

- The New Jersey Harbor waters are not water quality-limited for lead, no Phase II lead TMDLs are required;
- The Passaic and Hackensack Rivers are water quality-limited for nickel, additional monitoring and/or modeling is required to develop Phase II nickel TMDLs for these waterbodies, as necessary; and
- Since all Harbor waters, including all New Jersey Harbor waters, continue to be water quality-limited for mercury, the Phase I mercury TMDLs established on January 24, 1996 remain in effect.

## II. Proposed Action

The action proposed, the withdrawal of the Phase I copper TMDLs, is appropriate given the specific circumstances, monitoring data, and management approach agreed upon by the States of New Jersey and New York and EPA, for the waters of the New York-New Jersey Harbor. The Phase I TMDLs which were established included Waste Load Allocations which reflect existing effluent quality. Phased TMDLs were established while the conflict between the limited ambient data then available (which did not indicate an exceedance of the applicable water quality standard for copper) and the uncertainty in model calibration (which indicated a potential to exceed the copper standard) could be addressed through additional monitoring and/or modeling. The ambient water quality data contained in the NJHDG's above-referenced report is now sufficient to support that the New Jersey Harbor waters are not water quality-limited for copper.

EPA is soliciting public comments on the proposed withdrawal of the copper TMDLs for the New Jersey Harbor waters.

Dated: December 23, 1996.

Signed:

William J. Muszynski,

*Acting Regional Administrator.*

[FR Doc. 97-642 Filed 1-9-97; 8:45 am]

BILLING CODE 6560-50-P

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Proposed Agency Information Collection Activities; Comment

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

**ACTION:** Notice and request for comment.

**BACKGROUND:** In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the FDIC may not conduct

or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid Office of Management and Budget (OMB) control number. A proposed revision of the following currently approved collection of information is hereby published for comment. At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the collection should be modified prior to submission to OMB for review and approval. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimate of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Comments must be submitted on or before March 11, 1997.

**ADDRESSES:** Interested parties are invited to submit written comments to Steven F. Hanft, FDIC Clearance Officer, (202) 898-3907, Office of the Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street N.W., Washington, D.C. 20429. All comments should refer to the OMB control number 3064-0122. Comments may be hand-delivered to Room F-400, 1776 F Street, N.W., Washington, D.C. 20429, on business days between 8:30 a.m. and 5:00 p.m. [FAX number (202) 898-3838; Internet address: comments@fdic.gov].

A copy of the comments may also be submitted to the OMB desk officer for the agencies: Alexander Hunt, Project 3064-0122, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:** Steven F. Hanft, at the address identified above.

#### SUPPLEMENTARY INFORMATION:

Proposal To Revise the Following Currently Approved Collection of Information

*Title:* Forms Relating to FDIC Outside Counsel Services Contracting.

*Form Number:* FDIC 1600/05, FDIC 5200/01.

*OMB Number:* 3064-0122.

*Frequency of Response:* On occasion.

*Affected Public:* Law firms wishing to do business with the FDIC and those under contract with the FDIC.

*Estimated Number of Respondents:* FDIC Form 1600/05—2,500; FDIC Form 5200/01—500.

*Estimated Time per Response:* FDIC Form 1600/05—.5 hours; FDIC Form 5200/01—1.25 hours.

*Estimated Annual Burden:* The OMB previously approved an information collection for FDIC outside counsel budgeting and invoicing with an annual burden of 3,804 hours under OMB No. 3064-0122 (November 25, 1996). The estimated additional burden imposed by FDIC Form 1600/05 is 1,250 burden hours and by FDIC Form 5200/01 is 625 hours, or a total additional burden of 1,875 hours. The annual burden, including both the already approved budgeting and invoicing collection of information and the additional request would be a total of 5,679 burden hours.

#### *General Description of Collection:*

Section 19 of the Resolution Trust Corporation Completion Act required the FDIC to prescribe a regulation to ensure that persons providing services to be FDIC meet minimum standards of competence, experience, integrity and fitness, and to govern conflicts of interest. Pursuant to that mandate, the FDIC established a "Contractor Conflicts of Interest" regulation, 12 CFR Part 366, that became effective April 10, 1996. The FDIC's Contractor Conflicts of Interest regulation requires FDIC contractors, including law firms covered by this collection of information, to submit representations and certifications about themselves and their employees, agents and subcontractors who will perform services under an FDIC contract. Law firms desiring to provide services for the FDIC will use Form 5200/01 to make the representations and certifications about themselves required by 12 CFR Part 366. Individual employees, agents and subcontractors will use Form 1600/05 to make representations and certifications about themselves, and to authorize the release of information about themselves so that the FDIC can verify the representations and certifications.

#### Request for Comment

Comments submitted in response to this Notice will be summarized or included in the FDIC's requests to OMB for renewal of this collection. All comments will become a matter of public record. Written comments should address the accuracy of the burden

estimates and ways to minimize burden including the use of automated collection techniques or the use of other forms of information technology as well as other relevant aspects of the information collection request.

Dated at Washington, DC, this 6th day of January 1997.

Federal Deposit Insurance Corporation.

Jerry L. Langley,

*Executive Secretary.*

[FR Doc. 97-563 Filed 1-9-97; 8:45 am]

BILLING CODE 6714-01-M

### Alternative Dispute Resolution

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

**ACTION:** Notice of adoption of policy statement.

**SUMMARY:** The FDIC has adopted a Statement of Policy to further its commitment to the use of Alternative Dispute Resolution for resolving appropriate disputes in a timely and cost efficient manner and to comply with the spirit of the Administrative Dispute Resolution Act of 1996.

**EFFECTIVE DATE:** December 11, 1996.

**FOR FURTHER INFORMATION CONTACT:** Martha W. McClellan, Counsel (202) 736-0512, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:** The Board of Directors of the FDIC has modified its Statement of Policy on Alternative Dispute Resolution to reflect technical adjustments necessary in light of the reenactment of the Administrative Dispute Resolution Act (Pub. L. 104-320), and to reflect recent FDIC administrative and organizational changes. The text of the revised Policy Statement follows:

#### Statement of Policy on Alternative Dispute Resolution

The Federal Deposit Insurance Corporation (FDIC) has been and continues to be committed to the use of Alternative Dispute Resolution (ADR) for resolving appropriate disputes in a more timely, less costly manner than litigation or administrative adjudication. The FDIC hereby adopts this policy to reiterate its commitment to ADR, to express its full support for ADR and to set forth a framework for the continuing and expanding use of ADR. The Corporation views ADR not as an end in itself, but rather, as an additional tool to accomplish its business efficiently, economically and productively. To that end, the FDIC believes that its ADR

policy should be dynamic and continually developing.

The FDIC fully supports the cost-effective use of ADR, including negotiation, mediation, early neutral evaluation, neutral expert fact-finding, mini-trials and other hybrid forms of ADR in appropriate instances. The purpose of this policy is to use ADR in appropriate instances to resolve disputes at the earliest stage possible, by the fastest and least expensive method possible and at the lowest possible organizational level consistent with applicable delegation of authority.

The Senior Deputy Director (Division of Resolutions and Receiverships) serves as the Dispute Resolution Specialist for the Corporation. In addition, an ADR Steering Committee, composed of the Dispute Resolution Specialist (or his/her designee) and representatives from each Division and Office, was established by the Board of Directors in 1994 to coordinate and encourage appropriate and cost-effective conflict management practices in all aspects of FDIC operations and programs. The Dispute Resolution Specialist, working with the ADR Steering Committee, shall report to the Board of Directors on an annual basis regarding the Corporation's ADR efforts, implementation of this policy, and any revisions or actions necessary.

It is the responsibility of all FDIC employees to implement this policy and to practice and promote cost-effective dispute resolution in FDIC programs and other areas of Corporation operation. All management and employees of the FDIC are hereby directed to take the necessary steps to implement this policy and to cooperate to the fullest extent with the ADR Steering Committee and the Dispute Resolution Specialist (and his/her designee) to promote effective and appropriate use of ADR at the Corporation in furtherance of this policy.

The FDIC welcomes and encourages input on the use of ADR and comment on current and potential uses of ADR from both within and outside the Corporation.

By order of the Board of Directors.

Dated at Washington, DC, the 11th day of December, 1996.

Federal Deposit Insurance Corporation.

Jerry L. Langley,

*Executive Secretary.*

[FR Doc. 97-562 Filed 1-9-97; 8:45 am]

BILLING CODE 6714-01-M

### FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-3122-EM]

#### Hawaii; Amendment to Notice of a Presidential Declaration of an Emergency

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of the Presidential declaration of an emergency for the State of Hawaii (FEMA-3122-EM), dated November 18, 1996, and related determinations.

**EFFECTIVE DATE:** December 11, 1996.

**FOR FURTHER INFORMATION CONTACT:** Magda Ruiz, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3260.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the incident period for this emergency is closed effective December 9, 1996.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Lacy E. Suiter,

*Executive Associate Director, Response and Recovery Directorate.*

[FR Doc. 97-613 Filed 1-9-97; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1147-DR]

#### Hawaii; Amendment to Notice of a Major Disaster Declaration

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster for the State of Hawaii (FEMA-1147-DR), dated November 26, 1996, and related determinations.

**EFFECTIVE DATE:** December 11, 1996.

**FOR FURTHER INFORMATION CONTACT:** Magda Ruiz, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3260.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the incident period for this disaster is closed effective December 9, 1996.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Lacy E. Suiter,

*Executive Associate Director, Response and Recovery Directorate.*

[FR Doc. 97-614 Filed 1-9-97; 8:45 am]

BILLING CODE 6718-02-P