

matter other than rule making but including licensing” APA section 551(6). The APA defines “license” to “include \* \* \* an agency permit \* \* \*” APA section 551(8). The APA thus categorizes a permit as an order, which by the APA’s definition is not a rule. Section 553 of the APA establishes “rule making” requirements. The APA defines “rule making” as “the agency process for formulating, amending, or repealing a rule” APA section 551(5). By its terms, then, section 553 applies only to “rules” and not also to “orders,” which include permits.

#### F. 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” on State, local, and tribal governments and the private sector. UMRA uses the term “regulatory actions” to refer to regulations. (See, e.g., UMRA section 201, “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 Regulatory Flexibility Act (RFA). That section of the RFA defines “rule” as “any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of the Administrative Procedure Act (APA)[we only need parentheses around APA], or any other law \* \* \*.”

As discussed in the RFA section of this notice, NPDES general permits are not “rules” 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.” Thus, NPDES general permits are not “rules” for RFA or UMRA purposes.

#### G. Paperwork Reduction Act

The information collection required by this permit has been approved by Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, in submissions made for the NPDES permit program and assigned OMB control numbers 2040–0086 (NPDES permit application) and

2040–0004 (discharge monitoring reports).

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: September 15, 2004.

**Alexis Strauss,**

*Director, Water Division, EPA Region 9.*

[FR Doc. 04–21286 Filed 9–21–04; 8:45 am]

**BILLING CODE 6560–50–P**

### FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

#### Notice of Meetings for 2005

**Board Action:** Pursuant to 31 U.S.C. 3511(d), the Federal Advisory Committee Act (Pub. L. No. 92–463), as amended, and the FASAB Rules of Procedure, as amended in April, 2004, notice is hereby given that the Federal Accounting Standards Advisory Board (FASAB) will meet on the following dates in room 7C13 of the U.S. Government Accountability Office (GAO) Building (441 G Street NW) unless otherwise noted:

- Wednesday and Thursday, March 2 and 3, 2005
- Wednesday and Thursday, May 4 and 5, 2005
- Wednesday and Thursday, June 22 and 23, 2005
- Wednesday and Thursday, August 17 and 18, 2005
- Wednesday and Thursday, October 5 and 6, 2005
- Wednesday and Thursday, December 7 and 8, 2005

The purposes of the meetings are to discuss issues related to:

- FASAB’s conceptual framework,
- Stewardship Reporting,
- Social Insurance,
- Natural Resources,
- Inter-entity Costs,
- Fiduciary Activities,
- Technical Agenda, and
- Any other topics as needed.

A more detailed agenda can be obtained from the FASAB Web site (<http://www.fasab.gov>) one week prior to each meeting.

Any interested person may attend the meetings as an observer. Board discussion and reviews are open to the public. GAO Building security requires advance notice of your attendance. Please notify FASAB of your planned attendance by calling 202–512–7350 at least one day prior to the respective meeting.

#### FOR FURTHER INFORMATION CONTACT:

Wendy M. Comes, Executive Director, 441 G St., NW., Mail Stop 6K17V, Washington, DC 20548, or call (202) 512–7350.

**Authority:** Federal Advisory Committee Act, Pub. L. 92–463.

Dated: September 17, 2004.

**Charles Jackson,**

*Federal Register Liaison Officer.*

[FR Doc. 04–21251 Filed 9–21–04; 8:45 am]

**BILLING CODE 1610–01–M**

### FEDERAL COMMUNICATIONS COMMISSION

#### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

September 14, 2004.

**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 (PRA) of 1995, Public Law No. 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 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 Paperwork Reduction Act (PRA) comments should be submitted on or before November 22, 2004. 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 Paperwork Reduction Act (PRA) comments to Les Smith, Federal Communications Commission, Room 1–A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Les

Smith at (202) 418-0217 or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0057.  
*Title:* Application for Equipment Authorization, 47 CFR Sections 2.911, 2.913, 2.925, 2.926, 2.929, 2.932, 2.944, 2.960, 2.1033(a), and 2.1043.

*Form Number:* FCC 731.  
*Type of Review:* Revision of currently approved collection.

*Respondents:* Business or other for profit entities.

*Estimated Number of Respondents:* 5,619.

*Estimated Time per Response:* 18 to 30 hours (average 24 hours).

*Frequency of Response:* Recordkeeping; On occasion reporting requirements.

*Total Annual Burden:* 134,856 hours.  
*Total Annual Costs:* \$1,124,000.

*Privacy Act Impact Assessment:* N.A.  
*Needs and Uses:* On July 8, 2004, the Commission adopted a *Report and Order*, Modification of Parts 2 and 15 of the Commission's Rules for Unlicensed Devices and Equipment Approval, ET Docket No. 03-201, FCC 04-165. The change requires that all paper filings required in 47 CFR Sections 2.913(c), 2.926(c), 2.929(c), and 2.929(d) of the rules are outdated and now must be filed electronically via the Internet on FCC Form 731. The Commission believes that electronic filing speeds up application processing and supports the Commission in further streamlining to reduce cost and increase efficiency. Information on the procedures for electronically filing equipment authorization applications can be obtained from the Commission's rules, and from the Internet at: <https://gulfoss2.fcc.gov/prod/oet/cf/eas/index.cfm>.

Designated Telecommunications Certification Body (TCB). The number of responses and the response time is not expected to change, since the basic authorization process will not change. Respondents are only being required to file the same information electronically.

*OMB Control Number:* 3060-0934.  
*Title:* Application for Equipment Authorization, 47 CFR Sections 2.913, 2.925, 2.926, 2.929, 2.932, 2.944, 2.960, 2.962, 2.1043, 68.160 and 68.162.

*Form Number:* FCC 731-TC.  
*Type of Review:* Revision of currently approved collection.

*Respondents:* Business or other for profit entities.

*Estimated Number of Respondents:* 25.

*Estimated Time per Response:* 4 hours.

*Frequency of Response:* On occasion reporting requirements; Third party disclosure.

*Total Annual Burden:* 6,400 hours.  
*Total Annual Costs:* \$175,000.  
*Privacy Act Impact Assessment:* N.A.  
*Needs and Uses:* Under 47 CFR parts 2 and 15 of FCC Rules, certain equipment must comply with FCC technical standards before it can be marketed. Equipment that operates in the licensed service requires FCC Authorization under 47 CFR parts 2 and 68. Since its 1999 *Report and Order*, ET Docket No. 98-68, the FCC has permitted private sector firms or "Telecommunications Certification Body" (TCB) to approve equipment for marketing. TCBs are accredited by FCC recognized accrediting bodies, and then designated by the FCC to act on behalf of the Commission. TCBs may be designated based on the terms of established Mutual Recognition Agreements with foreign trade partners. TCBs may accept FCC Form 731-TC filings and evaluate the equipment's compliance with FCC Rules and technical standards. TCBs submit this information to the FCC via the Internet. On July 8, 2004, the Commission adopted a *Report and Order*, Modification of Parts 2 and 15 of the Commission's Rules for Unlicensed Devices and Equipment Approval, ET Docket No. 03-201, FCC 04-165. The change requires that all paper filings required in Sections 2.913(c), 2.926(c), 2.929(c), and 2.929(d) of the rules are outdated and now must be filed electronically via the Internet on FCC Form 731-TC. The Commission believes that electronic filing speeds up application processing and supports the Commission in further streamlining to reduce cost and increase efficiency. The number of responses and the response time is not expected to change, since the basic authorization process will not change. Respondents are only being required to file the same information electronically.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-21296 Filed 9-21-04; 8:45 am]

**BILLING CODE 6712-10-P**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank

holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 15, 2004.

**A. Federal Reserve Bank of Dallas**  
(W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *First Financial Bankshares, Inc.*, Abilene, Texas; to acquire 100 percent of the voting shares of Southwestern Bancshares, Inc., Glen Rose, Texas, and thereby indirectly acquire voting shares of Southwestern Delaware Financial Corporation, Wilmington, Delaware, and First National Bank, Glen Rose, Texas.

2. *First National Bank Group, Inc.*, Edinburg, Texas; to acquire 14.99 percent of the voting shares of Alamo Corporation of Texas, Alamo, Texas, and Alamo Corporation of Delaware, Wilmington, Delaware, and thereby indirectly acquire voting shares of Alamo Bank of Texas, Alamo, Texas.

Board of Governors of the Federal Reserve System, September 16, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-21294 Filed 9-21-04; 8:45 am]

**BILLING CODE 6210-01-S**