

permits are also not subject to such a requirement under the Clean Water Act (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."

#### G. Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), P.L. 104-4, generally requires 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)" (emphasis added)). UMRA section 102 defines "regulation" and "rule" by reference to section 658 of Title 2 of the U.S. Code, 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 rulemaking pursuant to section 553(b) of the Administrative Procedure Act (APA), or any other law. . . ."

NPDES general permits are not "rules" under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the Clean Water Act (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 UMRA purposes but are treated with rule-like procedures.

Signed this 17th day of August, 1998.

**Oscar Ramirez, Jr.,**

*Deputy Director, Water Quality Protection Division (6WQ), EPA Region 6.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Submitted to OMB for Review and Approval

August 18, 1998.

**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 of 1995, Public Law 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 (PRA) 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, 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 information techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before September 24, 1998. 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 comments to Les Smith, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to lesmith@fcc.gov.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Les Smith at 202-418-0217 or via internet at lesmith@fcc.gov.

#### SUPPLEMENTARY INFORMATION:

*OMB Approval Number:* 3060-0819.

*Title:* 47 CFR 54.400-54.417, Lifeline Assistance (Lifeline) Connection Assistance (Link Up) Reporting Worksheet and Instructions.

*Form Number:* FCC 497.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business and other for-profit entities.

*Number of Respondents:* 1,500.

*Estimated Time Per Response:* 3 hours.

*Frequency of Response:* Monthly; Quarterly; Semi-annually; and On Occasion reporting requirements.

*Total Annual Burden:* 42,000 hours.

*Cost to Respondents:* \$0.

*Needs and Uses:* The Telecommunications Act of 1996 directed the FCC to initiate a

rulemaking to reform our system of universal service so that universal service is preserved and advanced as markets move toward competition. On May 8, 1997, the Commission released a Report and Order on Universal Service (Universal Service Order) in CC Docket 96-45 that established new federal universal service support mechanisms consistent with Section 254. In the Universal Service Order, the Commission expanded and made competitively neutral its programs for low-income consumers, Lifeline and Link Up. On December 30, 1997, the Commission released a Fourth Order on Reconsideration that amended some of the Lifeline and Link Up rules. The following describes the universal service support reimbursement available to eligible telecommunications carriers for providing Lifeline and Link Up programs to qualifying low-income customers: Eligible telecommunications carriers are permitted to receive universal service support reimbursement for offering Lifeline service to qualifying low-income customers; eligible telecommunications carriers may receive universal service support reimbursement for the revenue they forego in reducing their customary charge for commencing telecommunications service and for providing a deferred schedule for payment of the charges assessed for commencing service for which the consumer does not pay interest, in conformity with 47 CFR 54.411; eligible telecommunications carriers providing toll-limitation services (TLS) for qualifying low-income subscribers will be compensated from universal service mechanisms for the incremental cost of providing either toll blocking or toll control; and eligible telecommunications carriers that service qualifying low-income consumers who have toll blocking shall receive universal service support reimbursement for waiving the Presubscribed Interexchange Carriers Charge (PICC) for Lifeline customers. FCC Form 497 implements the Lifeline and Link Up reimbursement programs. This information is necessary in order for eligible telecommunications carriers to receive universal service support reimbursement for providing Lifeline and Link Up.

Federal Communications Commission

**Magalie Roman Salas,**

*Secretary.*

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