

Cost Recovery Settlements

Based in part on the allocation process completed by STAG, U.S. EPA has determined that the settlements identified above are appropriate to resolve any cost recovery claims of U.S. EPA in connection with the Stickney and Tyler Sites. The settlements proposed in this Notice are with parties who did not join the administrative consent order between U.S. EPA and STAG to perform the response actions at these sites. Specifically, after the administrative consent order with STAG, U.S. EPA identified ten non-settling PRPs who, based on the allocation, had significant liability for the Agency's response costs; U.S. EPA subsequently negotiated cost recovery agreements with nine of these entities, who are identified above (the only remaining PRP is First Medical Group). The agreement reached with the PRPs other than SafetyKleen was based on the allocation of responsibility prepared by the third-party neutral for STAG, as well as information provided during settlement negotiations regarding the level of responsibility attributable to each PRP.

The agreement with SafetyKleen was based on that company's responsibility for its predecessor's disposal activities at the XXKem Site. SafetyKleen's predecessor-in-interest, Inland Chemical Company, was responsible for the disposal of toxic chemicals at the central portion of the XXKem Site, which was capped by STAG as part of the Stickney action. The capped area at XXKem consists of approximately 5.5 acres, while the total capped area covering the Stickney and XXKem Sites is equal to approximately 50 acres. Therefore, the capped area at XXKem represents 11 percent (11%) of the total capped area covering the Stickney and XXKem Sites. This percentage was applied to the United States' unrecovered past costs for the Stickney Site. The resulting calculation of the costs associated with the investigation and capping of the XXKem portion were \$53,232. U.S. EPA applied a 15 percent premium to this amount because SafetyKleen had not joined STAG in implementing the remedy for the Stickney Site; this premium yielded \$61,217, which was rounded down to \$60,000 for purposes of settlement.

U.S. EPA has determined that the cost recovery agreements negotiated with these nine entities are appropriate. In addition, the United States Department of Justice reviewed these agreements and gave its concurrence on December 9, 2002.

ADDRESSES: The proposed settlement is available for public inspection at the following locations:

Toledo Public Library, Main Branch, Science & Technology Dept., 325 Michigan St., Toledo, OH.
Toledo Public Library, West Toledo Branch, 1320 Sylvania Ave., Toledo, OH.
Toledo Public Library, Point Place Branch, 2744 110th St., Toledo, OH.
Records Center, U.S. EPA, Region 5, 7th Floor, 77 W. Jackson Blvd., Chicago, IL.

Comments should reference the Stickney Avenue Landfill, 3900 Stickney Avenue, City of Toledo, Lucas County, Ohio, and/or the Tyler Street Dump, City of Toledo, Lucas County, Ohio and EPA Docket No. V-W-03-C-723 or V-W-03-C-724, and should be addressed to James Cha, Associate Regional Counsel, 77 West Jackson Blvd., Mail Code C-14J, Chicago, Illinois 60604. Copies of the proposed settlements may be obtained from Deloris Johnson, Paralegal, Office of Regional Counsel, 77 West Jackson Blvd., Mail Code C-14J, Chicago, Illinois 60604, (312) 886-6806.

FOR FURTHER INFORMATION CONTACT:

James Cha, Associate Regional Counsel, 77 West Jackson Blvd., Mail Code C-14J, Chicago, Illinois 60604, (312) 886-0813.

Dated: January 24, 2003.

William Munro,

Director, Superfund Division.

[FR Doc. 03-3413 Filed 2-10-03; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2593]

Petitions for Reconsideration of Action in Rulemaking Proceedings

February 3, 2003.

Petitions for Reconsideration have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Qualex International (202) 863-2893. Oppositions to these petitions must be filed by February 27, 2003. 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:

Federal-State Joint Board on Universal Service (CC Docket No. 96-45)
1998 Biennial Regulatory Review—Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Service, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms (CC Docket No. 98-171)
Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990 (CC Docket No. 90-571)
Administration of the North American Numbering Plan and North American Numbering Plan Cost Recovery Contribution Plan Cost Recovery Contribution Factor and Fund Size (CC Docket No. 92-237, NSD File No. L-00-72)
Number Resource Optimization (CC Docket No. 99-200)
Telephone Number Portability (CC Docket No. 95-116)
Truth-in-Billing and Billing Format (CC Docket No. 98-170)
Number of Petitions Filed: 8.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-3313 Filed 2-10-03; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL COMMUNICATIONS COMMISSION

[DA-03-46]

Freeze on the Filing of TV and DTV "Maximization" Applications in Channels 60-69

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces an immediate freeze on the filing of "maximization" applications, as defined further, by analog and digital television broadcast stations in the 746-806 MHz spectrum band, currently comprising television channels 60-69. Imposition of an immediate freeze will ensure that new maximization applications are not filed in this band in anticipation of future limitations, thus defeating the administrative purpose of the freeze.

ADDRESSES: 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Kim Matthews, Policy Division, Media Bureau, Federal Communications Commission, (202) 418-2120.

SUPPLEMENTARY INFORMATION: This is a summary of the Media Bureau's Public Notice ("PN"), DA 03-46, adopted and released January 24, 2003. The complete text of this *NPRM* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW., Washington, DC and may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street SW., Room CY-B-402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail: qualexint@aol.com.

Synopsis of Public Notice

1. Beginning immediately, and until further notice, the Commission will not accept for filing modification applications that would increase a television broadcast station's analog or DTV service area in the 746-806 MHz spectrum band, currently comprising television channels 60-69, in one or more directions beyond the combined area resulting from the station's parameters as defined in the following: (1) The DTV Table of Allotments; (2) Commission authorizations (license and/or construction permit); and (3) applications on file with the Commission prior to release of this Public Notice. Since July 7, 1998, the Commission has not accepted requests for modifications for analog stations on channels 60-69 that would result in an overall increase in the service area of the station. The policy we announce herein does not alter this existing policy. The Commission will continue to process applications on file as of the date this Public Notice is released. The Commission may consider, on a case by case basis and consistent with the public interest, amendments to those applications, for example, to resolve interference with other stations or pending applications or resolve mutual exclusivity with other pending applications.

2. The Commission has reallocated and is in the process of recovering channels 60-69 in order to provide spectrum for use by other services, particularly public safety and other land mobile services, and is in the process of considering other issues relating to DTV service maximization as part of its periodic reviews of the digital television conversion process. Portions of these channels have already been licensed to Guard Band and Public Safety entities. Prohibiting the filing of new maximization applications in this band will protect these newly licensed entities from shifts or expansion in existing broadcast service, and will facilitate the eventual clearing of this

spectrum and the auction of the commercial portions of the spectrum. Imposition of an immediate freeze will ensure that new maximization applications are not filed in this band in anticipation of future limitations, thus defeating the administrative purpose of the action herein.

3. Consistent with existing policy, the Bureau will consider, on a case-by-case basis, requests for waiver of this freeze where the modification application: (1) Would permit co-location of transmitter sites in a market in circumstances consistent with the Commission's policy of encouraging co-location to reduce the cost of construction, particularly of DTV facilities, or to achieve more efficient spectrum use; or (2) is necessary or otherwise in the public interest for technical or other reasons to maintain quality service to the public, such as where zoning restrictions preclude tower construction at a particular site or where unforeseen events, such as extreme weather events or other extraordinary circumstances, require relocation to a new tower site. As with any request for waiver of our rules, a request for waiver of the freeze imposed in this Notice will be granted only upon a showing of good cause and where grant of the waiver will serve the public interest.

4. The decision to impose this freeze is procedural in nature and therefore the freeze is not subject to the notice and comment and effective date requirements of the Administrative Procedure Act. *See* 5 U.S.C. 553(b)(A), (d); *Kessler v. FCC*, 326 F. 2d 673 (D.C. Cir. 1963). Moreover, there is good cause for the Commission's not using notice and comment procedures in this case, or making the freeze effective 30 days after publication in the **Federal Register**, because to do so would be impractical, unnecessary, and contrary to the public interest because compliance would undercut the purposes of the freeze. *See* 5 U.S.C. 553(b)(B), (d)(3).

5. This action is taken by the Chief, Media Bureau pursuant to authority delegated by § 0.283 of the Commission's rules.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 03-3312 Filed 2-10-03; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting; Sunshine Act

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10 a.m. on Tuesday, February 11, 2003, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, pursuant to sections 552b(c)(2) and (c)(9)(B) of Title 5, United States Code, to consider matters relating to the Corporation's corporate activities.

The meeting will be held in the Board room on the sixth floor of the FDIC Building located at 550 17th Street, NW., Washington, DC.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at (202) 898-3742.

Dated: February 7, 2003.

Federal Deposit Insurance Corporation.

Robert E. Feldman,
Executive Secretary.

[FR Doc. 03-3518 Filed 2-7-03; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed revised collection of information. In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), this notice seeks comments concerning the information collection outlined in 44 CFR Part 61, as it pertains to application for National Flood Insurance Program (NFIP) insurance.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP) is authorized by Pub. L. 90-448 (1968) and expanded by Pub. L. 93-234 (1973). The National Flood Insurance Act of 1968 requires that the Federal Emergency Management Agency (FEMA) provide flood insurance at full actuarial rates reflecting the complete flood risk to structures built or