

contract. The contractor and contract are the Science Applications International Corporation (SAIC) with EPA Contract 68-W-99-002, Task Order 05.

**DATES:** SAIC will have access to this data from until September 30, 1999.

**FOR FURTHER INFORMATION CONTACT:** Richard Parsons, U.S. Environmental Protection Agency, OMS/VPCD, 2000 Traverwood, Ann Arbor, Michigan, 48105-2195 is the contact person for Contract 68-W-99-002, Task Order 05.

**SUPPLEMENTARY INFORMATION:** The Science Applications International Corporation (SAIC) as the prime contractor and Dyncorp and Indus as subcontractors, will have access to Confidential Business Information (CBI) to develop and maintain the Certification and Fuel Economy Information System (CFEIS) under EPA's new Mission Oriented Systems Engineering Support (MOSES) II contract, Task Order 05. CFEIS handles the information flow associated with the certification process and its companion fuel economy process. Production problems referred for analysis often entail access to CBI data. Their address (applies to prime and all subcontractors): Science Applications International Corporation (SAIC) @EPA's Systems Development Center (SDC) 200 N. Glebe Road Suite 300, Arlington, VA 22203 Phone: 703-292-6000, Fax 703-292-6388.

Dated: June 29, 1999.

**Robert Brenner,**

*Acting Assistant Administrator for Air and Radiation.*

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## ENVIRONMENTAL PROTECTION AGENCY

[PB-402404LS-US/PB-402404-L5; FRL-6068-6]

### Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Authorization of the Upper Sioux Community's and Lower Sioux Indian Community's Lead-Based Paint Activities Program

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice; final approval.

**SUMMARY:** On April 14, 1998, both the Upper Sioux Community (Upper Sioux) and Lower Sioux Indian Community (Lower Sioux) submitted applications for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work

practice standards for lead-based paint activities in target housing and child-occupied facilities under section 404 of the Toxic Substances Control Act (TSCA). Notice of the Upper Sioux and Lower Sioux applications, a solicitation for public comment regarding the applications, and background information supporting the applications were published in the **Federal Register** of October 2, 1998. Today's notice announces the approval of the Upper Sioux and Lower Sioux Indian Communities' applications, and the authorization of the Upper Sioux and Lower Sioux Communities' lead-based paint program to apply on the Upper Sioux and Lower Sioux Reservations respectively effective May 7, 1999, in lieu of the corresponding Federal program under section 402 of TSCA.

**DATES:** Lead-based paint activities program authorization was granted to the Upper Sioux and Lower Sioux Indian Communities effective on May 7, 1999.

**FOR FURTHER INFORMATION CONTACT:** Emma Avant, Project Officer, Environmental Protection Agency, Region V, DT-8J, 77 West Jackson Blvd., Chicago, IL 60604, telephone: (312) 886-7899, e-mail address: avant.emma@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

### I. Background

Pursuant to Title IV of TSCA, Lead Exposure Reduction, 15 U.S.C. 2681-2692, and regulations promulgated thereunder, States and Tribes that choose to apply for lead-based paint activities program authorization must submit a complete application to the appropriate Regional EPA office for review. Complete, final applications will be subject to a public comment period, and reviewed by EPA within 180 days of receipt. To receive EPA approval, a State or Tribe must demonstrate that its program is at least as protective of human health and the environment as the Federal program, and provides for adequate enforcement, section 404(b) of TSCA. As determined by EPA's review and assessment, the Upper Sioux and Lower Sioux's applications successfully demonstrated that the Tribes' lead-based paint activities programs achieve the protectiveness and enforcement criteria, as required for Federal authorization. Furthermore, no public comments were received regarding any aspect of Upper Sioux and Lower Sioux's applications. EPA announced solicitation for public comment regarding the applications in the **Federal Register** of October 2, 1998 (63 FR 53051) (FRL-6018-9).

### II. Federal Overfiling

TSCA section 404(b), 15 U.S.C. 2684(b), makes it unlawful for any person to violate, or fail or refuse to comply with, any requirement of an approved State or Tribal program. Therefore, EPA reserves the right to exercise its enforcement authority under TSCA against a violation of, or a failure or refusal to comply with, any requirement of an authorized State or Tribal program.

### III. Withdrawal of Authorization

Pursuant to TSCA section 404(c), 15 U.S.C. 2684(c), the Administrator may withdraw a State or Tribal lead-based paint activities program authorization, after notice and opportunity for corrective action, if the program is not being administered or enforced in compliance with standards, regulations, and other requirements established under the authorization. The procedures EPA will follow for the withdrawal of an authorization are found at 40 CFR 745.324(i).

### IV. Regulatory Assessment Requirements

#### A. Certain Acts and Executive Orders

EPA's actions on State or Tribal lead-based paint activities program applications are informal adjudications, not rules. Therefore, the requirements of the Regulatory Flexibility Act (RFA, 5 U.S.C. 601 *et seq.*), the Congressional Review Act (5 U.S.C. 801 *et seq.*), Executive Order 12866 ("Regulatory Planning and Review," 58 FR 51735, October 4, 1993), and Executive Order 13045 ("Protection of Children from Environmental Health Risks and Safety Risks," 62 FR 1985, April 23, 1997), do not apply to this action. This action does not contain any Federal mandates, and therefore is not subject to the requirements of the Unfunded Mandates Reform Act (2 U.S.C. 1531-1538). In addition, this action does not contain any information collection requirements and therefore does not require review or approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### B. Executive Order 12875

Under Executive Order 12875, entitled "Enhancing Intergovernmental Partnerships" (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local, or Tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must

provide to OMB a description of the extent of EPA's prior consultation with representatives of affected State, local, and Tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local, and Tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates." Today's action does not create an unfunded Federal mandate on State, local, or Tribal governments. This action does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this action.

#### C. Executive Order 13084

Under Executive Order 13084, entitled "Consultation and Coordination with Indian Tribal Governments" (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the Tribal governments. If the mandate is unfunded, EPA must provide OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected Tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." Today's action does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this action.

**Authority:** 15 U.S.C. 2682, 2684.

#### List of Subjects

Environmental protection, Hazardous substances, Lead, Reporting and recordkeeping requirements.

Dated: June 23, 1999.

**Jerri-Anne Garl,**

*Acting Regional Administrator, Region V.*

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#### FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92-237; DA 99-1319]

#### Next Meeting of the North American Numbering Council

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** On June 30, 1999, the Commission released a public notice announcing the July 20, 1999, meeting and agenda of the North American Numbering Council (NANC). The intended effect of this action is to make the public aware of the NANC's next meeting and its agenda.

**FOR FURTHER INFORMATION CONTACT:** Jeannie Grimes at (202) 418-2320 or [jgrimes@fcc.gov](mailto:jgrimes@fcc.gov). The address is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, The Portals, 445 Twelfth Street, S.W., Suite 6-A320, Washington, D.C. 20554. The fax number is: (202) 418-2345. The TTY number is: (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** Released: July 2, 1999.

The meeting to be held on Tuesday, July 20, 1999, from 8:30 a.m. until 5:00 p.m., and on Wednesday, July 21, 1999, from 8:30 a.m. until 10:00 a.m. is open to the members of the general public. The FCC will attempt to accommodate as many participants as possible. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting. Requests to make an oral statement or provide written comments to the NANC should be sent to Jeannie Grimes at the address under **FOR FURTHER INFORMATION CONTACT**, stated above.

It has been determined that the portion of the meeting to be held on Wednesday, July 21, 1999, from 10:00 a.m. until 12:00 p.m. will be closed to the general public. In response to NANC Chairman Alan Hasselwander's request, FCC Chairman William E. Kennard determined, after review by the General Counsel, that this portion of the July 21, 1999, meeting of the NANC may be closed to the public." In making this determination, Chairman Kennard stated:

Given that the NANC's review, at the meeting, of the proposal by Lockheed Martin to provide number pooling administration is likely to involve disclosure of "trade secrets and commercial or financial information obtained from a person and privileged or confidential," that portion of the NANC meeting is subject to the Government in the Sunshine Act's (GISA) allowance for closure of meetings otherwise required to be open to the public. See GISA Section 552b(c)(4). Under the Federal Advisory Committee Act, 5 U.S.C., App. 2 (1988) (FACA), the requirement that Federal Advisory Committee meetings be open to the public is, therefore, not applicable to the above-specified portion of the July 21, 1999, meeting of the NANC.

#### Proposed Agenda

*Tuesday, July 20, 1999*

1. Approval of June 22-23, 1999, meeting minutes.
2. Local Number Portability Administration (LNPA) Working Group Report.
3. Industry Numbering Committee (INC) Report. Discussion of obligation of code holders to resellers requirement to report forecast data.
4. Numbering Resource Optimization (NRO) Working Group Report.
5. Cost Recovery Working Group Report. Discussion business arrangement between North American Numbering Plan Administrator (NANPA) in the role of number pooling administrator and the Number Portability Administration Center (NPAC).
6. North American Numbering Plan Administration (NANPA) Oversight Working Group Report.

*Wednesday, July 21, 1999*

1. Steering Group Report.
  2. Other Business.
- Session closed to the public. Discussion of Lockheed Martin IMS CIS response to the Thousand Block Pooling Administrator Requirements Document. Non-disclosure agreement must be signed by NANC members and or their alternates prior to attending the closed-door session.