

1997, EPA sent the two PRPs a demand for reimbursement of the EPA's past costs. The Settling Parties have agreed to pay \$180,000 to settle EPA's claim for reimbursement of response costs related to the Site. The EPA is proposing to approve this administrative settlement because it reimburses EPA, in part, for costs incurred during its response activities at this Site.

DATES: Comments on this administrative settlement must be received by no later than September 25, 1998.

ADDRESSES: Written comments relating to this settlement, Docket Number V-W-98-C-476, should be sent to Brad J. Beeson, Associate Regional Counsel, U.S. Environmental Protection Agency, Region 5, Mail Code: C-14J, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

FOR FURTHER INFORMATION CONTACT: Copies of the Agreement and the Administrative Record for this Site are available at U.S. Environmental Protection Agency, Region 5, Superfund Division, Emergency Response Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. It is strongly recommended that you telephone Mr. Jon Peterson at (312) 353-1264 before visiting the Region 5 Office.

Authority: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq.

Dated: August 13, 1998.

William E. Muno,

Director, Superfund Division, Region 5.

[FR Doc. 98-22896 Filed 8-25-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6152-2]

Section 319 Federal Consistency Guidance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability and request for comment.

SUMMARY: The Environmental Protection Agency (EPA) requests public comment on proposed guidance on implementation of the Federal consistency provisions established by sections 319(b)(2)(F) and (k) of the Clean Water Act (CWA) (33 U.S.C. 1329(b)(2)(F) and (k)). These Federal consistency provisions authorize each State to review Federal activities for consistency with the State nonpoint source management program. If the State determines that an application or

project is not consistent with the goals and objectives of its nonpoint source management program and makes its concerns known to the responsible Federal agency, the Federal agency must make efforts to accommodate the State's concerns or explain its decision not to in accordance with Executive Order 12372.

The proposed Federal consistency guidance describes (a) the States' role in identifying Federal programs for consistency review, (b) the Federal obligation to accommodate the concerns of the States in accordance with Executive Order 12372, (c) the criteria and methods for reviewing Federal assistance programs and development projects for consistency with a State's nonpoint source management program, and (d) EPA's role in assisting States and Federal agencies with resolution of any conflicts which may arise. EPA has developed the draft guidance in close consultation with State and Federal agencies.

The Federal consistency provision provides a tool to promote communication and cooperation between State and Federal agencies for achievement of shared water quality goals. The purpose of the guidance is to support closer coordination among State and Federal agencies to improve implementation of nonpoint source management programs and more effectively protect water quality.

DATES: Written comment should be addressed to the person listed directly below by November 24, 1998.

ADDRESSES: Comments should be sent to Robert Goo, Assessment and Watershed Protection Division (4503F), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, telephone (202) 260-7025 or by E-mail to goo.robert@epamail.epa.gov.

This document is available on the Internet at www.epa.gov/owow/NPS or contact Robert Goo at (202) 260-7025 to request a copy.

FOR FURTHER INFORMATION CONTACT: Robert Goo at (202) 260-7025.

SUPPLEMENTARY INFORMATION:

I. Background

Nonpoint source pollution is water pollution caused by rainfall or snowmelt moving over and through the ground and carrying natural and human-made pollutants into lakes, rivers, streams, wetlands, estuaries, coastal waters, and ground water. Atmospheric deposition and hydrologic modification are also sources of nonpoint pollution.

Across the United States, States have reported that nonpoint source pollution

is the most pervasive cause of water quality problems. See the *National Water Quality Inventory: 1996 Report to Congress*, available from EPA, at NCEPI, 11029 Kenwood Road, Bldg. 5, Cincinnati, OH, 45242. For further information, visit EPA's Office of Water 305(b) website at <http://www.epa.gov/305b>. Other information corroborates this finding. See the *Index of Watershed Indicators*, available online at <http://www.epa.gov/surf>. EPA and the States are accelerating their efforts to prevent and reduce nonpoint source pollution. See the *Clean Water Action Plan* at <http://www.epa.gov/cleanwater>.

Congress enacted section 319 of the Clean Water Act in 1987, establishing a national program to control nonpoint sources of water pollution. Under section 319, States address nonpoint pollution by developing nonpoint source assessment reports that identify nonpoint source pollution problems and the nonpoint sources responsible for the water quality problems. States then develop management programs to control nonpoint source pollution. All States now have EPA-approved nonpoint source assessment reports and management programs and are implementing their management programs.

Federal agencies have key roles to play in helping to control nonpoint source pollution. In recognition of this, Congress included in section 319 a provision to promote the consistency of Federal assistance programs and development projects with State nonpoint source management programs. Section 319 provides for State review of Federal assistance applications and development projects to determine their consistency with the requirements, goals, policies and other provisions of the State's nonpoint source management program. Use of the Federal consistency provision will provide States and Federal agencies the opportunity to improve nonpoint source programs through mutual cooperation and coordination of activities.

The guidance that EPA is now proposing to publish on implementation of the Federal consistency provisions is intended to help States and EPA follow through on mutual commitments made between States and EPA to take steps to strengthen the linkage between State nonpoint source programs and Federal programs and activities through section 319. EPA intends to work with States and Federal agencies to support implementation of the section 319 Federal consistency provision. EPA will conduct educational and liaison activities, provide technical assistance to State and Federal agencies, and, if

requested, facilitate State-Federal negotiations and assist with mediation and conflict resolution. EPA will also work with Federal agencies to support their pollution abatement and environmental protection efforts and their efforts to ensure that their programs and policies are compatible with the Clean Water Act, the States' water quality standards and program implementation goals.

II. Scope of the Proposed Guidance

The proposed guidance will cover the following topics:

(1) *Statutory Authority*: Authority for the States' nonpoint source Federal consistency review is found in two provisions in section 319 of the Clean Water Act. Section 319(b)(2)(F) directs States to list Federal assistance applications and development projects which they would like to review for consistency in their State management program. Section 319(k) directs Federal Agencies to "accommodate" the concerns of the State according to EO 12372.

(2) *Executive Order 12372*: Executive Order 12372 specifies that: (a) Federal agencies must provide opportunities for State and local consultation on proposed Federal financial assistance and development; (b) Federal agencies communicate with the States according to their State processes and to do so as early as is "reasonably feasible."; (c) States may develop their own processes to review and coordinate proposed Federal financial assistance and development; and (d) Federal agencies must "make efforts to accommodate State and local elected officials' concerns."

(3) *Federal Assistance Programs and Development Projects*: Federal assistance applications and development projects covered by the consistency provision include all programs which are listed in the *Catalogue of Federal Domestic Assistance* and may have an effect on the purposes and objectives of the State's nonpoint source program, regardless of whether or not they are subject to Executive Order 12372.

(4) *State Nonpoint Source Management Programs*: For States that did not include Federal consistency provisions in their original nonpoint source management programs, EPA recommends inclusion of Federal consistency in subsequent nonpoint source management program upgrades. A modified or upgraded nonpoint source management program defines Federal consistency review guidelines and identifies assistance programs and development projects that are or may be

inconsistent with the State's nonpoint source management program.

(5) *How to Review for Consistency*: States review Federal assistance programs and development projects for consistency by referring to the specific goals, objectives, programs, and authorities contained in the State's nonpoint source management program. States should outline their Federal consistency review process criteria and guidelines as clearly as possible in their Management Program. These criteria and guidelines may be provided to the State Single Point of Contact, all State and local agencies with nonpoint source responsibilities or interest, all relevant Federal agencies, and others, as appropriate.

(6) *Use of Existing Review Mechanisms*: EPA provides information on other existing review processes that may also prove useful for ensuring Federal consistency with State nonpoint source management programs.

Dated: August 10, 1998.

J. Charles Fox,

Acting Assistant Administrator, Office of Water.

[FR Doc. 98-22895 Filed 8-25-98; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL MARITIME COMMISSION

Request for Additional Information

Agreement No.: 203-011279-012.

Title: The Latin America Agreement.

Parties:

Central America Discussion

Agreement

Hispaniola Discussion Agreement

U.S./Jamaica Discussion Agreement

Venezuela American Maritime

Association

Caribbean Shipowners Association

Aruba Bonaire Curacao Liner

Association

Inter-American Freight Conference

Venezuelan Discussion Agreement

Puerto Rico/Caribbean Discussion

Agreement

The West Coast of South America

Agreement

The Colombia Discussion Agreement

The ABC Discussion Agreement

Montemar S.A.

The West Coast of South America

Discussion Agreement

Synopsis: The Federal Maritime Commission hereby gives notice, pursuant to section 6(d) of the Shipping Act of 1984, 46 U.S.C. app. §§ 1701 *et seq.*, that it has requested the agreement parties to submit additional information regarding their agreement. Further information is necessary so that the

Commission can determine the impact of the proposed modification. This action prevents the agreement from becoming effective as originally scheduled.

Dated: August 21, 1998.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 98-22885 Filed 8-25-98; 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 September 10, 1998.

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

1. *Frank J. Brunner, Jr.*, Marked Tree, Arkansas; to acquire additional voting shares of Marked Tree Bancshares, Inc., Marked Tree, Arkansas, and thereby indirectly acquire additional voting shares of Marked Tree Bank, Marked Tree, Arkansas.

Board of Governors of the Federal Reserve System, August 21, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 98-22910 Filed 8-25-98; 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