

and not to orders, exempting by definition permits.

#### X. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104-4, establishes requirements for Federal agencies to assess the effects of their "regulatory actions" to refer to regulations. (See, e.g., UMRA section 401, "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).") UMRA section 102 defines "regulation" by reference to 2 U.S.C. 658 which in turn defines "regulation" and "rule" by reference to section 601(2) of the RFA. That section of the RFA defines "rule" as "any rule for which the agency publishes a notice of proposed rule making pursuant to section 553(b) of the APA, or any other law."

As discussed in the RFA section of this notice, NPDES general permits are not "rules" by definition under the APA and thus not subject to the APA requirement to publish a notice of proposed rule making. 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. Therefore, NPDES general permits are not "rules" for RFA or UMRA purposes.

#### XI. 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 (NPDES Discharge Monitoring Reports (DMRs)).

Since this permit is very similar in reporting and application requirements and in discharges which are required to be monitored as the previous Eastern Gulf of Mexico OCS general permit (GMG280000) the paperwork burdens are expected to be nearly identical. When it issued the previous OCS general permit, EPA estimated it would take an affected facility three hours to prepare the request for coverage and 38 hours per year to prepare DMRs. It is estimated that the time required to prepare the request for coverage and

DMRs for the reissued permit will be approximately the same.

**James S. Kutzman,**

*Acting Director, Water Management Division.*

[FR Doc. 04-376 Filed 1-9-04; 8:45 am]

**BILLING CODE 6560-50-P**

#### FEDERAL COMMUNICATIONS COMMISSION

[CCB/CPD 98-2; DA 03-4054]

##### Definition of Payphone Customer; Tariff Notice Requirements for Non-Dominant Carriers; NYNEX Waiver of Access Charges; Application of Presubscribed Interexchange Carrier Charge to Discontinued Customers

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; termination of proceedings.

**SUMMARY:** This document is a notification of final termination of four proceedings, involving the definition of a payphone customer, tariff notice requirements for non-dominant carriers, NYNEX's application for a waiver of access charges, and the application of presubscribed interexchange carrier charges to discontinued customers. No oppositions to the prior notices of termination were received; therefore, interested parties are hereby notified that these proceedings have been terminated.

**DATES:** These proceedings were terminated effective December 5, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jennifer McKee, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1530.

**SUPPLEMENTARY INFORMATION:** On October 24, 2003, the Wireline Competition Bureau's Pricing Policy Division issued Public Notices in four proceedings stating that the proceedings would be terminated effective 30 days after publication of the Public Notices in the **Federal Register**, unless the Bureau received oppositions to the terminations before that date. These proceedings were Atlantic Telco, Inc. and Tel & Tel Payphones, Inc. Request for Declaratory Ruling (regarding the definition of a payphone customer); Teleport Communications Group Operating Companies Tariff F.C.C. No. 1 Transmittal No. 1, *et al.* (regarding tariff notice requirements for non-dominant carriers); NYNEX Telephone Companies Petition for Waiver; Transition Plan to Preserve Universal Service in a Competitive Environment (regarding NYNEX's application for a waiver of

access charges); and Sprint Corporation Request for Declaratory Ruling Regarding Application of PICCs (regarding the application of presubscribed interexchange carrier charges to discontinued customers). The notices were published in the **Federal Register** on November 5, 2003. See 68 FR 62593, November 5, 2003; 68 FR 62592, November 5, 2003; 68 FR 62594, November 5, 2003. The Bureau did not receive any oppositions to the terminations of these proceedings within 30 days of **Federal Register** publication of the notices; therefore, the above-listed proceedings were terminated as of December 5, 2003.

**Authority:** 47 U.S.C. 152, 153, 154, 155, 303, 307, 308, 309, 315, 317; 44 FR 18501, 67 FR 13223, 47 CFR 0.291, 1.749.

Federal Communications Commission.

**William F. Maher, Jr.,**

*Chief, Wireline Competition Bureau.*

[FR Doc. 04-480 Filed 1-9-04; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL ELECTION COMMISSION

##### Sunshine Act Notices

**AGENCY:** Federal Election Commission.

**DATE & TIME:** Thursday, January 15, 2004 at 10 A.M.

**PLACE:** 999 E Street, NW., Washington, DC (Ninth Floor).

**STATUS:** This meeting will be open to the public.

**ITEMS TO BE DISCUSSED:** Correction and Approval of Minutes. Discussion of Regulations Priorities for 2004. Routine Administrative Matters.

**FOR FURTHER INFORMATION CONTACT:** Robert Biersack, Deputy Press Officer, Telephone: (202) 694-1220.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. 04-659 Filed 1-8-04; 11:26 am]

**BILLING CODE 6715-01-M**

#### FEDERAL HOUSING FINANCE BOARD

##### Sunshine Act Meeting Notice; Announcing a Closed Meeting of the Board of Directors

**TIME AND DATE:** The meeting of the Board of Directors is scheduled to begin at approximately 11 a.m. on Wednesday, January 14, 2004. It will follow immediately the previously announced open meeting of the Board of Directors. See 69 FR 1289 (January 8, 2004).