

from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of carfentrazone ethyl on rice to control California arrowhead *Sagittaria montevidensis* spp. *Calycina* and ricefield bulrush *Scirpus mucronatus*. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicant, these two weed species cause economic damage by competing with rice plants for soil, nutrients and sunlight, and by interfering with harvesting equipment to reduce yields. Resistance to the registered alternative herbicide of choice, bensulfuron methyl, has occurred; resistance was first reported in 1992 and a survey conducted in 1995 estimated that 60% of rice fields have resistant California arrowhead and 15% have resistant ricefield bulrush. Phenoxy herbicides such as MCPA or 2,4-D may be used on bensulfuron methyl resistant weeds, but are phytotoxic to rice plants. Additionally, manufacturers have announced that they will not supply these products in the Sacramento Valley, due to persistent concerns about off-target applications, drift and damage symptoms on non-target crops, especially cotton. Propanil and triclopyr may offer partial control of these weeds, but neither is labeled for this use.

Under the proposed exemption, a maximum of 12 oz. of product (0.3 lbs. active ingredient (a.i.)) per acre per season may be used. Two applications are specified, by air or ground; for early postseeding applications to flooded paddies with water-seeded rice, apply 8 ounces (2 lbs. a.i.) per acre, and for postemergent applications to rice with weeds exposed, apply 4 oz. of product (0.1 lbs. a.i.) per acre. A postharvest interval (PHI) of 7 days is specified, as is a Restricted Entry Interval (REI) of 12 days. The use of carfentrazone ethyl is only allowed if the following conditions are met:

(1) It has been documented that the listed weeds on this section 18 are not controlled by bensulfuron methyl in the field(s) that are to be treated with carfentrazone ethyl, or where propanil cannot be used due to buffer zone restrictions.

(2) Field(s) that are to be treated are within the propanil buffer zones. This section 18 emergency exemption is not for use on wild rice.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require publication of a notice of

receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient not contained in any currently registered pesticide) or if an emergency exemption for a use has been requested in any 3 previous years, and a complete application for registration of the use and/or a tolerance petition has not been submitted to the Agency. Such notice provides for opportunity for public comment on the application.

The official record for this notice, as well as the public version, has been established for this notice under docket number [OPP-181060] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at: opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-181060]. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

The Agency, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the California Environmental Protection Agency, Department of Pesticide Regulation.

List of Subjects

Environmental protection, Pesticides and pests, Emergency exemptions.

Dated: April 1, 1998.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 98-10018 Filed 4-14-98; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) being Reviewed by the Federal Communications Commission

April 9, 1998.

SUMMARY: The Federal Communications Commission, 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 collection(s), as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number.

Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before June 15, 1998. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Judy Boley, Federal Communications Commission, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to jboley@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judy Boley at 202-418-0214 or via internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION:
OMB Approval Number: 3060-0821.

Title: DTV Engineering Analysis for De Minimis Standard.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Businesses or other for-profit, not-for-profit institutions.

Number of Respondents: 20.

Estimated Time Per Response: 21 hours.

Total Annual Burden: 100 hours.

Frequency of Response: Third party disclosure, on occasion reporting requirement.

Estimated Cost Per Respondent: \$0.

Needs and Uses: In the Memorandum Opinion and Order to the Sixth Report and Order in MM Docket 87-268, the Commission adopted a new de minimis standard for permissible new interference resulting from increases in DTV facilities (power and/or antenna height) or transmitter site changes. The new de minimis interference standard will provide additional opportunities for stations to increase power and make other changes. Stations seeking to operate at higher power levels under these provisions will be required to notify, by certified mail, all stations that could potentially be affected by such operation at the time the station files its application for a construction permit or modification of facilities. A station that believes that its service is being affected beyond our de minimis standard may file an opposition with the Commission. Such an opposition shall include an engineering analysis demonstrating that additional impermissible interference would occur. In certain instances, grants for increased power may be conditioned on validation of performance through field measurements of actual station operation by the station licensee opposing parties.

OMB Approval Number: 3060-0812.

Title: Assessment and Collection of Regulatory Fees for Fiscal Year 1997 - MD Docket 96-186.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; businesses or other for-profit, not-for-profit institutions.

Number of Respondents: 635,738.

Estimated Time Per Response: .50 hours.

Total Annual Burden: 317,869 hours.

Frequency of Response:

Recordkeeping requirement; on occasion reporting requirement.

Estimated Cost per Respondent: \$0.

Needs and Uses: The Commission in accordance with the Communications Act of 1934, is required to assess and collect regulatory fees from its licensees and regulatees in order to recover its costs incurred in conducting enforcement, policy and rulemaking, international and user information activities. The purpose of the information collection is to: 1) facilitate the statutory provision that non-profit entities be exempt from payment of regulatory fees; and 2) facilitate the

FCC's ability to audit regulatory fee payment compliance in the Commercial Mobile Radio Services (CMRS) industry.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

[FR Doc. 98-9944 Filed 4-14-98; 8:45 am]

BILLING CODE 6712-01-F

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 95-155]

Toll Free Service Access Codes

AGENCY: Federal Communications Commission.

ACTION: Notice; letter order.

SUMMARY: In Toll Free Service Access Codes, Fourth Report and Order and Memorandum Opinion and Order, CC Docket 95-155, FCC No. 98-48 (rel. March 31, 1998), the Commission determined that the toll free 888 vanity numbers initially set aside shall be offered through a right of first refusal to subscribers of corresponding 800 numbers. The Common Carrier Bureau, pursuant to delegated authority, issued a letter to Database Service Management, Inc., setting forth the procedures for implementing the right of first refusal.

FOR FURTHER INFORMATION CONTACT:

Robin Smolen, 202-418-2353

SUPPLEMENTARY INFORMATION:

April 2, 1998

Approved by OMB: 3060-0825

Expires: 10/31/98

Estimated Average Burden Per Respondent: 1 Hour

Mr. Michael Wade

President, Database Service Management, Inc.

6 Corporate Place

Room PYA-1F286

Piscataway, NJ 08854-4157

Subject: Fourth Report and Order (FCC 98-48), CC Docket No. 95-155.

Dear Mr. Wade:

In October 1995, the Commission initiated a rulemaking proceeding to smooth the transition to an expanded set of toll free service access codes, starting with the introduction of 888 numbers. This proceeding also was initiated to ensure the promotion of efficient, fair, and orderly allocation and use of these limited numbering resources.

On January 25, 1996, the Common Carrier Bureau, acting pursuant to delegated authority, adopted a *Report and Order* (CC Docket No. 95-155, DA 96-69) addressing the reservation of 888 numbers, tariffing issues, 800 and 888 conservation plans, and interim protection of vanity numbers in 888 ("First Report and Order"). Moreover, in the First Report and Order, the Bureau ordered Database Service Management, Inc. ("DSMI")

to place all "888-555-XXXX" numbers in unavailable status until the Commission could reach a decision on the issues raised in the NPRM related to the development of a competitive toll free directory assistance service. The Common Carrier Bureau agreed with an industry plan permitting Responsible Organizations ("RespOrgs"), the entities responsible for managing a toll free subscriber's records, to poll their commercial 800 subscribers to determine which vanity numbers subscribers may want replicated in 888 and to submit that information to Database Service Management, Inc. ("DSMI"), the administrator of the toll free database. The Common Carrier Bureau directed DSMI to place these numbers in "unavailable" status until the Commission resolved whether these numbers ultimately should be afforded permanent special rights or protection.

On March 31, 1998, the Commission issued an *Order and Memorandum Opinion and Order* ("Fourth Report and Order") (a copy of which is enclosed), in which it concluded that vanity numbers in the 877 toll free code and toll free codes beyond 877 shall be released and made available on a first-come, first-served basis. The Commission further concluded that 800 subscribers holding 800 vanity numbers that correspond to the 888 vanity numbers that were initially set aside shall be offered a right of first refusal to those 888 set-aside numbers. If the 800 subscriber refrains from exercising its option to reserve the corresponding 888 vanity number, that number shall be released and made available on a first-come, first-served basis. The 888 set-aside numbers are to be made available for assignment 90 days after the 877 code is deployed.

The Bureau instructs DSMI to release the 877 numbers into the general pool of available numbers on April 5, 1998 for reservation on a first-come, first-served basis. Further, the Bureau instructs DSMI to inform RespOrgs to notify their 800 subscribers of their right of first refusal of the set-aside 888 numbers. RespOrgs will have 20 days from 877 deployment to notify customers of their rights of first refusal. These 800 subscribers will have 30 days to respond in writing to their RespOrgs. This means that these subscribers must submit their written responses to their RespOrgs no later than 50 days from 877 deployment. RespOrgs will then have 30 days to submit all required documentation to DSMI. This means that RespOrgs must submit to DSMI all required documentation no later than 80 days from 877 deployment. RespOrgs will have 10 days to notify DSMI of errors made regarding deployment of 888 numbers and to provide documentation to support the claim, including documentation that the RespOrg complied with the procedures described in this letter for deploying the 888 numbers. DSMI should resolve these claims expeditiously.

If the 800 subscriber chooses to obtain the corresponding number in the 888 code, that number should be placed in the control of that 800 subscriber's RespOrg 80 days after the 877 code is deployed. We require DSMI to place that number in the control of the appropriate RespOrg only if it receives a