Health and Natural Resources. Requests for copies should be addressed to Mr. Donald Safrit, North Carolina Department of Environment, Health and Natural Resources at the address provided above or at telephone number (919) 733–5083 ext. 519.

EPA's Decision

After the close of the public comment period, EPA will decide whether to approve or disapprove North Carolina's sludge management program. The decision will be based on the requirements of Section 405 of the CWA and EPA regulations promulgated thereunder.

If the North Carolina program is approved, EPA will so notify the State. Notice will be published in the **Federal Register** and, as of the date of program approval, EPA will suspend issuance of sludge management permits in North Carolina (except, as discussed above, for those dischargers in ''Indian Country''). The State's program will operate in lieu of the EPA-administered program. However, EPA will retain the right, among other things, to object to Sludge permits proposed to be issued by North Carolina and to take enforcement actions for violations.

If EPA disapproves North Carolina's sludge management program, EPA will notify the State of the reasons for disapproval and of any revisions or modifications to the State program that are necessary to obtain approval.

Review Under Regulatory Flexibility Act and Executive Order 12866

Under the Regulatory Flexibility Act, EPA is required to prepare a Regulatory Flexibility Analysis for all rules that may have a significant impact on a substantial number of entities. The proposed approval of the North Carolina sludge management program does not alter the regulatory control over any industrial category. No new substantive requirements are established by this action. Therefore, I hereby certify that because this notice does not have a significant impact on a substantial number of small entities, a Regulatory Flexibility Analysis is not needed.

It has been determined that this rule is not a ''significant regulatory action'' under the terms of Executive Order 12866 and is therefore not subject to the Office of Management and Budget's review.

Dated: March 26, 1997.

A. Stanley Meiburg,

Acting Regional Administrator, Environmental Protection Agency, Region 4.

[FR Doc. 97–8671 Filed 4–7–97; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 96–149; DA 97–666]

Comments Requested To Aid Commission in Expedited Reconsideration of Interpretation of Section 272(e)(4)

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Commission released a Public Notice which establishes a pleading cycle for comments on specific issues relating to the scope and nature of the restrictions imposed by section 272(e)(4). Certain Bell Operating Companies (BOCs) filed a motion with the United States Court of Appeals for the District of Columbia Circuit seeking summary reversal of the Commission's interpretation of section 272(e)(4) in its First Report and Order and Notice of Proposed Rulemaking in this docket (62 FR 2927 (January 21, 1997) and 62 FR 2991 (January 21, 1997)). The Commission asked that it be given the opportunity to reconsider its interpretation since some of the BOC arguments advanced in their motion had not been clearly presented to the Commission in the rulemaking proceeding. On March 31, 1997, the court granted the Commission's request and directed it to reconsider its position within 90 days. The Commission wishes to build a complete record on these issues.

DATES: Comments are due on or before April 17, 1997, and reply comments are due on or before April 24, 1997.

ADDRESSES: Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, DC 20554, with a copy to Janice Myles of the Common Carrier Bureau, 1919 M Street, N.W., Room 544, Washington, DC 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, DC 20037.

FOR FURTHER INFORMATION CONTACT: David Ellen, Common Carrier Bureau, Policy and Program Planning Division, (202) 418–1580.

SUPPLEMENTARY INFORMATION:

Synopsis of Public Notice

1. In a recent rulemaking, the Commission construed the scope of section 272(e)(4) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. The Commission concluded that section 272(e)(4) is not a grant of authority for a Bell Operating Company (BOC) to provide interLATA services prior to receiving section 271 authority. The Commission further concluded that section 272(e)(4) is not a grant of authority for a BOC to provide interLATA services, including wholesale interLATA services provided to its interLATA affiliate, after receiving section 271 authority. Following the rulemaking, certain BOCs filed a motion with the United States Court of Appeals for the District of Columbia Circuit seeking summary reversal of the Commission's interpretation of section 272(e)(4). The Commission responded that, among other things, some of the arguments that the BOCs advanced in their motion for summary reversal had not been clearly presented to the Commission in the rulemaking proceeding. The Commission, therefore, asked that it be given the opportunity to reconsider, in light of these arguments, its interpretation of section 272(e)(4) prior to judicial review of those arguments. On March 31, 1997, the court granted the Commission's request, concluding that ''[t]he merits of the parties' positions are not so clear as to warrant summary action.'' The court noted that it expects that ''the Commission will adhere to its proposal to complete any further proceedings and adopt a revised order within 90 days of the date of this order.''

2. In this Public Notice, to aid the Commission in meeting its commitment to reconsider promptly its interpretation of section 272(e)(4), the Common Carrier Bureau seeks comment on certain specific issues relating to section 272(e)(4). Parties should feel free to address any of the other issues previously addressed before the Commission or the court that are relevant to this inquiry.

3. Section 272(a) states, among other things, that BOCs ''may not provide'' directly ''[o]rigination of [in-region] interLATA telecommunications services.'' Before the court, the BOCs argued that their reading of section 272(e)(4) does not conflict with section 272(a) because when a BOC provides in-region interLATA telecommunications services on a wholesale basis, it does not ''[o]riginat[e]'' such services. We seek comment on what precisely it means to ''originate'' an interLATA telecommunications service. Is ''origination'' strictly a retail concept? Commenting parties should also discuss the legal implications, if any, of the fact that section 271(b)(1), which prohibits a BOC or its affiliate from providing

''interLATA services originating in any of its in-region States'' prior to FCC approval, also uses a form of the term ''originate.''

4. What is the legal significance, if any, of the fact that section 272(e)(4) applies to *intra*LATA services and facilities as well as interLATA services and facilities? Before the court, for example, AT&T argued that the use of the term ''intraLATA'' demonstrates that section 272(e)(4) is not a grant of authority because, among other things, ''a BOC needs no grant of federal statutory authority to provide intraLATA services.''

5. Are the principal concerns that underlie the separate affiliate requirement of section 272—discrimination and cost misallocation by a BOC—less serious in the context of the wholesale provisioning of in-region interLATA services to affiliates than in the context of the direct retail provisioning of such services, at least where, as here, any such provisioning is required to take place in a non-discriminatory manner? If they are less serious, are they nonetheless serious enough to justify, as a policy matter, prohibiting such wholesale provisioning? Of what relevance, if any, is the fact that there was no exception to the interLATA services restriction contained in the Modified Final Judgment for wholesale interLATA services provided on a non-discriminatory basis, or that there presently is no wholesale interLATA services exception to section 271's prohibition on the provision of in-region interLATA services prior to FCC approval? At the same time, of what relevance, if any, is the fact that once a BOC has received section 271 approval and its interLATA affiliate is permitted to provide in-region interLATA services, the 1996 Act also allows the BOC to provide its interLATA affiliate various wholesale services and facilities, such as wholesale access services and wholesale access to unbundled network elements, so long as the BOC does so in a non-discriminatory way and in arm's length transactions? What is the policy justification for not permitting the BOC to provide, in addition, wholesale interLATA services to its affiliate?

6. Does the extent of concern for discrimination and cost misallocation depend, at least in part, on the particular kind of in-region wholesale interLATA service a BOC seeks to offer? For example, does the extent of concern differ depending on whether the wholesale service being offered is a bundled end-to-end interLATA service or a interLATA service that merely transmits traffic from a point of presence in one LATA to a point of presence in another LATA? How would the non-discrimination requirement in section 272(e)(4) apply to these different kinds of wholesale interLATA services? Are there some kinds of services that, in practice, could not be provided in a non-discriminatory manner? In their comments, BOCs should clarify precisely what kind of wholesale interLATA service they would seek to provide, if any, using the excess capacity on their official services networks.

7. Interested parties should file an original and two copies of their comments by April 17, 1997, and reply comments by April 24, 1997, with the Secretary, FCC, 1919 M Street, N.W., Washington, DC 20554. A copy should also be sent to Janice Myles, Common Carrier Bureau, FCC, Room 544, 1919 M Street, N.W., Washington, DC 20554, and to the Commission's contractor for public service records duplication, ITS, Inc., 2100 M Street, N.W., Suite 140, Washington, D. C. 20037. Parties filing comments and reply comments should include the Commission docket number, CC Docket No. 96–149, on their pleadings. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D. C. 20554.

8. We will continue to treat this proceeding as non-restricted for purposes of the Commission's *ex parte* rules. See generally 47 CFR 1.1200–1.1216.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97–9047 Filed 4–7–97; 8:45 am]

BILLING CODE 6712–01–U

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2185]

Petitions for Reconsideration and Clarification of Action in Rulemaking Proceeding

April 2, 1997.

Petitions for reconsideration and clarification have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). A full text of these documents are available for viewing and copying in Room 239, 1919 M Street, N.W., Washington, D.C. or may be purchased from the Commission's copy contractor, ITS, Inc. (202) 857–3800. Oppositions to these petitions must be filed April 23, 1997. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: The Use of N11 Codes and Other Abbreviated Dialing Arrangements. (CC Docket No. 92–105).

Number of Petitions Filed: 5.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97–8864 Filed 4–7–97; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC. 20573.

CERES Freight Systems, Inc., 26 East Bryan Street, Savannah, GA 31401, Officers: Robert H. Demere, Jr., President, Eugene R. Tompkins, Vice President

World Trade Forwarding Group Corp., 9600 N.W. 25th Street, Suite 2–B, Miami, FL 33172, Officers: Vivian Manrigue-Collantes, President, Salvador C. Collantes, Vice President

Cabell Export, 922 White Marlin Drive, Charleston, SC 29412, Lesley Schoepf Cabell, Sole Proprietor

Robert W. Cisco Custom House Broker, 416 Common Street, Suite 101, New Orleans, LA 70130, Robert William Cisco, Sole Proprietor

Ex-Works Miami Corp., 1360 N.W. 78 Avenue, Miami, FL 33126, Officer: Miriam R. Perez, President

Sea Expo Freight Services, Inc., 32 Somerville Road, Hewitt, NJ 07421, Officer: William T. Murphy

Blanca Company Inc., 913 South Jackson Street, Suite B, Seattle, WA 98104, Officers: Vannara Zou, President, Suke Zou, Chairman

Dated: April 2, 1997.

Joseph C. Polking,

Secretary.

[FR Doc. 97–8870 Filed 4–7–97; 8:45 am]

BILLING CODE 6730–01–M