

**RECORD SOURCE CATEGORIES:**

Individual subjects and research staff.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

None.

[FR Doc. 97-2996 Filed 2-5-97; 8:45 am]

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[FRL-5685-6]

**Notice of Proposed Assessment of Clean Water Act Class I Administrative Penalty to Black Mesa Pipeline, Inc. and Opportunity To Comment**

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

**ACTION:** Notice of proposed administrative penalty and opportunity to comment.

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

Pursuant to 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after the commencement of either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1319(g)(4)(a).

Class I proceedings under section 309(g) are conducted in accordance with the proposed "Consolidated Rules of Practice Governing the Administrative Assessment of Class I Civil Penalties Under the Clean Water Act" ("Part 28"), published at 56 FR 29,996 (July 1, 1991). The procedures through which the public may submit written comment on a proposed Class I order or participate in a Class I proceeding, and the procedures by which a Respondent may request a hearing, are set forth in the proposed Consolidated Rules. The deadline for submitting public comment on a proposed Class I order is thirty days after publication of this notice.

On the date identified below, EPA commenced the following Class I proceeding for the assessment of penalties:

In the Matter of Black Mesa Pipeline, Inc., Tulsa, OK, Docket No. CWA-309-IX-FY96-16; filed on January 24, 1996 with Mr. Steven Armsey, Regional Hearing Clerk, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, California 94105, (415) 744-1389; proposed penalty of \$11,600, for discharges of pollutants from the Black Mesa Coal Slurry Pipeline to waters of the U.S. in Mohave County, Arizona without authorization of a valid NPDES permit. EPA and Black Mesa

Pipeline, Inc. have agreed to a proposed Consent Agreement in which Black Mesa Pipeline, Inc. shall pay the civil penalty of \$11,600.

**FOR FURTHER INFORMATION:** Persons wishing to receive a copy of EPA's proposed Consolidated Rules, review the complaint or other documents filed in this proceeding, comment upon the proposed assessment, or otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above. The administrative record for this proceeding is located in the EPA Regional Office identified above, and the file will be open for public inspection during normal business hours. All information submitted by the respondent is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in these proceedings prior to thirty (30) days after the date of publication of this notice.

Dated: January 28, 1997.

Karen Schwinn,

*Acting Director, Water Division.*

[FR Doc. 97-2997 Filed 2-5-97; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**Network Reliability and Interoperability Council Meeting**

January 31, 1997.

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, this notice advises interested persons of a meeting of the Network Reliability and Interoperability Council ("Council") to be held at the Federal Communications Commission in Washington, D.C.

**DATES:** Tuesday, February 25, 1997 at 1:30 p.m.

**ADDRESSES:** Federal Communications Commission, Room 856, 1919 M Street, N.W., Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Jim Keegan, Federal Officer, at (202) 418-2323.

**SUPPLEMENTARY INFORMATION:** The Council was established by the Federal Communications Commission to bring together leaders of the telecommunications industry and telecommunications experts from

consumer and other organizations to explore and recommend measures that will assure optimal reliability and interoperability of, and accessibility and interconnectivity to, the public telecommunications networks.

The agenda for the meeting is as follows: the Council will hear reports of focus groups 1 and 2 on their progress to date in addressing the issues assigned to them by the Council at the Council's last meeting. The Council also will hear a report on network reliability from the Network Reliability Steering Committee, and will hear the status of implementation of the Network Reliability Council's recommendations for interoperability testing. The Council may discuss other matters brought to its attention.

Members of the general public may attend the meeting. The Federal Communications Commission will attempt to accommodate as many people as possible. However, admittance will be limited to the seating available. Members of the public may submit written comments to the Council's designated Federal Officer before the meeting.

Federal Communications Commission

William F. Caton,

*Acting Secretary.*

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[CS Docket No. 96-133, FCC 96-496]

**Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; Third annual report to Congress.

**SUMMARY:** Section 628(g) of the Communications Act of 1934, as amended, 47 U.S.C. 548(g), requires the Commission to report annually to Congress on the status of competition in markets for the delivery of video programming. On January 2, 1997, the Commission released its third such annual report ("1996 Report"). The 1996 Report contains data and information that summarize the status of competition in markets for the delivery of video programming and updates the Commission's two prior reports. The 1996 Report is based on publicly available data, filings in various Commission rulemaking proceedings, and information submitted by commenters in response to a *Notice of Inquiry* in this docket, summarized at 61 FR 34409 (July 2, 1996).