and chronic toxicity studies in two or more animal species, demonstrate no apparent effects on the endocrine system. There is no information available which suggests that CPPU would be associated with endocrine effects.

C. Aggregate Exposure

1. *Dietary exposure—Food.* A reference dose (RfD) was calculated using the most sensitive species data available from the toxicological testing. This RfD 0.08 mg/kg/day/based on a temporary tolerance of 0.01 ppm, was used to calculate the impact of the estimated residue levels with results from treatment of the indicated crops. The table below shows the Theoretical Maximum Residue Concentrations (TMRC) of CPPU on or in the listed crops requested in this EUP request.

Theoretical Maximum Residue Concentrations for CPPU for the crops listed in the EUP request.

	All-Apples	All+Apples	Total Exposure	
			mg/kg body wt/ day	Percent of RfD
General U.S. Populations, all seasons	0.000005	0.000011	0.000016	0.02
Non-nursing infants	0.000029	0.000064	0.000093	0.12
Children 1 to 6-years of age	0.000010	0.000048	0.000058	0.07
Children 7 to 12-years of age	0.000005	0.000017	0.000022	0.03

The anticipated use rate of 17 grams of CPPU per acre applied once per year yielding residue levels in the very low ppb range indicates that less than 1% of the reference dose would be consumed in aggregate with all of these crops. The crop contributing greatest to the percent of the reference dose related to the most sensitive of the population i.e. all nursing infants (less than 1-year old), non-nursing infants (less than 1-year old), children (1 to 6 years old) would represent 1/10th of 1% of the reference dose. Making the same risk exposure calculations, it is shown that no significant impact on reducing the RfD by using blueberries, cranberries, cranberry juice, grapes-raisins, pears, pears dried, cherries, cherries dried, cherry juice, plums (Damsons), plums as prunes (dried), plum/prune juice, figs, kiwifruit, grapes-wine and sherry, cranberry juice concentrate, pear nectar in aggregate. Combining the RfD consumption from the large group of crops with that of the apples would exceed 1% of the reference dose only slightly if the total acreage of all of these crops were treated. The intention of this experimental use permit is not to treat all of the various crops listed; the table below shows the requested acreage of each crop.

Crop	Acreage Requested	% Total Acreage
Grape	3,500	0.53
Kiwi	1,000	14.08
Almond	50	0.01
Apple	50	0.14
Blueberries	50	
Cranberries	50	
Figs	50	0.40
Plums	50	0.03
Pears	50	0.15
Olives	50	0.05

This program would permit development of requisite data to assure safe and efficacious use and, yet, not subject any segment of the public to a health risk.

2. *Dietary exposure - drinking water.* The very low use rate of CPPU i.e. 17 grams or less per acre, if used constantly for 20-years, would apply only 3/4 of a pound of CPPU per acre during that 20-year period. Computer modeling, using the conservative pesticide root zone model (PRZM) means of analysis has shown that no CPPU would reach ground water, even in sandy loam soils. The results of this risk analysis supported an unambiguous conclusion of ''essentially zero risk to ground water'' even under reasonable worst case assumptions. Concentrations are not predicted to exceed 15 to 20 ppb of CPPU in the soil in the upper soil horizons, even following yearly applications for as long as 30 years. No secondary exposure is anticipated as a result of contamination of drinking water.

3. *Non-dietary exposure.* No non-dietary exposure is expected since CPPU is not anticipated to be found in the drinking water. It does not translocate in plants and thus secondary exposure through plants growing in soil receiving CPPU is not anticipated. The extremely low application rates will not result in significant buildup in the environment.

D. Cumulative Effects

There are no cumulative effects expected since CPPU is not taken up by plants from the soil. It slowly degrades to mineral end points. Its low use rate is not conducive to buildup in the environment.

E. Safety Determination

1. *U.S. population.* As pointed out above in dietary exposure-food the percentage of the reference dose consumed by treating the subject crops represents only slightly more than 1% of the estimated safe level for the most sensitive segment of the population, non-nursing infants.

2. *Infants and children.* No developmental, reproductive or fetotoxic effects have been associated with CPPU. The calculation of safety margins with respect to these segments of the population were taken into consideration in the TMRC estimates with respect to the risk associated with the percentage of the reference dose being consumed.

F. International Tolerances

There is no Codex maximum residue level established for CPPU. However, CPPU is registered for use on grapes and other crops in Japan, Chile, Mexico, and South Africa. (Cynthia Giles-Parker)

[FR Doc. 98–20145 Filed 7–27–98; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6131–5]

Notice of Proposed NPDES General Permit for Discharges From Ready-Mixed Concrete Plants, Concrete Products Plants and Their Associated Facilities in Texas (TXG110000)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of draft NPDES general permit.

SUMMARY: EPA Region 6 is proposing to issue a general NPDES permit authorizing discharges of facility waste water and contact storm water from ready-mixed concrete plants, concrete products plants and their associated facilities in Texas. This permit covers facilities having Standard Industrial Classification (SIC) Codes 3273

(manufacture of ready-mixed concrete), 3272 (manufacture of concrete products, except block and brick) and 3271 (manufacture of concrete block and brick).

As proposed, the permit has the following requirements: Daily maximum limits of 15 mg/l Oil and Grease and 65 mg/l Total Suspended Solids, and a pH limit of 6.0 to 9.0 Standard Units. There is also a requirement of no acute toxicity as determined by requiring greater than 50% survival in 100% effluent using a 24 hour acute test. In addition, the permit has limits on arsenic, barium, cadmium, chromium, copper, lead, manganese, mercury, nickel, selenium, silver and zinc as contained in Texas Natural Resource Conservation Commission (TNRCC) Regulations for Hazardous Metals (30 TAC 319, Subchapter B), as well as requirements for no discharge of floating solids or visible foam in other than trace amounts, and no discharge of visible oil. There is also the requirement to develop and implement a pollution prevention plan for the storm water discharges authorized by this permit.

DATES: Comments on this proposed permit must be submitted by September 28, 1998.

ADDRESSES: Comments on this proposed permit should be sent to the Regional Administrator, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733.

FOR FURTHER INFORMATION CONTACT: Ms. Wilma Turner, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–7516. Copies of the complete fact sheet and proposed permit may be obtained from Ms. Turner. The fact sheet and proposed permit can also be found on the Internet at http://www.epa.gov/earth1r6/6wq/6wq.htm. In addition, the current administrative record on the proposal is available for examination at the Region's Dallas offices during normal working hours after providing Ms. Turner 24 hours advanced notice.

SUPPLEMENTARY INFORMATION: Regulated categories and entities include:

Category	Examples of regulated entities
Industry	Operators of ready-mixed concrete plants and concrete products plants.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your (facility, company, business, organization, etc.) is regulated by this action, you should carefully examine the applicability criteria in Part I, Section A.1 of this permit. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Section 301(a) of the Clean Water Act (CWA or the Act), 33 U.S.C. 1311(a), makes it unlawful to discharge pollutants to waters of the United States in the absence of authorizing permits. CWA section 402, 33 U.S.C. 1342, authorizes EPA to issue National Discharge Elimination System (NPDES) permits allowing discharges on condition they will meet certain requirements, including CWA sections 301, 304, and 401 (33 U.S.C. 1331, 1314 and 1341). Those statutory provisions require that NPDES permits include effluent limitations requiring that authorized discharges: (1) meet standards reflecting levels of technological capability, (2) comply with EPA-approved state water quality standards and (3) comply with other state requirements adopted under authority retained by states under CWA 510, 33 U.S.C. 1370.

Two types of technology-based effluent limitations must be included in the permit proposed here. With regard to conventional pollutants, i.e., pH, BOD, oil and grease, TSS and fecal coliform, CWA section 301 (b)(1)(E) requires effluent limitations based on ''best conventional pollution control technology'' (BCT). With regard to nonconventional and toxic pollutants, CWA section 301(b)(2)(A), (C), and (D) require effluent limitations based on ''best available pollution control technology economically achievable'' (BAT), a standard which generally represents the best performing existing technology in an industrial category or subcategory. BAT and BCT effluent limitations may never be less stringent than corresponding effluent limitations based on best practicable control technology (BPT), a standard applicable to similar discharges prior to March 31, 1989 under CWA 301(b)(1)(A).

National guidelines establishing BPT, BCT and BAT standards have not been promulgated for discharges from ready-mixed concrete plants and concrete products plants. The BCT and BAT requirements for these discharges have, therefore, been established using best professional judgement, as required by CWA section 402(a)(1). All of the limitations in this proposed permit, except for the requirement to develop and implement a storm water pollution prevention plan, are also current requirements, contained either directly or by reference, in TNRCC Regulations 30 TAC 321, Subchapter J, for discharges from ready-mixed concrete plants, concrete products plants, and their associated facilities. The storm water pollution prevention plan requirements are those currently required by the NPDES Storm Water Multi-Sector General Permit for storm water discharges associated with ready-mixed concrete and concrete products plants. All of the discharges authorized by this permit are also those authorized by 30 TAC 321, Subchapter J.

Although the TNRCC Rule contains, by reference, the metals and toxicity limits listed below, that Rule does not contain monitoring requirements for those limits. 40 CFR 122.44(i) requires monitoring for each pollutant limited in an NPDES permit to assure compliance with the permit limits. The frequency of this monitoring shall be established on a case by case basis, but shall in no case be less than once per year.

In addition to requiring the development and implementation of a storm water pollution prevention plan, the following limits are proposed:

	Daily maximum (mg/l)
Oil and Grease	15
Total Suspended Solids	65
pH 6.0–9.0 Std. Units.	

	Monthly average (mg/l)	Daily max (mg/l)	Single grab (mg/l)
Arsenic	.1	.2	.3

	Monthly average (mg/l)	Daily max (mg/l)	Single grab (mg/l)
Barium	1.0	2.0	4.0
Cadmium (Inland Waters)	.05	.1	.2
Cadmium (Tidal Waters)	.1	.2	.3
Chromium	.5	1.0	5.0
Copper	.5	1.0	2.0
Lead	.5	1.0	1.5
Manganese	1.0	2.0	3.0
Mercury	.005	.005	.01
Nickel	1.0	2.0	3.0
Selenium (Inland Waters)	.05	.1	.2
Selenium (Tidal Waters)	.1	.2	.3
Silver	.05	.1	.2
Zinc	1.0	2.0	6.0

The minimum monitoring requirements proposed, all using grab samples, are once per month for Oil and Grease, Total Suspended Solids and pH, and once per year for the metals.

There shall be No Acute Toxicity as determined by requiring greater than 50% survival in 100% effluent using a 24 hour acute test. Monitoring shall be a minimum of once per 6 months using grab samples.

In addition to proposing the NPDES general permit for these facilities, the Region is also soliciting effluent data for the above listed metals and whole effluent toxicity for the types of facilities to be covered by this proposed permit. Because of the lack of effluent data from these facilities for these metals and toxicity, the Region must include limits and, therefore, monitoring requirements for these pollutants to assure that State water quality standards will be met and to comply with 40 CFR 122.44(d), which requires inclusion of any more stringent limits established under State law or regulations in accordance with section 301(b)(1)(C) of the Clean Water Act.

Other Legal Requirements

A. State Certification

Under section 401(a)(1) of the Act, EPA may not issue an NPDES permit until the State in which the discharge will originate grants or waives certification to ensure compliance with appropriate requirements of the Act and State law. Section 301(b)(1)(C) of the Act requires that NPDES permits contain conditions that ensure compliance with applicable state water quality standards or limitations. The proposed permit contains limitations intended to ensure compliance with state water quality standards and has been determined by EPA Region 6 to be consistent with the Texas water quality standards and the corresponding implementation plan. The Region has solicited certification from the Texas Natural Resources Conservation Commission.

B. Endangered Species Act

The proposed limits are sufficiently stringent to assure state water quality standards, both for aquatic life protection and human health protection, will be met. The effluent limitations established in this permit ensure protection of aquatic life and maintenance of the receiving water as an aquatic habitat. The Region finds that adoption of the proposed permit is unlikely to adversely affect any threatened or endangered species or its critical habitat. EPA is seeking written concurrence from the United States Fish and Wildlife Service on this determination.

C. Historic Preservation Act

Facilities which adversely affect properties listed or eligible for listing in the National Register of Historical Places are not authorized to discharge under this permit.

D. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this action from the review requirements of Executive Order 12866.

E. Paperwork Reduction Act

The information collection required by this permit has been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, in submission made for the NPDES permit program and assigned OMB control numbers 2040–0086 (NPDES permit application) and 2040–0004 (discharge monitoring reports).

F. Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104–4, generally requires Federal agencies to assess the effects of their ''regulatory actions'' on State, local, and tribal governments and the private sector. UMRA uses the term ''regulatory actions'' to refer to regulations. (*See,* e.g., UMRA section 201, ''Each agency shall * * * assess the effects of Federal regulatory actions * * * (other than to the extent that such regulations incorporate requirements specifically set forth in law)'' (emphasis added)). UMRA section 102 defines ''regulation'' by reference to section 658 of Title 2 of the U.S. Code, which in turn defines ''regulation'' and ''rule'' by reference to section 601(2) of the Regulatory Flexibility Act (RFA). That section of the RFA defines ''rule'' as ''any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of (the Administrative Procedure Act (APA)), or any other law * * *''

NPDES general permits are not ''rules'' under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the CWA. While EPA publishes a notice to solicit public comment on draft general permits, it does so pursuant to the CWA section 402(a) requirement to provide ''an opportunity for a hearing.'' Thus, NPDES general permits are not ''rules'' for RFA or UMRA purposes.

EPA thinks it is unlikely that this proposed permit issuance would contain a Federal requirement that might result in expenditures of $100 million or more for State, local and tribal governments, in the aggregate, or the private sector in any one year.

The Agency also believes that the proposed permit issuance would not significantly nor uniquely affect small governments. For UMRA purposes, ''small governments'' is defined by reference to the definition of ''small governmental jurisdiction'' under the RFA. (See UMRA section 102(1), referencing 2 U.S.C. 658, which references section 601(5) of the RFA.) ''Small governmental jurisdiction''

means governments of cities, counties, towns, etc., with a population of less than 50,000, unless the agency establishes an alternative definition.

The proposed permit issuance also would not uniquely affect small governments because compliance with the proposed permit conditions affects small governments in the same manner as any other entities seeking coverage under the permit.

G. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq*, requires that EPA prepare a regulatory flexibility analysis for regulations that have a significant impact on a substantial number of small entities. Compliance with the permit requirements will not result in a significant impact on dischargers, including small businesses, covered by these permits. EPA Region 6 therefore concludes that the permits proposed today will not have a significant impact on a substantial number of small entities.

Oscar Ramirez, Jr.,

Deputy Director, Water Quality Protection Division, Region 6.

[FR Doc. 98–20146 Filed 7–27–98; 8:45 am]

BILLING CODE 6560–50–P

FARM CREDIT ADMINISTRATION

Farmer Mac Risk-Based Capital

Notice of Availability of Study and Request for Comment

SUMMARY: The Farm Credit Administration (FCA or Agency), acting through the Office of Secondary Market Oversight (OSMO), is required, under section 8.32 of the Farm Credit Act of 1971, as amended (Act), to establish a risk-based capital regulation for the Federal Agricultural Mortgage Corporation (Farmer Mac). The FCA is in the process of developing this regulation and will publish a proposed regulation for comment no sooner than February 1999.

The credit risk portion of the prescribed risk-based capital test must take into account agricultural mortgage losses in an area containing not less than 5 percent of the U.S. population during a 2-year historic period in which the highest rates of losses occurred.

After an extensive search for applicable data on agricultural mortgage loan losses, the FCA was able to obtain useful data from the Farm Credit Bank of Texas. FCA contracted with the firm of Barry and Associates to study these data, to make extrapolations of loss data for other states in order to identify the geographic area meeting the criteria of the Act, and to determine the applicable credit risk component.

The FCA is making the results of this study available for public comment and suggestions that could possibly lead to improved input for the credit risk component of the proposed regulation.

DATES: Written comments should be received on or before September 15, 1998.

ADDRESSES: You may obtain a copy of the study by downloading from the FCA web page at www.fca.gov; by submitting an electronic mail request for a copy to info-line@fca.gov; or by contacting George D. Irwin, Director, Office of Secondary Market Oversight, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102–5090, (703) 883–4280.

Submit your comments via electronic mail to ''reg-comm@fca.gov'' or in hard copy to George D. Irwin, Director, Office of Secondary Market Oversight, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102–5090. Copies of all comments received will be available for review by interested parties at the Farm Credit Administration offices in McLean, Virginia.

FOR FURTHER INFORMATION CONTACT: George D. Irwin, Director, Office of Secondary Market Oversight, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102–5090, (703) 883–4280, TDD (703) 883–4444.

SUPPLEMENTARY INFORMATION: Section 8.32 of the Act specifies that the FCA, through the Office of Secondary Market Oversight, shall establish, by regulation, a risk-based capital test for Farmer Mac. The statute further provides that:

''* * * the risk-based capital test shall determine the amount of regulatory capital for the Corporation [Farmer Mac] that is sufficient for the Corporation to maintain positive capital during a 10-year period in which both of the following circumstances occur:

(1) CREDIT RISK * * * losses on the underlying qualified loans occur throughout the United States at a rate of default and severity (based on any measurements of default reasonably related to prevailing industry practice in determining capital adequacy) reasonably related to the rate and severity that occurred in contiguous areas of the United States containing an aggregate of not less than 5 percent of the total population of the United States that, for a period of not less than 2 years (as established by the Director [of OSMO]), experienced the highest rates of default and severity of agricultural mortgage losses, in comparison with such rates of default and severity of agricultural mortgage losses in other such areas for any period of such duration, as determined by the Director.

(2) INTEREST RATE RISK * * *''

Section 8.32 also states that the FCA may not publish the risk-based capital regulations for comment until after February 10, 1999.

The FCA conducted an extensive search and found usable historic databases on loan performance during the severe loss period of the 1980s in the Farm Credit Bank of Texas. It then became necessary to find a method to extrapolate the loan loss experience in Texas to other geographic areas of the U.S., which had different experience and different loss rates. The contractors evaluated several approaches to extrapolation in developing these estimates of loss experience and identifying the geographic areas of most severe loss.

The FCA wishes to make this study available for public comment and suggestions. We welcome responses that may offer: (1) Information that leads to additional relevant data sources; (2) suggestions that might improve use of the study in developing risk-based capital regulations; and (3) any other ideas that might lead to an improved credit risk component in the risk-based capital regulation being developed for Farmer Mac.

The FCA cautions commenters that this study is based on currently available data, which we have found to be very limited. The FCA is making the study available at this time solely for informational purposes and to seek additional input. FCA may elect to use alternative approaches in developing the credit risk component of the risk-based capital regulations.

Dated: July 23, 1998.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

[FR Doc. 98–20131 Filed 7–27–98; 8:45 am]

BILLING CODE 6705–01–P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension; Comments Requested

July 22, 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, Public Law 104–13. An agency may not conduct or sponsor a collection of information unless it