

community as to how other OECD member countries likely regulate a material or waste under the terms of C(92)39. The scope of coverage for purposes of U.S. implementation of any harmonized OECD agreement will remain as it is under RCRA until and unless EPA obtains other statutory authorities that would allow or require changes to the current scope of coverage (such as, for example, amendments to RCRA to ratify and implement the Basel Convention).

b. Potential Effects on Transboundary Movements. The Agency is interested in any and all information regarding potential problems that could arise from the use of Basel Annexes VIII and IX to implement C(92)39 as compared to the green, amber, and red lists. For example, the OECD waste lists contain Harmonized System (HS), or Customs, codes where applicable. The Basel lists do not currently contain HS codes. Another example of how potential problems could arise is in the actual wording differences between the lists. For example, OECD green listing number GC020 has the following wording: "Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery", while the corresponding wording in Basel Annex IX listing number B1110 is: "Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse (reuse can include repair, refurbishment or upgrading, but not major assembly), and not for recycling or final disposal (in some countries these materials destined for direct reuse are not considered wastes)". Another example would be OECD amber listing number AA060 "Vanadium ashes and residues" which has no corresponding Basel Annex VIII listing because vanadium does not belong to any category in Annex I of the Basel Convention, and therefore cannot be included in Annex VIII (i.e. vanadium is outside the scope of the Basel Convention). In practice, this could result in uneven control within the OECD area.

2. Waste List Review Procedures

The Agency is interested in comments regarding changing the current Review Mechanism for adjusting the green, amber, and red lists, to a new adjustment procedure. Currently, C(92)39 mandates a standing Review Mechanism to adjust, on a regular basis, the green, amber, and red lists of wastes in appendices 3, 4, and 5 respectively. Any government, regulated entity, or

other interested party can submit an application to the Review Mechanism to add, delete, move, or adjust a waste listing as long as the application is supported by at least one member government. Although some have indicated an interest in doing so, to date, no U.S. entity has ever submitted an application to the OECD Review Mechanism through EPA. This apparent lack of interest could indicate that the U.S. regulated community is generally satisfied with the OECD waste lists. Alternatively, it could mean that given the OECD waste lists serve only as guidance for the U.S. regulated community, there is not a strong need for waste list adjustments because there is no direct impact on the regulated community presented by the lists (although there can be significant indirect impacts if U.S. trading partners impose OECD controls on wastes or materials not regulated as hazardous under U.S. laws and regulations).

The future operation of C(92)39, in terms of adjustments to its new waste lists, would include a body similar to the Review Mechanism to be called the adjustment procedure. While the actual operation of the adjustment procedure would be similar to the current Review Mechanism, there would be some significant differences. Under this new ad-hoc body, a U.S. entity interested in applying to make changes to the OECD waste lists (e.g. to modify the wording of a particular listing or to move a particular listing from one list to the other) would be required to first submit an application to the Basel Convention review procedure. For example, and as previously discussed, Germany plans to submit applications for the 21 OECD green listings not currently in Basel Annex IX. If the resulting decision by the Basel COP was considered to be insufficient for purposes of intra-OECD trade, or if the COP declined to take action at all, the U.S. entity could then, with the support of EPA, submit an application to the OECD adjustment procedure seeking relief in the OECD forum. If approved by the OECD Council, the waste listing would take effect for intra-OECD transboundary movements. If not approved by the Council, several options are possible. One option would be that the Basel listing, as approved by the Basel COP, would apply within the OECD, as would be the case when no objection to a Basel listing were raised to the OECD Secretariat by an OECD member country. Another option would be that in the case where the Basel COP declines action, the unlisted waste or material would move within the OECD

according to the green tier (which would apply to Basel Annex IX wastes) if non-hazardous or to the amber tier (which would apply to Basel Annex VIII wastes) if hazardous. This is very similar to the status quo where unlisted wastes that are non-hazardous move according to the green tier, and unlisted hazardous wastes move according to the red tier (note: the European Union member countries implement this provision differently in that all unlisted wastes default to red tier controls, regardless of their hazardosity). Because the red list and the corresponding red tier control procedure would be eliminated in the harmonized agreement, and amber tier controls are envisioned to apply to Annex VIII wastes, the default control procedure for an unlisted hazardous waste would be amber tier controls. A third option would be that the unlisted waste would be subject to the national procedures of the concerned OECD member countries. EPA is specifically interested in comments on these options.

3. Other Issues

Finally, EPA is interested in public comment on any other aspect of amending and harmonizing C(92)39 with the Basel Convention, including but not limited to: the value of the streamlined administrative procedures (e.g. tacit consent and pre-consent under the amber tier), the value of the risk-based approach to waste listing (including the criteria in Annex 2 of C(92)39, and the value of Customs codes in waste listings.

Dated: August 10, 1999.

Elizabeth Cotsworth,

Acting Director, Office of Solid Waste.

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested

August 5, 1999.

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 October 18, 1999. 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 Les Smith, Federal Communications Commissions, Room 1 A-804, 445 Twelfth Street, SW, Washington, DC 20554 or via the Internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at (202) 418-0217 or via the Internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0423.
Title: Section 73.3588 Dismissal of petitions to deny or withdrawal of informal objections.

Form Number: None.
Type of Review: Extension of Currently Approved Collection.

Respondents: Business or other for-profit.

Number of Respondents: 50 petitioners.

Estimated Time Per Response: 20 minutes—8 hours (20 minutes consultation; 8 hours contracted attorney).

Frequency of Response: Reporting, on occasion.

Total Annual Burden: 16 hours.

Total Annual Costs: \$42,500.

Needs and Uses: Section 73.3588 requires a petitioner to obtain approval from the FCC to dismiss or withdraw its petition to deny when it is filed against a renewal application and applications for new construction permits,

modifications, transfers and assignments. This request for approval must contain a copy of any written agreement, an affidavit stating that the petitioner has not received any consideration in excess of legitimate and prudent expenses in exchange for dismissing/withdrawing its petition and an itemization of the expenses for which it is seeking reimbursement. Each remaining party to any written or oral agreement must submit an affidavit within 5 days of petitioner's request for approval stating that it has paid no consideration to the petitioner in excess of the petitioner's legitimate and prudent expenses. The data is used by FCC staff to ensure that a petition to deny or informal objection was filed under appropriate circumstances and not to extract payments in excess of legitimate and prudent expenses.

OMB Control Number: 3060-0452.

Title: Section 73.3589 Threats to file petitions to deny or informal objections.

Form Number: None.

Type of Review: Extension of currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 5 AM/FM/TV stations.

Estimated Time Per Response: 20 minutes—1 hour (20 minute consultation time; 1 hour contracted attorney).

Frequency of Response: Reporting, on occasion.

Total Annual Burden: 2 hours.

Total Annual Costs: \$1,000.

Needs and Uses: Section 73.3589 requires an applicant or licensee to file with the FCC a copy of any written agreement related to the dismissal or withdrawal of a threat to file a petition to deny or informal objection and an affidavit certifying that neither the would-be petitioner nor any person or organization related to the would-be petitioner has not or will not receive any consideration in excess of legitimate and prudent expenses incurred in threatening to file. The data is used by FCC staff to ensure that a threat to file a petition to deny or informal objection was made under appropriate circumstances and not to extract payments in excess of legitimate and prudent expenses.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections Being Reviewed by the Federal Communications Commission

August 9, 1999.

SUMMARY: The Federal Communications Commissions, 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, 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 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 October 18, 1999. 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 Les Smith, Federal Communications Commission, Room 1 A-804, 445 12th Street, S.W., Washington, DC 20554 or via the Internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at (202) 418-0217 or via the Internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0711.

Title: Implementation of Section 34(a)(1) of the Public Utility Holding Company Act of 1935, as amended by the Telecommunications Act of 1996, NPRM (GC Docket No. 96-101, FCC 96-192), and Report and Order, (GC Docket No. 96-101, FCC 96-376, released September 12, 1996).