

Secaucus Sewage Treatment Plant, combined sewer overflows (CSOs), storm water, atmospheric and background (upstream sources). Using the calibrated water quality model, EPA calculated a TMDL of 4.98 lbs µg/day of nickel which will meet the applicable nickel criterion, taking into account seasonal variations and critical conditions, and including a margin of safety. The TMDL was allocated to point sources (waste load allocations) and nonpoint sources (load allocations). The existing loads of nickel, waste load (WLA), and load allocations (LA) needed to achieve the TMDL are shown below. The WLA for BCUA represents a major reduction in nickel load to the Hackensack River. This reduction will result in meeting the applicable water quality criterion for nickel. Because the other loads represent relatively small contributions, and reducing their load has little or no impact on receiving water quality, no other reductions are being proposed at this time.

TABLE—1. PROPOSED TMDL/WLAS/LAS FOR NICKEL IN THE HACKENSACK RIVER

Source	Existing load (lbs/day)	WLA/LA (lbs/day)
BCUA [NJ0020028] ..	11.3	1.2.2
North Bergen STP .....		
[NJ0034339] .....	0.28	<sup>2</sup> 0.38
Secaucus STP ..		
[NJ0025038] .....	0.04	<sup>3</sup> 0.06
CSOs .....	0.10	0.10
Storm Water .....	0.81	0.81
.....	ΣWLAs	3.55
Atmospheric .....	1.06	1.06
Boundary (Background) <sup>4</sup> .....	0.37	0.37
.....	TMDL	4.98

<sup>1</sup> The WLA of 2.2 lbs/day is established at an effluent concentration of 3.6 µg/L (total recoverable) and flow of 75 mgd; if the effluent flow is 109 mgd, the WLA is 3.3 lbs/day with an effluent concentration of 3.6 µg/L.

<sup>2</sup> Based on design flow of 10 mgd and mean effluent concentration of 4.6 µg/L (total recoverable).

<sup>3</sup> Based on design flow of 5.12 mgd and mean effluent concentration of 1.5 µg/L (total recoverable).

<sup>4</sup> Calculated at the boundary condition of the Hackensack River upstream at the Oradell Dam.

EPA is soliciting public comment on the proposed TMDL for nickel in the Hackensack River.

Dated: September 30, 1999.  
**William J. Muszynski, Acting**  
*Acting Regional Administrator, Region 2.*  
 [FR Doc. 99-28213 Filed 10-27-99; 8:45 am]  
 BILLING CODE 6560-50-P 4163-18-P

**FEDERAL COMMUNICATIONS COMMISSION**

**Public Information Collections Approved by Office of Management and Budget**

October 22, 1999.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418-1379.

**Federal Communications Commission**

*OMB Control No.:* 3060-0526.  
*Expiration Date:* 10/31/2002.  
*Title:* Density Pricing Zone Plans, Expanded Interconnection with Local Telephone Company Facilities—CC Docket No. 91-141.  
*Form No.:* N/A.  
*Respondents:* Business or other for-profit.  
*Estimated Annual Burden:* 13 respondents; 48 hours per response (avg.); 624 total annual burden hours for all collections.  
*Estimated Annual Reporting and Recordkeeping Cost Burden:* \$0.  
*Frequency of Response:* On occasion.  
*Description:* Pursuant to Section 203 of the Communications Act, LECs are required to tariff communications service offerings with the Commission. Sections 201 and 202 of the Act require that all tariffed charges, practices, classifications, and regulations be just and reasonable and not unjustly or unreasonably discriminatory. The Commission concluded that it will allow LECs additional special access pricing flexibility for services subject to competition in any study area in which expanded interconnection offerings are operational. If they choose, LECs may file density pricing plans establishing systems of pricing zones. Rates for special access services subject to competition will be averaged within zones, but will be allowed to diverge between zones over time subject to a price cap mechanism. LECs will be

permitted to lower the weighted average rate level in any zone by as much as 10 percent annually relative to the price cap index for the special access basket, or to raise the weighted average rate level in any zone by up to five percent annually relative to the price cap index for the special access basket, without triggering any of the additional cost justification or advance notice requirements contained in the price cap rules. Material supporting each LEC's density pricing plan is necessary to ensure that these plans generally reflect cost differences and foster fair competition. Absent the review of such information by the Commission, the LECs would have strong incentives to attempt to use this additional pricing flexibility in an anticompetitive manner. In the Switched Transport Expanded Interconnection Order, the Commission created a density zone pricing plan that allows some degree of deaveraging for switched transport services. The Commission concluded that relaxing the pricing rules in this manner would enable price cap LECs to respond to increased competition in the interstate switched transport market. For purposes of deaveraging services in the trunking basket, the Commission in the Fifth Report and Order issued in CC Docket No. 96-262, released August 27, 1999, eliminates the limitations inherent in its current density zone pricing plan and allow price cap LECs to define the scope and number of zones within a study area, provided that each zone, except the highest-cost zone, accounts for at least fifteen percent of the incumbent LEC's trunking basket revenues in the study area. In addition, the Commission eliminates the requirement that LECs file zone pricing plans prior to filing their tariffs. The density pricing plan information is used by the FCC staff to ensure that the tariff rates to be paid for special access services are just, reasonable, and nondiscriminatory, as Sections 201 and 202 of the Communications Act require. The filing of density pricing plans is necessary to allow review of the number of zones and how offices were assigned to the different zones. The information is used to determine if the carriers have complied with our order on zone density. Without this information, the FCC would be unable to determine whether the rates for these services are just, reasonable, nondiscriminatory, and otherwise in accordance with the law. The density pricing plans are to be filed whenever a LEC voluntarily elects to implement additional special access pricing flexibility. Obligation to comply: Required to obtain or retain benefits.

OMB Control No.: 3060-0760.

Expiration Date: 10/31/2002.

Title: Access Charge Reform—CC Docket No. 96-262, First Report and Order, Second Order on Reconsideration and Memorandum Opinion and Order, Third Report and Order, and Fifth Report and Order.

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 14 respondents; 4165 hours per response (avg.); 58,319 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$8,000.

Frequency of Response: On occasion.

Description: In the Fifth Report and Order (Order), CC Docket No. 96-262, Access Charge Reform, released August 27, 1999, the Commission is modifying the rules that govern the provision of interstate access services by those price cap LECs subject to price regulation to advance the pro-competitive, deregulatory national policies embodied in the Telecommunications Act of 1996. The pricing flexibility framework adopted in the Order is designed to grant greater flexibility to price cap LECs as competition develops, while ensuring that: (1) Price cap LECs do not use pricing flexibility to deter efficient entry or engage in exclusionary pricing behavior; and (2) price cap LECs do not increase rates to unreasonable levels for customers that lack competitive alternatives.

a. Showings under the Market-Based Approach: In the Fifth Report and Order, the Commission provides detailed rules for implementing the market-based approach, pursuant to which price cap LECs would receive pricing flexibility in the provision of interstate access services as competition for those services develops. The Order grants immediate pricing flexibility to price cap LECs in the form of streamlined introduction of new services, geographic deaveraging of rates for services in the trunking basket, and removal of certain interstate interexchange services from price cap regulation. The Order also provides for additional pricing flexibility, to be granted in two phases, that is contingent upon competitive showings. To obtain Phase I relief, price cap LECs must demonstrate that competitors have made irreversible, sunk investments in the facilities needed to provide the services at issue. For instance, for dedicated transport and special access services, price cap LECs must demonstrate that unaffiliated competitors have collocated in at least 15 percent of the LEC's wire centers within an MSA or collocated in

wire centers accounting for 30 percent of the LEC's revenues from these services within an MSA. Higher thresholds apply, however, for channel terminations between a LEC end office and an end user customer. In that case, the LEC must demonstrate that unaffiliated competitors have collocated in 50 percent of the price cap LEC's wire centers within an MSA or collocated in wire centers accounting for 65 percent of the price cap LEC's revenues from this service within an MSA. For traffic-sensitive, common line, and the traffic-sensitive components of tandem-switched transport services, a LEC must show that competitors offer service over their own facilities to 15 percent of the price cap LEC's customer locations within an MSA. Phase I relief permits price cap LECs to offer, on one day's notice, volume and term discounts and contract tariffs for these services, so long as the services provided pursuant to contract are removed from price caps. To obtain Phase II relief, price cap LECs must demonstrate that competitors have established a significant market presence (i.e., that competition for a particular service within the MSA is sufficient to preclude the incumbent from exploiting any individual market power over a sustained period) for provision of the services at issue. Phase II relief for dedicated transport and special access services is warranted when a price cap LEC demonstrates that unaffiliated competitors have collocated in at least 50 percent of the LEC's wire centers within an MSA or collocated in wire centers accounting for 65 percent of the LEC's revenues from these services within an MSA. Again a higher threshold applies to channel terminations between a LEC end office and an end user customer. In that case, a price cap LEC must show that unaffiliated competitors have collocated in 65 percent of the LEC's wire centers within an MSA or collocated in wire centers accounting for 85 percent of the LEC's revenues from this service within an MSA. Phase II relief permits price cap LECs to file tariffs for these services on one day's notice, free from both our Part 61 rate level and our Part 69 rate structure rules. See also 47 CFR Sections 1.774, 69.707, 69.709, 69.711, 69.713, 69.725, 69.727, 69.729. (No. of respondents: 13; hours per response: 2117; total annual burden: 27,520 hours).

b. Cost Study of Interstate Access Service That Remain Subject to Price Cap Regulation: The 1996 Act has created an unprecedented opportunity for competition to develop in local telephone markets. The Commission

recognizes, however, that competition is unlikely to develop at the same rate in different locations, and that some services will be subject to increasing competition more rapidly than others. The Commission also recognizes, however, that there will be areas and services for which competition may not develop. The Commission will adopt a prescriptive "backdrop" to our market-based approach that will serve to ensure that all interstate access customers receive the benefits of more efficient prices, even in those places and for those services where competition does not develop quickly. To implement our backstop to market-based access charge reform, we require each incumbent price cap LEC to file a cost study no later than February 8, 2001, demonstrating the cost of providing those interstate access services that remain subject to price cap regulation because they do not face substantial competition. (No. of respondents: 13; hours per response: 8; total annual burden 104 hours).

c. Tariff Filings: In the First Report and Order, the Commission requires the filing of various tariffs, with modifications. For example, the FCC directs incumbent LECs to establish separate rate elements for the multiplexing equipment on each side of the tandem switch. LECs must establish a flat-rated charge for the multiplexers on the SWC side of the tandem, imposed pro-rata on the purchasers of the dedicated trunks on the SWC side of the tandem. Multiplexing equipment on the EO-to-tandem transport on a per-minute of use basis. These multiplexer rate elements must be included in the LEC access tariff filings to be effective January 1, 1998. In the Second Order on Reconsideration, the FCC clarifies that the TIC exemption for access customers using competitive transport providers only applies to that portion of the residual per-minute TIC that is related to transport facilities, and directs incumbent local exchange carriers to include, in their access tariff filing, the amount of per-minute transport interconnection charge (TIC) they anticipate will be allocated to facilities-based rate elements in the future. (No. of respondents: 13; hours per response 35 hours; total annual burden: 455 hours).

d. Third-Party Disclosure: In the Second Order on Reconsideration, the Commission requires LEC to provide IXC's with customer-specific information about how many and what type of presubscribed interexchange carrier charges (PICCs) they are assessing for each of the IXC's presubscribed customers. One of the primary goals of

our First Report and Order was to develop a cost-recovery mechanism that permits carriers to recover their costs in a manner that reflects the way in which those costs are incurred. Without access to information that indicates whether the LEC is assessing a primary or non-primary residential PICC, or about how many local business lines are presubscribed to a particular IXC, the IXC will be unable to develop rates that accurately reflect the underlying costs. (No. of respondents: 14; hours per response: 35 hours; total annual burden 455 hours).

e. Contract-based Tariff Filings: Price cap LECs who have made a Phase I showing may now offer contract-based tariffs. Contract-based tariffs enable price cap LECs to tailor services to their customers' individual needs, but also prevent targeting by requiring that price cap LECs make contract tariffs available to all similarly situated customers. See 47 CFR Sections 61.55 and 69.727. (No. of respondents: 13; hours per response: 3 hours; total annual burden: 780 hours).

In the Further Notice of Proposed Rulemaking issued in CC Docket No. 96-262, released August 27, 1999, the Commission seeks comment on whether to permit incumbent LECs to deaverage common line and traffic sensitive access elements without a competitive showing. To the extent that parties advocate conditioning deaveraging upon satisfaction of a competitive showing, the Commission seeks comment on the appropriate showing and the procedure by which evidence be presented and evaluated.

f. Proposed Deaveraging of Common Line and Traffic Sensitive Access Elements: Deaveraging common line and traffic sensitive access elements would require at least one additional tariff filing and may require an additional competitive showing. (No. of respondents: 13; hours per response: 109 hours; total annual burden: 1420 hours).

g. Proposed Common line and Traffic Sensitive Phase II Showings: Incumbent LECs seeking pricing flexibility for switched services may be required to file a petition demonstrating that it has met the triggers, and make an initial tariff filing. (No. of respondents: 13; hours per response: 1984 hours; total annual burden: 25,800).

The Commission's authority to collect this information is provided under 47 U.S.C 201-205 and 303(r). The information to be collected would be submitted to the FCC by incumbent LECs for use in determining whether the incumbent LECs should receive the regulatory relief proposed in the Orders.

The information collected under the Second Order on Reconsideration and Memorandum Opinion and Order would be submitted by the LECs to the interexchange carriers (IXCs) for use in developing the most cost-efficient rates and rate structures. Obligation to comply: Mandatory.

*OMB Control No.:* 3060-0770.

*Expiration Date:* 10/31/2002.

*Title:* Price Cap Performance Review for Local Exchange Carriers—CC Docket No. 94-1 (New Services).

*Form No.:* N/A.

*Respondents:* Business or other for-profit.

*Estimated Annual Burden:* 13 respondents; 10 hours per response (avg.); 130 total annual burden hours for all collections.

*Estimated Annual Reporting and Recordkeeping Cost Burden:* \$0.

*Frequency of Response:* On occasion.

*Description:* In the Fifth Report and Order, issued in CC Docket Nos. 96-262 and 94-1, released August 27, 1999, the Commission permits price cap LECs to introduce new services on a streamlined basis, without prior approval. The Commission modified the rules to eliminate the public interest showing required by Section 69.4(g) and to eliminate the new services test (except in the case of loop-based new services) required under Sections 61.49(f) and (g). These modifications will eliminate the delays that now exist for the introduction of new services as well as encourage efficient investment and innovation. The Commission's authority to collect this information is provided under 47 U.S.C. Section 203. The information collected would be submitted to the Commission by an incumbent LEC for use in determining whether it is in the public interest for the incumbent LEC to offer a proposed new switched access service. Obligation to comply: Required to obtain or retain benefits.

*OMB Control No.:* 3060-0907.

*Expiration Date:* 04/30/2002.

*Title:* Universal Service Amendment Worksheets.

*Form No.:* FCC Form 457(M) and FCC Form 499-S(M).

*Respondents:* Business or other for-profit.

*Estimated Annual Burden:* 100 respondents; 2 hours per response (avg.); 200 total annual burden hours for all collections.

*Estimated Annual Reporting and Recordkeeping Cost Burden:* \$0.

*Frequency of Response:* One-time requirement.

*Description:* On May 8, 1997, the Commission issued the Universal

Service Order, implementing the universal service provisions in Section 254 of the Communications Act of 1934, as amended and setting forth a plan to fulfill the universal service goals established by Congress. In the Universal Service Order, the Commission announced its plan for establishing a system of universal service support for rural, insular, and high cost areas that will replace the existing high-cost support mechanisms and implicit federal subsidies with explicit, competitively-neutral federal universal service support mechanisms. Pursuant to the Act, the Commission also adopted rules to ensure that quality services are available to low-income consumers at affordable rates. In addition, the Commission adopted rules creating new support mechanisms to promote universal service for eligible schools and libraries, and rural health care providers, as mandated by Congress in the Act. Finally, the Commission modified its existing funding methods, so that funding for the support mechanisms is not generated exclusively through charges on long distance carriers. Instead, as the statute requires, the new universal service rules require equitable and nondiscriminatory contributions from all telecommunications carriers that provide interstate telecommunications services, as well as other providers of interstate telecommunications to the extent that the Commission determines that their contributions would serve the public interest. On July 30, 1999, a three-judge panel of the United States Court of Appeals for the Fifth Circuit issued a decision affirming in part, remanding in part, and reversing in part the Commission's May 8, 1997 Universal Service Order. Several of the court's rulings in that decision affect the assessment and recovery of universal service contributions. In light of the court's ruling, the Commission amends sections 54.706 and 54.709 of its rules in the Universal Service Remand Order, released October 8, 1999, to provide for a single contribution base for purposes of funding all of the universal service support mechanisms. Specifically, in response to the court's determination that the Commission lacks jurisdiction to assess providers' intrastate revenues, we have eliminated intrastate revenues from the contribution base. Consistent with the court's ruling, we also reconsider the basis for assessing the international revenues of interstate providers. The Commission is requiring each contributor that qualifies for the international revenues exception adopted in the Universal Service

Remand Order to file an amendment to its March 1999 and September 1999 worksheets, identifying the amount and percentages of the contributor's interstate and international revenues. This information is to be filed on FCC Form 457(M) and/or FCC Form 499-S(M). Amendment to March 1999 Universal Service Worksheet, FCC Form 457(M) and Amendment to September 1999 Telecommunications Reporting Worksheet, FCC Form 499-S(M) simply require contributors to identify the amounts and percentages of their interstate and international revenues and will only apply to the revenue data provided on the March 1999 and September 1999 Worksheet.

Contributors that qualify for the international revenues exception must file the amendment forms with USAC by December 1, 1999. Copies of the forms may be downloaded from the Commission's forms Web page, [www.fcc.gov/formpage.html](http://www.fcc.gov/formpage.html). The form is also available through the FCC Fax-on-Demand system. Copies may be order via fax 24 hours a day by calling 202-418-0177 from the handset of any fax machine. The document retrieval number for the FCC Form 475(M) is 0004571; the document retrieval number for the FCC Form 499-S(M) is 0004993. The files contain both the instructions and the forms. Follow the system voice prompts and enter the document retrieval number when requested. Due to the limited number of phone lines into the forms Fax-on-Demand system, callers may wish to call during non-business hours. If you have difficulty with the transmission of your fax contact Patricia Quarley at 202-418-0212. Finally, copies may be obtained from the USAC at (973) 560-4400. Obligation to comply: Mandatory.

Public reporting burden for the collections of information is as noted above. Send comments regarding the burden estimate or any other aspect of the collections of information, including suggestions for reducing the burden to Performance Evaluation and Records Management, Washington, DC 20554.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 99-28204 Filed 10-27-99; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) being Submitted to OMB for Review and Approval

October 12, 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 November 29, 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-A804, 445 12th Street, SW, Washington, DC 20554 or via the Internet to [lesmith@fcc.gov](mailto: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](mailto:lesmith@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0900.

*Title:* Second Report and Order in CC Docket 94-102, Compatibility of Wireless Services with Enhanced 911.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities; Individuals or

households; Not-for-profit institutions; State, Local, or Tribal Government.

*Number of Respondents:* 100.

*Estimate Time Per Response:* 1 to 20 hours.

*Frequency of Response:* On occasion reporting requirements.

*Total Annual Burden:* 2,190 hours.

*Total Annual Costs:* None.

*Needs and Uses:* This document creates rules that will improve the ability of cellular phone users to complete wireless 911 calls. The action is taken to improve the security and safety of analog cellular users, especially in rural and suburban areas. The primary goal of this action is to ensure that reliable, effective 911 and Enhanced E911 service is available to wireless users by approving three mechanisms any of which will result in more wireless 911 calls being completed than occurs today.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 99-28205 Filed 10-27-99; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL HOUSING FINANCE BOARD

[No. 99-N-15]

### Submission for OMB Review; Comment Request

**AGENCY:** Federal Housing Finance Board.

**ACTION:** Notice.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995, the Federal Housing Finance Board (Finance Board) hereby gives notice that it has submitted the information collection entitled "Affordable Housing Program" to the Office of Management and Budget (OMB) for review and approval of a three-year extension of the OMB control number, which is due to expire on December 31, 1999.

**DATES:** Interested persons may submit comments on or before November 29, 1999.

**ADDRESSES:** Submit comments to the Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for the Federal Housing Finance Board, Washington, DC 20503. Address requests for copies of the information collection and supporting documentation to Elaine L. Baker, Secretary to the Board, by telephone at 202/408-2837, by electronic mail at [bakere@fhfb.gov](mailto:bakere@fhfb.gov), or by regular mail at the Federal Housing Finance Board,