

listed in Table 1 or 2 that bears instructions for use at or on any indoor sites (except mushroom houses), shall not be lawful under FIFRA as of the effective date of the cancellation order, except for the purposes of shipping such stocks for export consistent with section 17 of FIFRA or for proper disposal.

4. *Retail and Other Distribution or Sale of Existing Stock of Products For Indoor Use.* The distribution or sale of existing stocks by any person other than the registrants of products listed in Table 1 or 2 bearing instructions for any indoor uses except mushroom houses will not be lawful under FIFRA after December 31, 2002, except for the purposes of shipping such stocks for export consistent with section 17 of FIFRA or for proper disposal.

5. *Use of existing stocks.* EPA intends to permit the use of existing stocks of products listed in Table 1 or 2 until such stocks are exhausted, provided such use is in accordance with the existing labeling of that product.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: November 22, 2002.

Lois Rossi,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 02-31013 Filed 12-6-02; 8:45am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7413-3]

Napa State Hospital—Administrative Consent Agreement and Final Order; Notice of Proposed Administrative Consent Agreement and Final Order Pursuant to Section 311(b)(6) of the Clean Water Act

AGENCY: Environmental Protection Agency, Region IX.

ACTION: Notice, request for public comments.

SUMMARY: In accordance with section 311(b)(6)(C) of the Clean Water Act, ("CWA"), 33 U.S.C. 1321(b)(6)(C), notice is hereby given of a proposed Consent Agreement and Final Order ("CA/FO," Region 9 Docket No. OPA 9-2003-0001), which resolves penalties for alleged violations of sections 311(b)(3) and 311(j) of the CWA. The respondent to the CA/FO is the Napa State Hospital, an agency of the State of California. Through the proposed CA/FO, the Napa State Hospital will pay \$40,000 to the Oil Spill Liability Trust

Fund as a penalty for alleged violations involving the discharge of oil into waters of the United States, and the failure to prepare and maintain a spill prevention, control and countermeasure plan. The penalty included in this CA/FO was calculated in accordance with the Agency's guidance document, Civil Penalty Policy for section 311(b)(3) and section 311(j) of the Clean Water Act, dated August 1998. For 30 days following the date of publication of this notice, the Agency will receive written comments relating to the proposed CA/FO. Any person who comments on the proposed CA/FO shall be given notice of any hearing held and a reasonable opportunity to be heard and to present evidence. If no hearing is held regarding comments received, any person commenting on this proposed CA/FO may, within 30 days after the issuance of the final order, petition the Agency to set aside the CA/FO, as provided by section 311(b)(6)(C)(iii) of the CWA, 33 U.S.C. 1321(b)(6)(C)(iii).

DATES: Comments must be submitted on or before January 8, 2003.

ADDRESSES: The proposed CA/FO may be obtained from J. Andrew Helmlinger, telephone (415) 972-3904. Comments regarding the proposed CA/FO should be addressed to Danielle Carr (ORC-3) at 75 Hawthorne Street, San Francisco, California 94105, and should reference the Napa State Hospital and Region IX docket OPA 9-2003-0001.

FOR FURTHER INFORMATION CONTACT: J. Andrew Helmlinger, Office of Regional Counsel, (415) 972-3904, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105.

Dated: November 14, 2002.

Debbie Jordan,

Acting Director, Superfund Division.

[FR Doc. 02-30121 Filed 12-6-02; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-02-49-A (Auction No. 49); DA 02-3287]

Auction No. 49 Auction of Lower 700 MHz Band Licenses Scheduled for April 16, 2003; Comment Sought on Reserve Prices or Minimum Opening Bids and Other Auction Procedures

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces the auction of 251 licenses in the Lower 700

MHz band C block (710-716/740-746 MHz) scheduled to commence on April 16, 2003. This document also seeks comment on reserve prices or minimum opening bids and other auction procedures.

DATES: Comments are due on or before December 16, 2002, and reply comments are due on or before December 23, 2002.

ADDRESSES: Comments and reply comments must be sent by electronic mail to the following address: auction49@fcc.gov.

FOR FURTHER INFORMATION CONTACT: *Legal questions:* Howard Davenport (202) 418-0660; *General auction questions:* Lyle Ishida (202) 418-0660 or Linda Sanderson (717) 338-2888. *For service rule questions:* Amal Abdallah, Policy and Rules Branch, or Joanne Epps and Melvin Spann, Licensing and Technical Analysis Branch, at (202) 418-0620.

SUPPLEMENTARY INFORMATION: This is a summary of the *Auction No. 49 Comment Public Notice* released December 2, 2002. The complete text of the *Auction No. 49 Comment Public Notice*, including attachments, is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. *Auction No. 49 Comment Public Notice* may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

1. By the *Auction No. 49 Comment Public Notice*, the Wireless Telecommunications Bureau ("Bureau") announces the auction of 251 licenses in the Lower 700 MHz band C block (710-716/740-746 MHz) scheduled to commence on April 16, 2003 (Auction No. 49). This auction will include the C block licenses that remained unsold in Auction No. 44, which closed on September 18, 2002. A complete list of licenses available for Auction No. 49 is included as Attachment A of the *Auction No. 49 Comment Public Notice*. The C block is a 12-megahertz spectrum block, consisting of a pair of 6-megahertz segments, which is licensed over 734 Metropolitan Statistical Areas ("MSAs") and Rural Service Areas ("RSAs").

2. The following table contains the block/frequency cross-reference for the 710-716/740-746 MHz bands: