

who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both.

d. *False Statements.* The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See Section 309.c.4 of the Clean Water Act)

## 2. Civil Penalties

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$25,000 per day for each violation.

## 3. Administrative Penalties

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

- a. *Class I Penalty.* Not to exceed \$10,000 per violation nor shall the maximum amount exceed \$25,000.
- b. *Class II Penalty.* Not to exceed \$10,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$125,000.

## F. Definitions

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. *Act* means the Clean Water Act (33 U.S.C. 1251 et. seq.), as amended.
2. *Administrator* means the Administrator of the U.S. Environmental Protection Agency.
3. *Applicable Effluent Standards and Limitations* means all state and Federal effluent standards and limitations to which a discharge is subject under the

Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.

4. *Applicable Water Quality Standards* means all water quality standards to which a discharge is subject under the Act.

5. *Bypass* means the intentional diversion of waste streams from any portion of a treatment facility.

6. *Daily Discharge* means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.

7. *Daily Average* (also known as MONTHLY AVERAGE) discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes daily average concentration effluent limitations or conditions, the daily average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily concentration, F = daily flow and n = number of daily samples; daily average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

8. *Daily Maximum* discharge limitation means the highest allowable "daily discharge" during the calendar month.

9. *Director* means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.

10. *Environmental Protection Agency* means the U.S. Environmental Protection Agency.

11. *Grab Sample* means an individual sample collected in less than 15 minutes.

12. *National Pollutant Discharge Elimination System* means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Act.

13. *Severe Property Damage* means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

14. *Upset* means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

15. The term "MGD" shall mean million gallons per day.

16. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).

17. The term "µg/L" shall mean micrograms per liter or parts per billion (ppb).

[FR Doc. 97-29864 Filed 11-13-97; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL MARITIME COMMISSION

### Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC office of the Commission, 800 North Capitol Street, N.W., Room 962. Interested parties may submit comments on an agreement to the Secretary Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 202-010776-105.

*Title:* Asia North America Rate Agreement ("ANERA")

*Parties:*

American President Lines, Ltd.

Hapag-Lloyd Container Line GmbH  
Kawasaki Kisen Kaisha, Ltd.  
A.P. Moller-Maersk Line  
Mitsui O.S.K. Lines, Ltd  
Neptune Orient Lines, Ltd  
Nippon Yusen Kaisha Line  
Orient Overseas Container Lines, Inc.  
P&O Nedlloyd Limited  
P&O Nedlloyd B.V.  
Sea-Land Service, Inc.

*Synopsis:* The proposed modification adds a new Article 5.1(q) which authorizes the parties to consider and act upon proposals and recommendations of the Equipment Interchange Discussion Agreement with respect to activities within the scope of the ANERA agreement.

*Agreement No.:* 224-201040.

*Title:* Jaxport/Trailer Bridge Lease Agreement.

*Parties:* Jacksonville Port Authority ("Port") Trailer Bridge, Inc. ("Trailer Bridge").

*Synopsis:* The Agreement provides for the rental by Trailer Bridge of 17 acres at the Port's Blount Island Terminal and for Trailer Bridge's preferential, but non-exclusive use of to be constructed triple deck loading facility.

By Order of the Federal Maritime Commission.

Dated: November 7, 1997.

**Ronald D. Murphy,**

*Assistant Secretary.*

[FR Doc. 97-29916 Filed 11-13-97; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than November 28, 1997.

**A. Federal Reserve Bank of San Francisco** (Pat Marshall, Manager of Analytical Support, Consumer

Regulation Group) 101 Market Street, San Francisco, California 94105-1579:

1. *Michael Frank Maluccio*, La Crescenta, California; Maluccio Company, Glendale, California; Nicholas J. Maluccio Trust, Glendale, California; and Malcor, Lancaster, California, parties acting in concert; to acquire voting shares of Verdugo Banking Company, Glendale, California.

Board of Governors of the Federal Reserve System, November 7, 1997.

**Jennifer J. Johnson,**

*Deputy Secretary of the Board.*

[FR Doc. 97-29908 Filed 11-13-97; 8:45 am]

BILLING CODE 6210-01-F

## 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. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

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 December 8, 1997.

**A. Federal Reserve Bank of Boston** (Richard Walker, Community Affairs Officer) 600 Atlantic Avenue, Boston, Massachusetts 02106-2204:

1. *Mystic Financial, Inc.*, Medford, Massachusetts; to become a bank holding company by acquiring 100 percent of the voting shares of Medford

Co-operative Bank, Medford, Massachusetts.

**B. Federal Reserve Bank of Chicago** (Philip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1413:

1. *Hometown Bancorp, Ltd.*, Fond du Lac, Wisconsin; to become a bank holding company by acquiring 100 percent of the voting shares of St. Cloud Bancshares, Inc., St. Cloud, Wisconsin, and thereby indirectly acquire State Bank of St. Cloud, St. Cloud, Wisconsin.

**C. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034:

1. *First Western Bancshares Employee Stock Ownership Trust*, Booneville, Arkansas; to become a bank holding company by acquiring at least 30.4 percent of the voting shares of First Western Bancshares, Inc., Booneville, Arkansas, and thereby indirectly acquire Citizens Bank, Booneville, Arkansas.

**D. Federal Reserve Bank of Minneapolis** (Karen L. Grandstrand, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480-2171:

1. *GEBSCO, Inc.*, Cochrane, Wisconsin; to merge with Firstmondovi, Inc., Mondovi, Wisconsin, and thereby indirectly acquire Bank of Mondovi, Mondovi, Wisconsin.

**E. Federal Reserve Bank of Dallas** (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *State National Bancshares, Inc.*, Lubbock, Texas; to acquire 100 percent of the voting shares of First Sierra, Bancshares, Inc., Truth or Consequences, New Mexico, and thereby indirectly acquire Sierra Bank, Las Cruces, New Mexico.

2. *State National Bancshares, Inc.*, Lubbock, Texas, and State National Bancshares of Delaware, Inc., Dover, Delaware; to acquire 100 percent of the voting shares of First National Bank of Denver City, Denver City, Texas.

**F. Federal Reserve Bank of San Francisco** (Pat Marshall, Manager of Analytical Support, Consumer Regulation Group) 101 Market Street, San Francisco, California 94105-1579:

1. *VIB Corp.*, El Centro, California; to become a bank holding company by acquiring 100 percent of the voting shares of Valley Independent Bank, El Centro, California.

Board of Governors of the Federal Reserve System, November 7, 1997.

**Jennifer J. Johnson,**

*Deputy Secretary of the Board.*

[FR Doc. 97-29909 Filed 11-13-97; 8:45 am]

BILLING CODE 6210-01-F