

appropriations from Congress to reimburse EPA \$778,425 for past costs incurred by EPA at the Site.

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the settlement. If requested prior to the expiration of this notice, EPA will provide an opportunity for a public meeting in the affected area. EPA's response to any comments received will be available for inspection at the U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

**DATES:** Comments must be submitted on or before August 14, 1998.

**ADDRESSES:** *Availability:* A copy of the proposed Agreement may be obtained from Danita Yocom, Assistant Regional Counsel (RC-3), 75 Hawthorne Street, San Francisco, California 94105. Comments should reference the Fresno Industrial Supply Inc., Superfund Site and EPA Docket No. 98-2, and should be addressed to Danita Yocom at the above address.

**FOR FURTHER INFORMATION CONTACT:** Danita Yocom, Office of Regional Counsel, U.S. EPA, Region IX, 75 Hawthorne Street, (RC-3), San Francisco, California 94105; E-mail: yocom.danita@epa.gov; Telephone: (415) 744-1347.

Dated: July 6, 1998.

**Michael Feeley,**

*Deputy Director, Superfund Division, U.S. EPA, Region IX.*

[FR Doc. 98-18864 Filed 7-14-98; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Statement of Policy Regarding the National Environmental Policy Act of 1969

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Proposed Statement of Policy.

**SUMMARY:** As part of the FDIC's systematic review of its regulations and written policies under section 303(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRI Act), the FDIC is proposing to revise its Statement of Policy on the National Environment Policy Act of 1969 (NEPA). The original Statement of Policy, issued on March 31, 1980, describes the FDIC's responsibility and procedures with respect to the NEPA.

The revised Statement of Policy reflects the FDIC's experience in applying the current NEPA Statement of

Policy, and primarily affects applications for deposit insurance for de novo institutions, establishment of a domestic branch, and relocation of a domestic branch or main office.

Categorical exclusions are established for all other filings submitted to the FDIC pursuant to 12 CFR part 303. In extraordinary circumstances, however, the NEPA procedures may also impact categorically excluded filings. The revision also makes the Statement of Policy more concise and understandable.

**DATES:** Comments must be submitted on or before August 31, 1998.

**ADDRESSES:** Send written comments to Robert E. Feldman, Executive Secretary, Attention: Comments/OES, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, D.C. 20429. Comments may be hand delivered to the guard station located at the rear of the 17th Street building, on F Street, on business days between 7:00 a.m. and 5:00 p.m. The FAX number is (202) 898-3838, and the Internet address is comments@fdic.gov. Comments may be inspected and photocopied at the FDIC Public Information Center, Room 100, 801 17th Street NW, Washington, D.C., between 9:00 a.m. and 4:30 p.m. on business days.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Reddy, Review Examiner, Division of Supervision (202) 898-6772; A. Ann Johnson, Counsel, Legal Division (202) 898-3573; David Fisher, Counsel, Legal Division (202)-736-3103, Federal Deposit Insurance Corporation, Washington, D.C. 20429.

**SUPPLEMENTARY INFORMATION:** The FDIC is conducting a systematic review of its regulations and written policies. Section 303(a) of the CDRI Act, 12 U.S.C. 4803(a), requires the FDIC to streamline and modify its regulations and written policies in order to improve efficiency, reduce unnecessary costs, and eliminate unwarranted constraints on credit availability. Section 303(a) also requires the FDIC to remove inconsistencies and outmoded and duplicative requirements from its regulations and written policies.

As part of this review, the FDIC has determined that its Statement of Policy on the NEPA should be revised. The NEPA sets forth a national policy to promote preservation of the environment. It requires, in part, that all agencies of the Federal Government include in every recommendation or report on major Federal actions significantly affecting the quality of the human environment a detailed statement that addresses the environmental impact of the proposal.

The Council on Environmental Quality (CEQ) has adopted regulations that implement this requirement. 40 CFR part 1500.

The FDIC issued its current Statement of Policy in 1980 to provide guidance on the NEPA and its implementing regulations. The Statement of Policy provides that the FDIC will consider relevant environmental factors and make a threshold determination that a proposed action does or does not significantly affect the environment. The determination is required for applications for deposit insurance, to establish a branch, to merge, or to move an office. The current Statement of Policy also provides detailed information on the preparation of an environmental impact statement.

Consistent with the goals of the CDRI Act review, the FDIC is proposing modifications to the Statement of Policy that will enhance efficiency in implementing the NEPA requirements. Pursuant to the CEQ regulations (40 CFR 1507.3(b)), the proposed Statement of Policy establishes categorical exclusions for all filings made by depository institutions pursuant to 12 CFR part 303 with the exception of applications for deposit insurance for de novo institutions, and applications for establishment of a domestic branch or relocation of a domestic branch or main office. Absent extraordinary circumstances, filings subject to a categorical exclusion require no further NEPA action.

For those applications that are categorically excluded, the proposed Statement of Policy provides that the FDIC may request additional information from applicants if extraordinary circumstances indicate that a normally excluded action may have a significant environmental effect. For example, additional information may be requested where filings involve real property with endangered or threatened species, wetlands or floodplains, cultural or historic sites, or where construction is proposed.

The proposed Statement of Policy also describes the responsibilities of the applicant in submitting a part 303 filing and the FDIC in reviewing the filing. Before approving a filing that is not categorically excluded, the FDIC must prepare an environmental assessment (EA). The applicant is required to submit sufficient information for the FDIC to determine whether the application may affect the quality of the human environment.

If the EA prepared by the FDIC indicates that approval of the filing will not significantly affect the quality of the human environment, the NEPA process

will conclude with a finding of no significant impact (FONSI) to document the FDIC's determination.

On the other hand, if the EA indicates that approval of the filing may significantly affect the quality of the human environment, the FDIC will prepare and circulate an environmental impact statement (EIS) in accordance with the CEQ regulations. Because cases that involve the preparation of an EIS are expected to be extremely rare, the proposed Statement of Policy no longer includes detailed information on the preparation of an EIS. Instead, the proposed Statement of Policy states that the FDIC will comply with the requirements of the CEQ regulations.

In addition, the proposed Statement of Policy provides for public involvement in the FDIC's NEPA compliance activities.

According to the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the FDIC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. Although the proposed Statement of Policy does not create or change any collection of information, OMB has approved the information collections referenced in the proposed Statement of Policy as parts of a larger collection of information. OMB control numbers for the approved information collections specifically referenced in the proposed Statement of Policy are OMB control number 3064-0001, expiring on July 31, 2000, for applications dealing with deposit insurance, and OMB control number 3064-0070, expiring on November 30, 2000, for applications dealing with establishment of a branch, relocation of a main office, and relocation of a branch. Application requirements and procedures are located at 12 CFR part 303.

The Board of Directors of the FDIC hereby proposes the revised Statement of Policy on the National Environmental Policy Act, as set forth below.

#### **Proposed Statement of Policy; National Environmental Policy Act; Procedures Relating to Filings Made With the FDIC**

This Statement of Policy addresses the FDIC's compliance with the National Environmental Policy Act of 1969, 42 U.S.C. 4331, et seq. (NEPA), with respect to applications, notices, and requests (filings) submitted to the FDIC in accordance with governing regulations at 12 CFR part 303. The procedures in this Statement of Policy primarily affect applications for deposit insurance for de novo institutions, establishment of a domestic branch, and

relocation of a domestic branch or main office. There may be extraordinary circumstances where these NEPA procedures also impact other filings submitted pursuant to part 303.

#### **A. Responsibility of the FDIC**

The NEPA sets forth a national policy to promote preservation of the environment. Section 102(2)(C) of the NEPA requires, in part, that all agencies of the Federal Government include in every recommendation or report on major Federal actions significantly affecting the quality of the human environment a detailed statement that addresses the environmental impact of the proposal. The Council on Environmental Quality (CEQ) has adopted regulations that implement section 102(2)(C) of the NEPA. 40 CFR part 1500.

The FDIC believes that its decisions on part 303 filings will rarely have a significant effect on the human environment. Nevertheless, it is the policy of the FDIC to evaluate fully its regulatory actions, as necessary, in accordance with the requirements of the NEPA. This Statement of Policy supplements, and shall be used by the FDIC in conjunction with, the CEQ regulations.

#### **B. Background**

NEPA and the implementing CEQ regulations require a Federal agency to prepare an "environmental impact statement" (EIS) to analyze the effects of, and discuss alternatives for, any proposed major Federal action (including approval of a filing) significantly affecting the quality of the human environment. Often, to determine whether an EIS must be prepared, an agency will prepare an "environmental assessment" (EA). The EA will result in either a finding that an EIS must be prepared, or a finding of no significant impact (FONSI).

#### **C. Definitions**

As used in this statement of policy:

- "Major Federal action" includes actions with effects that may be major and which are potentially subject to Federal control and responsibility.
- "Environmental impact statement" (EIS) means a detailed written statement as required by section 102(2)(C) of the NEPA which analyzes the environmental impact of the FDIC's approval of a filing.
- "Environmental assessment" (EA) means a concise document that sets forth sufficient information for the FDIC to determine whether to prepare an EIS.
- "Finding of no significant impact" (FONSI) means a determination that

approval of the filing will not have a significant effect on the quality of the human environment and therefore no further NEPA analysis is required.

- "Categorical exclusion" means a category of filings that do not individually or cumulatively have a significant effect on the human environment, and which require no NEPA analysis.

#### **D. Categorical Exclusions**

The CEQ regulations require Federal agencies to develop categorical exclusions as part of the agencies' NEPA procedures. 40 CFR 1507.3(b)(2)(ii). Accordingly, the FDIC is establishing categorical exclusions for all filings made by depository institutions pursuant to part 303 with the exception of applications for:

- (1) Deposit insurance for de novo institutions.
- (2) Establishment of a domestic branch, or relocation of a domestic branch or main office.

All other part 303 filings are subject to categorical exclusions and, therefore, require no further NEPA action. Consistent with the CEQ regulations, however, the FDIC may request additional information from applicants if extraordinary circumstances indicate that a normally categorically excluded action may have a significant environmental effect. Such extraordinary circumstances may exist, for example, where filings involve real property where endangered or threatened species, wetlands or floodplains may be present, where the applicant's proposed activity impacts cultural or historic sites, or where construction is proposed.

#### **E. FDIC Procedure**

In reviewing a part 303 filing, the FDIC will determine whether the filing falls within the categorical exclusions established by this statement of policy. If the filing falls within the categorical exclusions, the FDIC will determine whether the proposal involves any extraordinary circumstances that require NEPA analysis. If necessary, the FDIC may request additional information from an applicant to aid in this determination.

##### *1. Environmental Assessment*

The FDIC must prepare an EA before approving a filing for (1) deposit insurance for a de novo institution, or (2) establishment of a domestic branch, or relocation of a domestic branch or main office. The applicant must provide sufficient information for the FDIC to determine whether the application may

affect the quality of the human environment.

The applicant shall provide information on compliance with local zoning laws and regulations, and effects on traffic patterns (including, for example, adequacy of roads and parking places, increase or decrease of traffic hazards and congestion, and favorable impacts such as potential decrease in pollution or fuel consumption). The FDIC may request additional information, as warranted, on other matters. Based on its evaluation of this information, the FDIC will prepare the EA.

### 2. Finding of No Significant Impact

If the EA indicates that approval of the filing will not significantly affect the quality of the human environment, the NEPA process will conclude with a FONSI to document the FDIC's determination of no significant effect on the human environment.

### 3. Environmental Impact Statement

If the EA indicates that approval of the filing may significantly affect the quality of the human environment, the FDIC will prepare an EIS in accordance with the CEQ regulations.

### F. Public Involvement

Pursuant to the CEQ regulations, the FDIC will make diligent efforts to involve the public in its NEPA compliance activities. In addition to the public notice requirements set forth in part 303, the FDIC will apprise the public of the availability of any environmental impact statements it prepares and will provide opportunity for public comment prior to the finalization of those documents.

### G. Summary and Conclusion

Most of the filings made by depository institutions pursuant to part 303 will fall within the categorical exclusions established by this Statement of Policy. For those filings not falling within the categorical exclusions, or involving extraordinary circumstances, the FDIC will analyze relevant information with respect to environmental factors and incorporate it into the FDIC's environmental assessment. Filings that require the FDIC's preparation of an environmental impact statement are expected to be extremely rare. When those instances arise, the FDIC will comply with the requirements of the CEQ regulations regarding the preparation and processing of environmental impact statements.

### H. Information Requests

Inquiries regarding specific filings and requests for documents and information should be directed to the appropriate regional director of the FDIC's Division of Supervision.

By order of the Board of Directors.

Dated at Washington, D.C., this 7th day of July, 1998.

Federal Deposit Insurance Corporation.

**James LaPierre,**

*Deputy Executive Secretary.*

[FR Doc. 98-18817 Filed 7-14-98; 8:45 am]

BILLING CODE 6714-01-P

## FEDERAL ELECTION COMMISSION

### Sunshine Act Meeting

**DATE & TIME:** Tuesday, July 21, 1998 at 10:00 a.m.

**PLACE:** 999 E Street, N.W., Washington, D.C.

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

#### ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

#### PERSON TO CONTACT FOR INFORMATION:

Mr. Ron Harris, Press Officer,  
Telephone: (202) 694-1220.

**Marjorie W. Emmons,**

*Secretary of the Commission.*

[FR Doc. 98-19038 Filed 7-13-98; 3:45 pm]

BILLING CODE 6715-01-M

## 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 offices 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.:* 203-011325-016

*Title:* Westbound Transpacific Stabilization Agreement

*Parties:*

A.P. Moller-Maersk Line  
American President Lines, Ltd.  
China Ocean Shipping Company, Inc.  
Hapag-Lloyd Container Line GmbH  
Kawasaki Kisen Kaisha, Ltd.  
Mitsui O.S.K. Lines, Ltd.  
Nippon Yusen Kaisha Line  
Orient Overseas Container Line, Inc.  
P&O Nedlloyd Limited  
P&O Nedlloyd B.V.  
Sea-Land Service, Inc.  
Evergreen Marine Corporation, Ltd.  
Hanjin Shipping Co., Ltd.  
Hyundai Merchant Marine Co., Ltd.  
Transpacific Westbound Rate Agreement

*Synopsis:* The proposed amendment (1) clarifies operating procedures regarding the adoption of policy or rate guidelines, (2) shifts the Agreement's communications functions and responsibilities to the Agreement's Secretariat and Managing Director, and (3) corrects the title of the Chief Executive Officer of the Agreement.

*Agreement No.:* 203-011479-005

*Title:* Serpac Service Agreement

*Parties:*

Compania Sudamericana de Varpores S.A.  
Transportation Maritima  
Grancolombiana S.A.  
Columbus Line

*Synopsis:* The proposed modification revises the Agreement to include intermodal authority in both the U.S. and foreign portions of the geographic scope.

*Agreement No.:* 201-201020-002

*Title:* Jacksonville-Jaxport Refrigerated Services Terminal Lease Agreement

*Parties:*

Jacksonville Port Authority  
Jaxport Refrigerated Services, Inc.

*Synopsis:* The proposed amendment amends the provision for wharfage and the Minimum Annual Guarantee. The amendment also includes a provision for a crane rental. The agreement continues to run through March 9, 2017.

Dated: July 9, 1998.

By Order of the Federal Maritime Commission.

**Joseph C. Polking,**

*Secretary.*

[FR Doc. 98-18755 Filed 7-14-98; 8:45 am]

BILLING CODE 6730-01-M