

**SUPPLEMENTARY INFORMATION:** For additional information, please see the immediate final rule published in the "Rules and Regulations" section of this **Federal Register**.

Dated: March 17, 2003.

**Nat Scurry,**

*Acting Regional Administrator, Region 7.*

[FR Doc. 03-8836 Filed 4-9-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[FRL-7480-5]

#### Utah: Final Authorization of State Hazardous Waste Management Program Revision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to grant Final authorization to the hazardous waste program changes submitted by Utah. In the "Rules" section of this **Federal Register**, we are authorizing the State's program changes as an immediate final rule without a prior proposed rule because we believe this action is not controversial. Unless we receive written comments opposing this authorization during the comment period, the immediate final rule will become effective and the Agency will not take further action on this proposal. If we receive comments that oppose this action, we will publish a document in the **Federal Register** withdrawing this rule before it takes effect. EPA will address public comments in a later final rule based on this proposal. EPA may not provide further opportunity for comment. Any parties interested in commenting on this action must do so at this time.

**DATES:** We must receive your comments by May 12, 2003.

**ADDRESSES:** Send written comments to Kris Shurr, 8P-HW, U.S. EPA, Region VIII, 999 18th St, Suite 300, Denver, Colorado 80202-2466, phone number: (303) 312-6139. You can view and copy Utah's application at the following addresses: Utah Department of Environmental Quality (UDEQ), from 8 a.m. to 5 p.m., 288 North 1460 West, Salt Lake City, Utah 84114-4880, contact: Susan Toronto, phone number: (801) 538-6776, and EPA Region VIII, from 8 a.m. to 3 p.m., 999 18th Street, Suite 300, Denver, Colorado 80202-2466, contact: Kris Shurr, phone number: (303) 312-6139.

**FOR FURTHER INFORMATION CONTACT:** Kris Shurr, EPA Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, phone number: (303) 312-6139.

**SUPPLEMENTARY INFORMATION:** For additional information, please see the immediate final rule published in the "Rules" section of this **Federal Register**.

Dated: March 25, 2003.

**Robert E. Roberts,**

*Regional Administrator, Region VIII.*

[FR Doc. 03-8834 Filed 4-9-03; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[MD Docket No. 03-83; FCC 03-64]

#### Assessment and Collection of Regulatory Fees for Fiscal Year 2003

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission is proposing to revise its Schedule of Regulatory Fees in order to recover the amount of regulatory fees that Congress has required it to collect for fiscal year 2003. Section 9 of the Communications Act of 1934, as amended, provides for the annual assessment and collection of regulatory fees under sections 9(b)(2) and (b)(3), respectively, for annual "Mandatory Adjustments" and "Permitted Amendments" to the Schedule of Regulatory Fees.

**DATES:** Comments are due on or before April 25, 2003, and reply comments are due on or before May 5, 2003.

**FOR FURTHER INFORMATION CONTACT:** Roland Helvajian, Office of Managing Director at (202) 418-0444 or Rob Fream, Office of Managing Director at (202) 418-0408.

**SUPPLEMENTARY INFORMATION:**

Adopted: March 24, 2003.

Released: March 26, 2003.

By the Commission:

#### Table of Contents

- I. Introduction
- II. Discussion
  - A. Development of FY 2003 Fees
    - i. Calculation of Revenue Requirements
    - ii. Further Adjustments to Payment Units
    - iii. Request for Comment on Possible Service Reclassification
    - iv. Adjustment of Fee Waiver Policies
    - v. Procedural Changes
    - vi. Future Streamlining of the Regulatory Fee Assessment and Collection Process
  - B. Procedures for Payment of Regulatory Fees
    - i. De minimis Fee Payment Liability

- ii. Standard Fee Calculations and Payment Dates
- C. Enforcement
- III. Procedural Matters
  - A. Comment Period and Procedures
  - B. *Ex Parte* Rules
  - C. Initial Regulatory Flexibility Analysis
  - D. Authority and Further Information
- Attachment A—Initial Regulatory Flexibility Analysis
- Attachment B—Sources of Payment Unit Estimates for FY 2003
- Attachment C—Calculation of Revenue Requirements and Pro-Rata Fees
- Attachment D—FY 2003 Schedule of Regulatory Fees
- Attachment E—Factors, Measurements, and Calculations that Determine Station Contours and Population Coverages

### I. Introduction

1. In this *Notice of Proposed Rulemaking*, the Commission proposes to collect \$269,000,000 in regulatory fees for Fiscal Year (FY) 2003. These fees are mandated by Congress and are collected to recover the regulatory costs associated with the Commission's enforcement, policy and rulemaking, user information, and international activities.<sup>1</sup>

### II. Discussion

#### A. Development of FY 2003 Fees

##### i. Calculation of Revenue and Fee Requirements

2. Each fiscal year, the Commission proportionally allocates the total amount that must be collected via regulatory fees (Attachment C).<sup>2</sup> For FY 2003, this allocation was done using FY 2002 revenues as a base. From this base, a revenue amount for each fee category was calculated. Each fee category was then adjusted upward by 23 percent to reflect the increase in regulatory fees from FY 2002 to FY 2003. These FY 2003 amounts were then divided by the number of payment units in each fee category to determine the unit fee.<sup>3</sup> In

<sup>1</sup> 47 U.S.C. 159(a).

<sup>2</sup> The costs assigned to each service category are based upon the regulatory activities (enforcement, policy and rulemaking, user information, and international activities) undertaken by the Commission on behalf of units in each service category. It is important to note that the required increase in regulatory fee payments of approximately 23 percent in FY 2003 is reflected in the revenue that is expected to be collected from each service category. Because this expected revenue is adjusted each year by the number of units in a service category, the actual fee itself is sometimes increased by a number other than 23 percent. For example, in industries where the number of units is declining and the expected revenue is increasing, the impact on the fee increase may be greater.

<sup>3</sup> In most instances, the fee amount is a flat fee per licensee or regulatee. However, in some instances the fee amount represents a unit subscriber fee (such as for Cable, Commercial

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