

facilities where it stored diesel oil in above ground storage tanks, in violation of the CWA section 311(b)(3) and 40 CFR Part 112, and that it failed to prepare and implement SWPPP plans for ten facilities, in violation of the CWA section 301(a) and 40 CFR Part 122, and CWA section 402(a) and 40 CFR Parts 122.1 and 122.26. EPA determined that Saputo met the criteria set out in the Audit Policy for a 100% waiver of the gravity component of the penalty. As a result, EPA waived the gravity based penalty (\$58,825.00) and proposed a settlement penalty amount of nine thousand and eight hundred dollars (\$9,800.00). This is the amount of the economic benefit gained by Saputo, attributable to their delayed compliance with the SPCC and NPDES/SWPPP regulations. Saputo Cheese USA, Inc. has agreed to pay this amount in civil penalties. EPA and Saputo negotiated and signed an administrative consent agreement, following the Consolidated Rules of Procedure, 40 CFR section 22.13, on November 21, 2000 (*In Re: Saputo Cheese USA, Inc.*, Docket No. MM-HQ-2001-005). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. section 1321(b)(6) and CWA section 309(g)(4)(A), 33 U.S.C. 1319(g)(4)(A).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321 (b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j), may be assessed an administrative civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR Part 22.

Under CWA section 309(g)(1)(A), 33 U.S.C. 1319 (g)(1)(A), any person found in violation of any permit condition or limitation implementing any of such sections in a permit issued under the CWA section 402(a), 33 U.S.C. 1342, or the CWA section 301(a), 33 U.S.C. 1311(a), may be assessed an administrative civil penalty of up to \$125,000 by EPA. Class II proceedings under CWA section 309(g)(1)(A) are conducted in accordance with 40 CFR Part 22.

The procedures by which the public may comment on a proposed Class II penalty order, or participate in a Clean Water Act Class II penalty proceeding, are set forth in 40 CFR 22.45. The deadline for submitting public comment on this proposed final order is January

18, 2001. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration. The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

Pursuant to CWA section 311(b)(6)(C) and CWA section 309(g)(4)(A), EPA will not issue an order in this proceeding prior to the close of the public comment period.

#### List of Subjects

Environmental protection.

Dated: December 12, 2000.

**David A. Nielsen,**

*Director Multimedia Enforcement Division,  
Office of Enforcement and Compliance Assurance.*

[FR Doc. 00-32242 Filed 12-18-00; 8:45 am]

**BILLING CODE 6560-50-P**

#### FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2457]

#### Petitions for Reconsideration of Action in Rulemaking Proceedings

December 11, 2000.

Petitions for Reconsideration have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, ITS, Inc. (202) 857-3800. Oppositions to these petitions must be filed by January 3, 2001. See section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* Compatibility Between Cable and Consumer Electronics Equipment (PP Docket No. 00-67).

*Number of Petitions Filed:* 2.

*Subject:* 1998 Biennial Regulatory Review 47 CFR part 90—Private Land Mobile Radio Services (WT Docket No. 98-182, RM-9222).

Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of the Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services (PR Docket No. 92-235).

*Number of Petitions Filed:* 4.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 00-32249 Filed 12-18-00; 8:45 am]

**BILLING CODE 6712-01-M**

#### FEDERAL DEPOSIT INSURANCE CORPORATION

#### Sunshine Act Meeting; Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 10:00 a.m. on Thursday, December 21, 2000, to consider the following matters:

*Summary Agenda:* No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous Board of Directors; meetings.

Summary reports, status reports, and reports of actions taken pursuant to authority delegated by the Board of Directors.

*Discussion Agenda:*

Memorandum re: 2001 FDIC Budget.

Memorandum and resolution re: Final Amendments to Part 362—Activities of Insured State Banks and Insured Savings Associations; Part 337—Unsafe and Unsound Banking Practices; and Part 303—Filing Procedures and Delegations of Authority.

Memorandum and resolution re: Final Amendments—Parts 364 and 308—Standards for Safeguarding Customer Information and Rescission of Year 2000 Standards for Safety and Soundness.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, NW., Washington, DC.

The FDIC will provide attendees with auxiliary aids (*e.g.*, sign language interpretation) required for this meeting. Those attendees needing such assistance should call (202) 416-2089 (Voice); (202) 416-2007 (TTY), to make necessary arrangements.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at (202) 898-6757.

Dated: December 14, 2000.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. 00-32370 Filed 12-15-00; 11:08 am]

**BILLING CODE 6714-01-M**