

3. Appendix F of part 132 is amended by adding procedure 3.C to read as follows:

Appendix F of Part 132—Great Lakes Water Quality Initiative Implementation Procedures

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Procedure 3: * * *

C. *Mixing Zones for Bioaccumulative Chemicals of Concern (BCCs)*. The following requirements shall be applied in establishing TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs for purposes of determining the need for WQBELs under procedure 5 of appendix F, for BCCs:

1. There shall be no mixing zones available for new discharges of BCCs to the Great Lakes System. WLAs established through TMDLs, WLAs in the absence of TMDLs, and preliminary WLAs for purposes of determining the need for WQBELs for new discharges of BCCs shall be set no higher than the most stringent applicable water quality criteria or values for the BCCs in question. This prohibition takes effect for a Great Lakes State or Tribe on the date EPA approves the State's or Tribe's submission of such prohibition or publishes a notice under 40 CFR 132.5(f) identifying that prohibition as applying to discharges within the State or Federal Tribal reservation.

2. For purposes of section C of procedure 3 of appendix F, new discharges are defined as: (1) A "discharge of pollutants" (as defined in 40 CFR 122.2) to the Great Lakes System from a building, structure, facility, or installation, the construction of which commences after the date the prohibition in section C.1 takes effect in that State or Tribe; (2) a new discharge from an existing Great Lakes discharger that commences after the date the prohibition in section C.1 takes effect in that State or Tribe; or (3) an expanded discharge from an existing Great Lakes discharger that commences after the date the prohibition in section C.1 takes effect in that State or Tribe, except for those expanded discharges resulting from changes in loadings of any BCC within the existing capacity and processes (e.g., normal operational variability, changes in intake water pollutants, increasing the production hours of the facility or adding additional shifts, or increasing the rate of production), and that are covered by the existing applicable control document. Not included within the definition of "new discharge" are new or expanded discharges of BCCs from a publicly owned treatment works (POTW as defined at 40 CFR 122.2) when such discharges are necessary to prevent a public health threat to the community (e.g., a situation where a community with failing septic systems is connected to a POTW to avert a potential public health threat from these failing systems). These and all other discharges of BCCs are defined as existing discharges.

3. Up until November 15, 2010, mixing zones for BCCs may be allowed for existing discharges to the Great Lakes System pursuant to the procedures specified in sections D and E of this procedure.

4. Except as provided in sections C.5 and C.6 of this procedure, permits issued on or after this provision takes effect in a Great Lakes State or Tribe shall not authorize mixing zones for existing discharges of BCCs to the Great Lakes System after November 15, 2010. After November 15, 2010, WLAs established through TMDLs, WLAs established in the absence of TMDLs, and preliminary WLAs for purposes of determining the need for WQBELs under procedure 5 of appendix F for existing discharges of BCCs to the Great Lakes System shall be equal to the most stringent applicable water quality criteria or values for the BCCs in question.

5. *Exception for Water Conservation*. Great Lakes States and Tribes may grant mixing zones for any existing discharge of BCCs to the Great Lakes System beyond the date specified in section C.4 of this procedure where it can be demonstrated, on a case-by-case basis, that failure to grant a mixing zone would preclude water conservation measures that would lead to overall load reductions in BCCs, even though higher concentrations of BCCs occur in the effluent. Such mixing zones must also be consistent with sections D and E of this procedure.

6. *Exception for Technical and Economic Considerations*. Great Lakes States and Tribes may grant mixing zones beyond the date specified in section C.4 of this procedure for any existing discharge of a BCC to the Great Lakes System upon the request of a discharger, subject to sections C.6.a through C.6.c below.

a. The State or Tribe must determine that:

- The discharger is in compliance with and will continue to implement, for the BCC in question, all applicable requirements of Clean Water Act sections 118, 301, 302, 303, 304, 306, 307, 401, and 402, including existing National Pollutant Discharge Elimination System (NPDES) water-quality based effluent limitations; and
- The discharger has reduced and will continue to reduce the loading of the BCC for which a mixing zone is requested to the maximum extent possible, such that any additional controls or pollution prevention measures to reduce or ultimately eliminate the BCC discharge would result in unreasonable economic effects on the discharger or the affected community because the controls or measures are not feasible or cost-effective.

b. Any mixing zone established pursuant to this section shall:

- Not result in any less stringent limitations than those existing prior to November 13, 2000;
- Be no larger than necessary to account for the technical constraints and economic effects identified pursuant to paragraph C.6.a.ii above;
- Meet all applicable acute and chronic aquatic life, wildlife and human health criteria and values within and at the edge of the mixing zone or be consistent with the applicable TMDL or assessment and remediation plan authorized under procedure 3.A.
- Be accompanied, as appropriate, by a permit condition requiring the discharger to implement an ambient monitoring plan to

ensure compliance with water quality standards and consistency with any applicable TMDL or such other strategy consistent with Section A of this procedure, including the evaluation of alternative means for reducing the BCC from other sources in the watershed; and

v. Be limited to one permit term unless the permitting authority makes a new determination in accordance with this section for each successive permit application in which a mixing zone for the BCC is sought.

c. For each draft NPDES permit that would allow a mixing zone for one or more BCCs after November 15, 2010, the fact sheet or statement of basis for the draft permit that is required to be made available through public notice under 40 CFR 124.6(e) shall:

- Specify the mixing provisions used in calculating the permit limits; and
- Identify each BCC for which a mixing zone is proposed.

7. Any mixing zone authorized under sections C.3, C.5 or C.6 must be consistent with sections D and E of this procedure, as applicable.

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[FR Doc. 00-28709 Filed 11-9-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 63

[IB Docket No. 97-142, FCC 00-339]

Rules and Policies on Foreign Participation in the U.S. Telecommunications Market

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: This document announces the effective date of rules. The Commission amended its rules regarding the prior notifications of foreign affiliations, and the rules contained information collection requirements. These rules become effective on November 9, 2000.

EFFECTIVE DATE: The amendments to 47 CFR 63.11 published at 65 FR 60113, October 10, 2000, become effective on November 9, 2000.

FOR FURTHER INFORMATION CONTACT: Peggy Reitzel, Telecommunications Division, International Bureau, (202) 418-1499.

SUPPLEMENTARY INFORMATION: On September 12, 2000, the Commission adopted an order clarifying and revising rules regarding prior notifications of foreign affiliations, a summary of which was published in the **Federal Register**. See 65 FR 60113, October 10, 2000. Section 63.11 of the rules contained

information collection requirements. We stated that § 63.11 contained "information collections that have not been approved by the Office of Management and Budget (OMB). The Commission will publish a document in the **Federal Register** announcing the effective date of that section." The information collections were approved by OMB on October 23, 2000. See OMB No. 3060-0686. This publication satisfies our statement that the Commission would publish a document announcing the effective date of the rules.

List of Subjects in 47 CFR Part 63

Communications common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 00-28887 Filed 11-9-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00-2424; MM Docket No. 00-88; RM-9871]

Radio Broadcasting Services; Dillsboro and Rosman, NC

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Sutton Radiocasting Corporation, allots Channel 237A to Dillsboro, NC, as the community's first local aural service. See 65 FR 34997, June 1, 2000. Channel 237A can be allotted to Dillsboro in compliance with the Commission's minimum distance separation requirements with a site restriction of 14.5 kilometers (9 miles) southeast, at coordinates 35-15-56 NL; 83-09-16 WL, to avoid a short-spacing to Stations WIKQ, Channel 235C, Greeneville, TN, and WYFC, Channel 237A, Clinton, TN. The counterproposal of Chase Broadcasting, Inc. to allot Channel 237A to Rosman, NC, as its first local aural service, is dismissed. A filing window for Channel 237A at Dillsboro will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

DATES: Effective December 11, 2000.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 00-88, adopted October 10, 2000, and released October 27, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

47 CFR PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under North Carolina, is amended by adding Dillsboro, Channel 237A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 00-28889 Filed 11-9-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00-2429; MM Docket No. 98-74; RM-9269, RM-9736]

Radio Broadcasting Services; Eatonville, Wenatchee, Moses Lake, Spokane, and Newport, WA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of joint filers Barbara J. Geesman, licensee of Station KKBV-FM, Eatonville, Washington, Morris Communications, successor to Pioneer Broadcasting Company, Inc., licensee of Stations KKRK and KWIQ, Upper Columbia Media Association, licensee of Station KEEH, Spokane, Washington, James and Helen Stargel, licensee of Station KMJY, Newport, Washington,

and Jeffrey Aaron Bruton, makes the following amendments to the FM Table of Allotments. (1) Channel 284C2 is substituted for Channel 285C2 at Wenatchee, Washington, and Station KKRK's license is modified at its present site 10.2 kilometers (6.3 miles) northeast of the community at coordinates 47-28-44 NL and 120-12-49 WL. (2) Channel 285C3 is substituted for Channel 285A at Eatonville, Washington, and Station KFNK's license is modified at its present site 6.4 kilometers (4 miles) southeast of the community at coordinates 46-50-19 NL and 122-11-53 WL. (3) Channel 262C is substituted for Channel 262C1 at Moses Lake, Washington, and Station KWIQ's license is modified at its present site 42.1 kilometers (26.2 miles) north of the community at coordinates 47-29-20 NL and 119-26-45 WL. (4) Channel 285C2 is substituted for Channel 284A at Spokane, Washington, and Station KEEH's license is modified at its present site 13.1 kilometers (8.2 miles) southeast of the community at coordinates 47-34-45 NL and 117-17-48 WL. (5) Channel 283C3 is substituted for Channel 285A at Newport, Washington, and Station KMJY's license is modified at its present site 2.2 kilometers (1.4 miles) southeast of the community at coordinates 48-09-37 NL and 117-01-49 WL. See Supplementary Information.

DATES: Effective December 11, 2000.

FOR FURTHER INFORMATION CONTACT: Victoria M. McCauley, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 98-74, adopted October 18, 2000, and released October 27, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Since Eatonville, Wenatchee, Moses Lake, Spokane and Newport are within 320 kilometers (200 miles) of the U.S.-Canadian border, we have requested concurrence of the Canadian government for the allotments at those communities. Concurrence has been received for Eatonville, Moses Lake, Spokane and Newport. Concurrence for the allotment at Wenatchee has been requested but not yet received. Any construction permit for Channel 284C2 at Wenatchee that is granted prior to the