

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6411-9]

**Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement concerning the Boeck Drum Superfund Site, with Mr. Eugene O. Boeck and the United States Air Force.

The settlement requires the settling parties to pay a total of \$149,959.56 as payment of past response costs to the Hazardous Substances Superfund. The settlement includes a covenant not to sue pursuant to section 107 of CERCLA, 42 U.S.C. 9607.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 1445 Ross Avenue, Dallas, Texas, 75202-2733.

**DATES:** Comments must be submitted on or before September 2, 1999.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas, 75202-2733. A copy of the proposed settlement may be obtained from Carl Bolden, 1445 Ross Avenue, Dallas, Texas, 75202-2733 at (214) 665-6713. Comments should reference the Boeck Drums Superfund Site, Kingsbury, Guadalupe County, Texas, and EPA Docket Number 6-09-99, and should be addressed to Carl Bolden at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Keith Smith, 1445 Ross Avenue, Dallas, Texas, 75202-2733 at (214) 665-2157.

Dated: July 22, 1999.  
**Jerry Clifford,**  
*Acting Regional Administrator, Region 6.*  
 [FR Doc. 99-19908 Filed 8-2-99; 8:45 am]  
 BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6411-8]

**Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement concerning the Luther Smith Superfund Site, with Mr. Sebastian Koch and the United States Air Force.

The settlement requires the settling parties to pay a total of \$272,142.89 as payment of past response costs to the Hazardous Substances Superfund. The settlement includes a covenant not to sue pursuant to section 107 of CERCLA, 42 U.S.C. 9607.

For thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 1445 Ross Avenue, Dallas, Texas, 75202-2733.

**DATES:** Comments must be submitted on or before September 2, 1999.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas, 75202-2733. A copy of the proposed settlement may be obtained from Carl Bolden, 1445 Ross Avenue, Dallas, Texas, 75202-2733 at (214) 665-6713. Comments should reference the Luther Smith Superfund Site, Guadalupe County, Texas, and EPA Docket Number 6-08-99, and should be addressed to Carl Bolden at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Keith Smith, 1445 Ross Avenue, Dallas, Texas, 75202-2733 at (214) 665-2157.

Dated: July 21, 1999.  
**Jerry Clifford,**  
*Acting Regional Administrator, Region 6.*  
 [FR Doc. 99-19909 Filed 8-2-99; 8:45 am]  
 BILLING CODE 6560-50-P

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION****Agency Information Collection Activities: Submission for OMB Review; Final Comment Request****AGENCY:** Equal Employment Opportunity Commission.**ACTION:** Final notice of submission for OMB review.

**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA), the Equal Employment Opportunity Commission (EEOC) hereby gives notice that it has submitted the information collection described below to the Office of Management and Budget (OMB).

**DATES:** Written comments on this final notice must be submitted on or before September 2, 1999.

**ADDRESSES:** Comments on this final notice should be submitted to the Office of Information and Regulatory Affairs, Attention: Danny Werfel, Desk Officer for the U.S. Equal Employment Opportunity Commission, Office of Management and Budget, 725 17th Street, NW, Room 10235, New Executive Office Building, Washington, DC 20503 or electronically mailed to DWERFEL@OMB.EOP.GOV. Requests for copies of the proposed information collection request should be addressed to Mr. Neckere at the address below.

**FOR FURTHER INFORMATION CONTACT:** Joachim Neckere, Director, Program Research and Surveys Division, 1801 L Street, NW, Room 9222, Washington, DC 20507, (202) 663-4958 (voice) or (202) 663-7063 (TDD).

**SUPPLEMENTARY INFORMATION:** A notice that EEOC would be submitting this request was published in the **Federal Register** on March 25, 1999, allowing for a 60-day public comment period. Two commenters responded.

The first commentator stated that, although he was not concerned with the Commission's interpretation of the Uniform Guidelines on Employee Selection Procedures (UGESP) recordkeeping requirements, he believed that the Office of Federal Contract Compliance Programs' (OFCCP) interpretation and application of the UGESP recordkeeping provisions

placed an undue burden on federal contractors. The commentator asked EEOC to review OFCCP's interpretation. UGESP was jointly issued by the Commission, the predecessor of the U.S. Office of Personnel Management and the Departments of Justice and Labor. Each of those agencies uses the Guidelines in carrying out its own mission. We note that this commentator has submitted a similar observation to OMB in connection with a PRA notice published by OFCCP and that that particular PRA review by OMB has not yet been completed. Although that other matter is still pending, we nevertheless consulted with OFCCP as a result of the comment and are satisfied that OFCCP's interpretation is not inconsistent with the language of the Guidelines.

The second commentator raised the same concern about OFCCP's interpretation of UGESP and also suggested that (1) the EEOC state whether the recordkeeping requirements of UGESP are mandatory and required of all companies obligated to file EEO-1 reports, and (2), if the UGESP recordkeeping requirements are mandatory, the Questions and Answers to the UGESP issued in 1979 (Q's & A's) also be submitted to OMB for approval. UGESP recordkeeping requirements are mandatory. See 29 CFR 1607.4 and 1607.15 and 29 CFR 1607.16S ("The term 'should' as used in these guidelines is intended to connote action that is necessary to achieve compliance \* \* \*"). They apply to all employers subject to Title VII, Executive Order 11246 and other EEO requirements of federal law, not just those employers who file EEO-1 reports. See 29 CFR 1607.2 and 1607.15. The Q's & A's were published in 44 FR 11996 (1979) and 45 FR 29530 (1980). They were issued as supplemental guidance to clarify and provide a common interpretation of the regulations; however, they do not alter the recordkeeping requirements in the regulations, and it would, therefore, not be appropriate to forward the Q's & A's to OMB for review. The Q's & A's are, however, part of the background information that has been submitted to OMB with the request for extension of

the recordkeeping requirement in the regulations.

**Overview of This Information Collection**

*Collection Title:* Recordkeeping Requirements of UGESP, 29 CFR 1607.4 and .15.

*OMB Number:* 3046-0017.

*Form Number:* None.

*Frequency of Report:* None required.

*Type of Respondent:* Businesses or other institutions, state or local governments and farms.

*North American Industry Classification System (NAICS) Code:* Multiple.

*Description of Affected Public:* Any employer, labor organization, or employment agency covered by the federal equal employment opportunity laws.

*Responses:* 666,000.

*Reporting Hours:* 1,450,000.

*Number of Forms:* None.

*Abstract:* The records required to be maintained by 29 CFR 1607.4 and 1607.15 are used by respondents to assure that they are complying with Title VII; by the Commission to investigate, conciliate and litigate charges of employment discrimination; and by complainants to establish violations of federal equal employment opportunity laws.

*Burden Statement:* There are no reporting requirements associated with UGESP. Thus the only paperwork burden derives from the required recordkeeping. There are a total of 666,000 employers who have 15 or more employees and that are, therefore, subject to the recordkeeping requirement. Prior to the imposition of the UGESP recordkeeping requirement, the EEOC proposed to conduct a practical utility survey to obtain estimates of burden hours. The intended survey was not approved by OMB, however, and the Commission relied instead on data obtained from the Business Roundtable study on the Cost of Government Regulation conducted by the Arthur Anderson Company.

In its initial estimate of the recordkeeping burden, the Commission

relied on data from the study to derive the estimate of 1.91 million hours. In a subsequent submission for clearance of the UGESP collection, the Commission made an adjustment to reflect the increase in the incidence of computerized recordkeeping that resulted in a reduction of total burden hours of approximately 300,000, and brought the total burden down to 1.6 million hours.

In the calculation of the initial burden of UGESP compliance, the estimated number of employees covered by the guidelines was 71.1 million. Average cost per employee was taken to be \$1.79. Since most of this cost, however, was for employers' administrative functions and represented the time spent in reviewing their selection processes for "adverse impact" and in reviewing and validating their testing procedures, the actual recordkeeping function was estimated to be in the range of 10 to 15 percent of the total per-employee cost, or between \$.179 and \$.2685 per employee.

In the initial estimate, the Commission used the higher end of the range, but subsequently adopted the midpoint of the range, \$.22 per employee, as a better estimate. The number of employees also increased by 15 million since the initial estimate, so that there are now 86 million employees subject to UGESP. In addition, from the private employer survey the Commission has been conducting for past 30 years (EEO-1), it is aware that 29.7 percent of the private employers file their employment reports on magnetic tapes, on diskettes, or on computer printouts. Thus, at a minimum, that proportion of employers has computerized recordkeeping. From the same survey the Commission also has learned that when records are computerized, the burden hours for reporting, and thus for recordkeeping are about one-fifth of the burden hours associated with non-computerized records. Therefore, the Commission's current estimate of recordkeeping burden hours is as follows:

Computerized recordkeepers .....	(.29) × 86mil × (\$.044) =	\$1,097,360
All other recordkeepers .....	(.71) × 86mil × (\$.22) =	\$13,433,200
Total recordkeeping cost .....		\$14,530,560

Total Burden Hours are then computed by dividing the total cost of recordkeeping by \$10, the hours rate of staff recordkeepers. The total estimate of burden hours associated with the UGESP recordkeeping then is 1.45

million hours. Assumptions made in deriving the estimate are as follows:

Cost per employee for computerized records is \$.044 \*

Hourly rate of pay for recordkeeping staff is \$10.00 \*\*

\* Both of these are derived from a private employer study.

\*\* To the extent that this is an underestimate, the reporting burden is overestimated.

Dated: July 28, 1999.

For the Commission.

**Ida L. Castro,**

*Chairwoman.*

[FR Doc. 99-19887 Filed 8-2-99; 8:45 am]

BILLING CODE 6570-01-M

**FEDERAL COMMUNICATIONS COMMISSION**

**Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval.**

July 26, 1999.

**SUMMARY:** The Federal Communications Commissions, 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, 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, and 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 collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before September 2, 1999. 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 Commission, Room 1-A804, 445 12th Street, S.W., Washington, DC 20554 or via the 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 the Internet at lesmith@fcc.gov.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0653.

*Title:* Sections 64.703 (b) and (c),

Consumer Information—Posting by Aggregators (Formerly titled: "Section 64.703 (b)—Consumer Information—Posting by Aggregators").

*Form Number:* N/A.

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

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

*Number of Respondents:* 56,200.

*Estimated Time Per Response:* 3.67 hours.

*Frequency of Response:* On occasion reporting requirements; Third party disclosure.

*Total Annual Burden:* 206,566 hours.

*Total Annual Costs:* None.

*Needs and Uses:* Section 226(c)(1)(A) of the Communications Act and Section 64.703(b) of the Commission's rules require that each aggregator post on or near the telephone instrument in plain view of consumers: (1) The name, address, and toll-free telephone number of the provider of operator services; (2) written disclosure that the rates for all operator-assisted calls are available on request, and that consumers have a right to obtain access to the interstate common carrier of their choice and may contact their preferred interstate common carrier for information on assessing that carrier's service using that telephone; and (3) the name and address of the Enforcement Division of the Common Carrier Bureau of the Commission, to which the consumer may direct complaints regarding operator services. This requirement was

a response to a widespread failure of aggregators to disclose information necessary for informed consumer choice in the marketplace.

Section 64.703(c) establishes a 30 day outer limit for aggregators to update the posted information. An aggregator may meet the 30 day outer limit rule, where its maintenance technicians would not otherwise visit the particular payphone location within 30 days, by having its coin collection or other agent affix a temporary sticker to the payphone. Such temporary sticker must be replaced with permanent signage during the next regularly scheduled maintenance visit. Section 64.703(c) is intended to provide updated OSP information to consumers and enable consumers to make informed choices when placing operator service calls.

Aggregators will disclose the required information to consumers via printed notice that is posted on or near each of the aggregator's phones. Pursuant to Section 64.703(c), this information must be updated within 30 days in changes of OSPs. Consumers will use this information to determine whether they wish to use the services of the identified OSP.

Federal Communications Commission.

**William F. Caton,**

**Deputy Secretary.**

[FR Doc. 99-19848 Filed 8-2-99; 8:45 am]

BILLING CODE 6712-01-P

**FEDERAL COMMUNICATIONS COMMISSION**

**Sunshine Act Meeting**

July 29, 1999.

**FCC To Hold Open Commission Meeting Thursday, August 5, 1999**

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, August 5, 1999, which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, S.W., Washington, D.C.

Item No.	Bureau	Subject
1 .....	Wireless Telecommunications .....	Title: Extending Wireless Telecommunications Services to Native American Reservations. Summary: The Commission will consider a Notice of Proposed Rulemaking concerning wireless and satellite initiatives to facilitate telecommunications service on Native American reservations.
2 .....	Common Carrier .....	Title: Federal-State Joint Board on Universal Service: Promoting Deployment and Subscribership in Unserved, Tribal, and Insular Areas (CC Docket No. 96-45). Summary: The Commission will consider a Further Notice of Proposed Rulemaking concerning the availability of services supported by federal universal service support mechanisms in unserved and underserved areas, including tribal and insular areas.