where practicable, shall serve as a preferred alternative to the use of potable water. Finally, Federal agencies and facilities, Federal projects and federally-funded projects, are encouraged to use water audits to identify additional opportunities for water-efficient landscape practices.

#### 5. Create Outdoor Demonstration Projects

Federal agencies, Federal projects or federally-funded projects, shall create and maintain outdoor demonstration projects exhibiting and promoting the benefits of economically and environmentally sound landscaping practices. These exhibits may include the selection and use of native plant species and the use of water-efficient and energy-conserving practices.

Exhibits may include small scale projects, such as interpretive or wildlife gardens, that focus on environmentally sound landscape management practices, site design, and development appropriate for residential, commercial, and institutional application. Additionally, demonstration projects may highlight larger projects, such as wetland or grassland restoration or woodland rehabilitation, that are more likely implemented by groups or state and local governments. Federal agencies are encouraged to form public/private partnerships with groups such as educational institutions, arboreta, commercial nurseries, botanic gardens and garden clubs, to advance the goals of the Executive Memorandum. Federal agencies are encouraged to work with and share information with other interested nonfederal parties to promote the use of environmentally and economically sound landscaping practices.

**Fran McPoland,**

*Federal Environmental Executive.*

[FR Doc. 95-19795 Filed 8-9-95; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5275-4]

#### Proposed Assessment of Clean Water Act Class II Administrative Penalty and Opportunity to Comment

**AGENCY:** U.S. Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Pursuant to section 309(g) of the Federal Clean Water Act, 33 U.S.C. 1319(g), EPA is authorized to assess a Class II administrative penalty of up to \$125,000 against any person who, without authorization, discharges a pollutant to a water of the U.S., as those terms are defined in section 502 of the Act, 33 U.S.C. 1362, and its implementing regulations. As required under section 309(g)(4), 33 U.S.C. 1319(g)(4), EPA Region IX hereby gives notice of the following proposed Class II penalty action and the public's opportunity to comment on it.

On June 22, 1995, EPA Region IX commenced proceeding to assess a Class II penalty of \$60,000 against Sundance International, Ltd. and Kemper Development Company, Inc. (Docket No. CWA 404-09a-95-005) by filing a complaint with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, California 94105, (415) 744-1389. The complaint alleges that Sundance International used earth moving and other construction

equipment to conduct certain grading, filling and vegetation removal activities below the ordinary high water mark of Vail Lake at the Marina site on property owned by Kemper Development Company. The complaint further alleges that these discharges never received required authorization from the U.S. Army Corps of Engineers under section 404 of the Clean Water Act, 33 U.S.C. 1344. The public is invited to submit written comments on this proposed penalty action during a thirty day comment period.

**DATES:** The public comment period closes September 11, 1995.

**ADDRESSES:** Written comments on this proposed action should be submitted to the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

**FOR FURTHER INFORMATION CONTACT:** Persons wishing to receive a copy of 40 CFR part 22, review the complaint or other documents filed by the parties in this proceeding, comment on the proposed penalty assessment, or participate in any hearing which may be held should contact the Regional Hearing Clerk at the address or phone number listed above. Unless otherwise noted, the public record for the proceeding is located in the regional office at the address above and is available for public inspection during normal business hours. All information submitted by the respondent will be part of the public record and subject to provisions of law restricting public disclosure of confidential information.

**SUPPLEMENTARY INFORMATION:** This penalty proceeding and the procedures for public comment and participation are governed by EPA's "Consolidated Rules of Practice Governing and Administrative Permits," at 40 CFR part 22, which is available at most libraries. To provide an opportunity for public comment, EPA will not take final actions in the proceeding prior to thirty (30) days after publication of this notice.

Dated: August 1, 1995.

**Karen Schwinn,**

*Acting Director, Water Management Division.*

[FR Doc. 95-19793 Filed 8-9-95; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5275-5]

#### City Industries Superfund Site; Notice of Proposed Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Proposed Settlement.

**SUMMARY:** Under Section 122(g) of the Comprehensive Environmental

Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency (EPA) has agreed to settle claims for response costs at the City Industries Superfund Site, Winter Park, Orange County, Florida with Storage Technology Corporation. EPA will consider public comments on the proposed settlement for thirty (30) days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, Waste Management Division, U.S. EPA, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30365, 404/347-5059 X6169.

Written comments may be submitted to Ms. Batchelor within 30 calendar days of the date of publication.

Dated: August 1, 1995.

**H. Kirk Lucius,**

*Chief, Waste Programs Branch, Waste Management Division.*

[FR Doc. 95-19794 Filed 8-9-95; 8:45 am]

BILLING CODE 6560-50-M

---

## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collection Requirement Submitted to OMB for Review

August 7, 1995.

The Federal Communications, 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 collections, as required by the Paperwork Reduction Act of 1980, (44 U.S.C. 3507). Comments concerning the Commission's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated information techniques are requested.

Persons wishing to comment on this information collection should submit comments on or before August 17, 1995.

Direct all comments to Timothy Fain, Office of Management and Budget, Room 10236 NEOB, Washington, DC 20503, (202) 395-3561. and Dorothy Conway, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to dconway@fcc.gov.

For additional information or copies of the information collections contact Dorothy Conway at 202-418-0217 or via

internet at dconway@fcc.gov. Copies may also be obtained via fax by contacting the Commission's Fax on Demand System. To obtain fax copies call 202-418-0177 from the handset on your fax machine, and enter the document retrieval number indicated below, when prompted.

On 2/7/95, the Commission adopted a Report and Order in MM Docket No. 93-24, Amendment of Part 74 of the Commission's Rules With Regard to the Instructional Television Fixed Service, which will increase the efficiency of Commission processing of applications for new stations, major amendments for new stations, and major changes to existing stations. By this Report and Order we have revised the FCC 330 to reflect the following: (1) An instruction was added that advises licensees assigning CPs for unbuilt ITFS facilities of the requirement to submit documentation of reasonable and prudent out-of-pocket expenses with their assignment applications; (2) the form was modified to reflect the following changes as adopted in the Report and Order: (a) permit an educator, if it chooses, to execute a 10-year lease agreement without regard to the duration of the educator's current license term; (b) service area protection will only be granted when applicant request the protection in the application; (c) interference protection for receive sites will be 35 miles or less from the transmitter; (d) we have modified the current classification of facility changes to increase processing efficiency; (e) we will require applicants to identify the contact person responsible for implementation of the ITFS program at receive site; and (f) we will require additional information on the accreditation status of an applicant. In addition to the above changes, the Commission will no longer require prior Commission approval for the deletion of a receive site. We have requested that OMB approval the above changes by August 17, 1995.

*OMB Approval Number:* 3060-0062.

*Title:* Application to Construct New or Make Changes in an Instructional Television Fixed and/or Response Station(s), or to Assign or Transfer Such Station(s).

*Form No.:* FCC 330.

*Type of Review:* Revision of an existing collection.

*Respondents:* Not-for-profit institutions; State, Local or Tribal Governments.

*Number of Respondents:* 2,000.

*Estimated Time Per Response:* 5 hours.

*Total Annual Burden:* 10,000 hours.

*Needs and Uses:* FCC Form 330 is used to apply for authority to construct a new or make changes in an Instructional Television Fixed or response station and low power relay station, or for consent to license assignment or transfer of control. The requirement for filing FCC 330 is in accordance with Sections 154(i), 303, 308, and 309 of the Communications Act of 1934, as amended. The data is used by FCC staff to determine if the applicant meets basic statutory requirements and is qualified to become a licensee of the Commission.

*Fax Document Retrieval Number:* 600062.

Federal Communications Commission.

**LaVera F. Marshall,**

*Acting Secretary.*

[FR Doc. 95-19829 Filed 8-9-95; 8:45 am]

BILLING CODE 6712-01-F

---

## FEDERAL MARITIME COMMISSION

### Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, D.C. Office of the Federal Maritime Commission, 800 North Capitol Street, NW., 9th Floor. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

*Agreement No.:* 224-010889-003.

*Title:* Port of Galveston/Container Terminal of Galveston, Inc. Terminal Agreement.

*Parties:* Port of Galveston, Container Terminal of Galveston, Inc.

*Synopsis:* The filed amendment clarifies the default terms of the Agreement.

*Agreement No.:* 224-200563-004.

*Title:* Port of Oakland/Trans Pacific Container Service Corporation Terminal Agreement.

*Parties:* Port of Oakland, Trans Pacific Container Service Corporation ("Trapac").

*Synopsis:* The filed amendment revises the formula that permits Trapac a credit against a portion of the amounts