

[region8/water/stormwater/downloads.html](#).

SUPPLEMENTARY INFORMATION: When the general permit is issued, it will be published by reference in the **Federal Register**. The general permit will be effective on the date specified in the **Federal Register** with an expiration five years from such date. Region VIII is not issuing NPDES General Permits for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) located in Indian country. No MS4s in Indian country have been determined to require small MS4 permit coverage at this time.

Administrative Record: The proposed general permit and other related documents in the administrative record are on file in the EPA Region VIII NPDES file room and may be inspected upon request any time between 8 a.m. and 4 p.m., Monday through Friday, excluding legal holidays, at the address provided in the **ADDRESSES** section above. Requests to view these files in the Region VIII NPDES file room should be sent to Greg Davis by phone at 303-312-6082, or by e-mail at davis.gregory@epa.gov.

Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993) the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

OMB has waived review of NPDES general permits under the terms of Executive Order 12866.

Regulatory Flexibility Act

Issuance of an NPDES general permit is not subject to rulemaking requirements, including the requirement for a general notice of proposed

rulemaking, under APA section 553 or any other law, and is thus not subject to the RFA requirement to prepare an IRFA.

The APA defines two broad, mutually exclusive categories of agency action—"rules" and "orders." Its definition of "rule" encompasses "an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency * * * APA section 551(4). Its definition of "order" is residual: "a final disposition * * * of an agency in a matter other than rule making but including licensing." APA section 551(6) (emphasis added). The APA defines "license" to "include * * * an agency permit * * * " APA section 551(8). The APA thus categorizes a permit as an order, which by the APA's definition is not a rule. Section 553 of the APA establishes "rule making" requirements. The APA defines "rule making" as "the agency process for formulating, amending, or repealing a rule." APA section 551(5). By its terms, then, section 553 applies only to "rules" and not also to "orders," which include permits.

Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" on State, local, and tribal governments and the private sector. UMRA uses the term "regulatory actions" to refer to regulations. (See, e.g., UMRA section 201, "Each agency shall * * * assess the effects of Federal regulatory actions * * * (other than to the extent that such regulations incorporate requirements specifically set forth in law)" (emphasis added)). UMRA section 102 defines "regulation" by reference to 2 U.S.C. 658 which in turn defines "regulation" and "rule" by reference to section 601(2) of the Regulatory Flexibility Act (RFA). That section of the RFA defines "rule" as "any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of [the Administrative Procedure Act (APA)], or any other law. * * *"

As discussed in the RFA section of this notice, NPDES general permits are not "rules" under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the CWA. While EPA publishes a notice to solicit public comment on draft general permits, it does so

pursuant to the CWA section 402(a) requirement to provide "an opportunity for a hearing." Thus, NPDES general permits are not "rules" for RFA or UMRA purposes.

Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: February 14, 2003.

Stephen S. Tuber,

*Acting Assistant Regional Administrator,
Office of Partnerships and Regulatory
Assistance.*

[FR Doc. 03-4521 Filed 2-25-03; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 200866-002.

Title: Broward-King Ocean Marine Terminal Agreement.

Parties: Broward County, Board of County Commissioners, King Ocean Service de Venezuela, S.A.

Synopsis: The proposed amendment revises the minimum use standards and the charges covered by the agreement. It also adapts the language of the agreement to comply with current state and county law and regulations.

By Order of the Federal Maritime Commission.

Dated: February 21, 2003.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 03-4558 Filed 2-25-03; 8:45 am]

BILLING CODE 6730-01-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or

the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center Web site at <http://www.ffiec.gov/nic/>.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 24, 2003.

A. Federal Reserve Bank of Cleveland (Stephen J. Ong, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101-2566:

1. *Charter One Financial, Inc.*, Cleveland, Ohio; to acquire 100 percent of the voting shares of Advance Bancorp, Inc., Homewood, Illinois, and thereby indirectly acquire Advance Bank, Lansing, Illinois.

B. Federal Reserve Bank of Richmond (A. Linwood Gill, III, Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. *Virginia Financial Group, Inc.*, Culpeper, Virginia; to acquire 9.9 percent of the voting shares of Albemarle First Bank, Charlottesville, Virginia.

C. Federal Reserve Bank of Atlanta (Sue Costello, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309-4470:

1. *Mountain Bancshares, Inc.*, Dawsonville, Georgia; to become a bank holding company by acquiring 100 percent of the voting shares of Mountain State Bank, Dawsonville, Georgia.

D. Federal Reserve Bank of Chicago (Phillip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Iroquois Bancorp, Inc.*, Gilman, Illinois; to acquire 42.19 percent of the voting shares of JW Bancorp, Inc., Winchester, Illinois, and thereby

indirectly acquire John Warner Financial Corporation, and The John Warner Bank, both of Clinton, Illinois.

2. *JW Bancorp, Inc.*, Winchester, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of John Warner Financial Corporation, and thereby indirectly acquire The John Warner Bank, both of Clinton, Illinois.

E. Federal Reserve Bank of Kansas City (Susan Zubradt, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Bank Capital Corporation*, Phoenix, Arizona; to become a bank holding company by acquiring 100 percent of the voting shares of The Biltmore Bank of Arizona, Phoenix, Arizona.

Board of Governors of the Federal Reserve System, February 19, 2003.

Robert deV. Frierson,
Deputy Secretary of the Board.

[FR Doc. 03-4390 Filed 2-26-03; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL TRADE COMMISSION

Public Workshops: Workshop 1: Technologies for Protecting Personal Information: The Consumer Experience; Workshop 2: Technologies for Protecting Personal Information: The Business Experience

AGENCY: Federal Trade Commission (FTC).

ACTION: Notice announcing two public workshops and requesting public comment and participation.

SUMMARY: The FTC is planning to host two public workshops to explore the role of technology in helping consumers and businesses protect the privacy of their personal information, including the steps taken to keep their information secure. Workshop 1 will focus on technological tools available to consumers and whether and how consumers are using them. Workshop 2 will focus on how businesses use technology to manage their information practices and provide security.

DATES: Workshop 1, The Consumer Experience, will be held on Wednesday, May 14, 2003, from 8:30 a.m. to 5 p.m., in the Federal Trade Commission's Satellite Building now located at 601 New Jersey Avenue, N.W., Washington, DC. Workshop 2, The Business Experience, will occur on Wednesday, June 4, 2003, also in the Satellite Building. The events are open to the public and attendance is free of charge. Pre-registration is not required.

Requests to Participate as a Panelist: As discussed below, written requests to

participate as a panelist in either or both of the workshops must be filed on or before Wednesday, March 26, 2003.

Persons filing requests to participate as a panelist will be notified on or before Wednesday, April 9, 2003, if they have been selected to participate.

Written Comments: Whether or not selected to participate, persons may submit written comments on the Questions to be Addressed at the workshop. Such comments must be filed on or before Wednesday, April 23, 2003. For further instructions on submitting comments and requests to participate, please see the "Form and Availability of Comments" and "Requests to Participate as a Panelist in the Workshop" sections below. To read our policy on how we handle the information you may submit, please visit <http://www.ftc.gov/techworkshop>.

ADDRESSES: Written comments and requests to participate as a panelist in the workshop should be submitted to: Secretary, Federal Trade Commission, Room 159, 600 Pennsylvania Avenue, N.W., Washington, DC 20580. Alternatively, they may be e-mailed to techworkshop@ftc.gov.

FOR FURTHER INFORMATION CONTACT: Toby Milgrom Levin, Division of Financial Practices, 202-326-3713, or James A. Silver, Division of Financial Practices, 202-326-3708. The above staff can be reached by mail at: Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

Background and Proposed Agenda

Since 1995, the FTC has sought to understand the many consumer issues raised by the collection and use of consumers' personal information in our fast-changing information economy. Commission workshops have examined the privacy issues raised by the use of this information and, more recently, the important and complementary role that security plays in providing meaningful protections for it. The Commission has also undertaken a wide variety of education and enforcement initiatives to reduce the harms caused by the disclosure of personal information, such as identity theft, unwarranted intrusions, violations of privacy promises, and breaches of customer databases. As part of this ongoing examination, the Commission is announcing two workshops designed to explore the role of technology in protecting personal information.

Technology has been widely heralded as a promising solution to challenges that the collection and use of information present. A number of