

SUPPLEMENTARY INFORMATION: If no significant, adverse comments are timely received, no further activity is contemplated in relation to these draft written exemptions and the exemptions issued as a direct final action in the notice of written exemptions published elsewhere in today's **Federal Register** will automatically become final on the date specified in that notice. If significant, adverse comments are timely received on any exemption, that exemption in the notice of written exemptions will be withdrawn and all public comment received on that exemption based on the relevant exemption in this notice of draft written exemptions. Because the Agency will not institute a second comment period on this notice of draft written exemptions, any parties interested in commenting should do so during this comment period.

For further information and a detailed description of the exemptions, see the information provided in the notice of written exemptions elsewhere in today's **Federal Register**.

Dated: May 1, 1995.

Brian J. McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 95-11502 Filed 5-9-95; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5205-4]

Acid Rain Program: Notice of Written Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of written exemptions.

SUMMARY: The U.S. Environmental Protection Agency is issuing, as a direct final action, written exemptions from the Acid Rain Program permitting and monitoring requirements to 28 utility units at 12 plants in accordance with the Acid Rain Program regulations (40 CFR part 72). Because the Agency does not anticipate receiving adverse comments, the exemptions are being issued as a direct final action.

DATES: Each of the exemptions issued in this direct final action will be final on June 19, 1995 unless significant, adverse comments are received by June 9, 1995. If significant, adverse comments are timely received on any exemption in this direct final action, that exemption will be withdrawn through a notice in the **Federal Register**.

ADDRESSES: *Administrative Records.* The administrative record for the exemptions, except information

protected as confidential, may be viewed during normal operating hours at the following locations:

For plants in Maine: EPA Region 1, JFK Building, One Congress St., Boston, MA 02203.

For plants in New Jersey and New York: EPA Region 2, 290 Broadway, New York, NY 10007-1866.

For plants in Minnesota: EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604.

Comments. Send comments to the following addresses:

For plants in Maine: Linda Murphy, Division Director, Air, Pesticides and Toxics Management Division, EPA Region 1, (address above).

For plants in New Jersey and New York: Conrad Simon, Division Director, Air and Waste Management Division, EPA Region 2, (address above).

For plants in Minnesota: David Kee, Director, Air and Radiation Division, EPA Region 5, (address above).

Submit comments in duplicate and identify the exemption to which the comments apply, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the owners and operators of the unit covered by the exemption.

FOR FURTHER INFORMATION CONTACT: For plants in Maine, Ian Cohen, (617) 565-3029; for plants in New Jersey and New York, Gerry DeGaetano, (212) 637-4020, for plants in Minnesota, Allan Batka, (312) 353-7316.

SUPPLEMENTARY INFORMATION: All public comments received on any exemption in this direct final action on which significant, adverse comments are timely received will be addressed in a subsequent issuance or denial of exemption based on the relevant draft exemption in the notice of draft written exemptions that is published elsewhere in today's **Federal Register** and that is identical to this direct final action.

Under the Acid Rain Program regulations (40 CFR 72.7), utilities may petition EPA for an exemption from permitting and monitoring requirements for any new utility unit that serves one or more generators with total nameplate capacity of 25 MW or less and burns only fuels with a sulfur content of 0.05 percent or less by weight. On the earlier of the date a unit exempted under 40 CFR 72.7 burns any fuel with a sulfur content in excess of 0.05 percent by weight or 24 months prior to the date the exempted unit first serves one or more generators with total nameplate capacity in excess of 25 MW, the unit shall no longer be exempted under 40 CFR 72.7 and shall be subject to all

permitting and monitoring requirements of the Acid Rain Program.

EPA is issuing written exemptions to the following new units, effective from January 1, 1995 through December 31, 1999:

Fergus Control Center unit 1 in Minnesota. The Designated Representative is Ward Uggerud.

Additionally under the Acid Rain Program regulations (40 CFR 72.8), utilities may petition EPA for an exemption from permitting requirements for units that are retired prior to the issuance of a Phase II Acid Rain permit. Units that are retired prior to the deadline for continuous emissions monitoring system (CEMS) certification may also petition for an exemption from monitoring requirements.

While the exempt retired units have been allocated allowances under 40 CFR part 73, units exempted under 40 CFR 72.8 must not emit any sulfur dioxide or nitrogen oxides on or after the date the units are exempted, and the units must not resume operation unless the designated representative submits an application for an Acid Rain permit and installs and certifies its monitors by the applicable deadlines.

EPA is issuing written exemptions from permitting requirements, effective from January 1, 1996, through December 31, 2000, and exemptions from monitoring requirements, effective from January 1, 1995, through December 31, 2000, unless otherwise noted below, to the following retired units:

Mason Steam units 3, 4, and 5 in Maine. The exemptions from permitting and monitoring requirements are effective from January 1, 1995, through December 31, 1999. The Designated Representative is Gerald Poulin.

Deepwater units 3, 5, and 9 in New Jersey. The Designated Representative is Henry Schwemm, Jr.

Linden unit 4 in New Jersey. The Designated Representative is Kenneth Gurbisz.

Gilbert units 1 and 2 in New Jersey. The exemption from monitoring requirements is effective November 1, 1995, through December 31, 2000. The Designated Representative is Ronald Lacey.

Sayreville units 2, 3, 5, and 6 in New Jersey. The Designated Representative is Ronald Lacey.

Sewaren unit 5 in New Jersey. The Designated Representative is George Biernesser.

59th Street unit 110 in New York. The Designated Representative is Raymond Kimmel, Jr.

Astoria units 10 and 20 in New York. The Designated Representative is Raymond Kimmel, Jr.

Rochester 3 units 1, 2, 3, 4, 7, and 8 in New York. The Designated Representative is David Irish.

Oswego units 1 and 2 in New York. The Designated Representative is Clement Nadeau.

Waterside units 41 and 42 in New York. The Designated Representative is Raymond Kimmel, Jr.

Dated: May 1, 1995.

Brian J. McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 95-11503 Filed 5-9-95; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5205-1]

Correction to Previous Notice of Contractor Access to Confidential Business Information Under the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correction.

SUMMARY: On April 17, 1995, the EPA published a **Federal Register** Notice announcing contractor access to confidential business information (60 FR 19250). This notice incorrectly listed contract numbers and contract expiration dates. The correct information is as follows.

The EPA has authorized the following subcontractors for access to information that has been, or will be, submitted to EPA under section 114 of the Clean Air Act (CAA) as amended. (1) EC/R, Inc., 3721-D University Drive, Durham, NC 27707, contract number 68D10118; (2) Alpha Gamma Technologies, Inc., 900 Ridgefield Drive, Suite 350, Raleigh, NC 27609, contract number 68D10117; (3) Energy and Environmental Research Corporation (EER), 3710 University Drive, Suite 160, contract 68D10117. The prime contractor for contract 68D10117 is Radian Corporation, PO Box 13000, RTP, NC 27709 and the prime contractor for contract 68D10118 is Research Triangle Institute, PO Box 12194, RTP, NC 27709. Both of these contracts expire on August 1, 1996, thus CBI access under these contracts expires at that time as well.

DATES: Access to confidential data submitted to EPA will occur no sooner than ten days after issuance of this notice.

FOR FURTHER INFORMATION CONTACT: Doris Maxwell, Document Control Officer, Office of Air Quality Planning

and Standards (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-5312.

Dated: May 1, 1995.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 95-11506 Filed 5-9-95; 8:45 am]

BILLING CODE 6560-50-P

[OPP-50806A; FRL-4952-8]

Issuance of an Experimental Use Permit for a Transgenic Plant Pesticide

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On April 13, 1995, EPA issued EPA Experimental Use Permit (EUP) to Calgene Inc. to conduct field testing of a transgenic plant pesticide. EPA has determined that this permit may be of regional and national significance. The Agency evaluated the data submitted by Calgene and, based on these data and other available data, could foresee no significant risk to humans or to nontarget organisms from this group of field tests as proposed by Calgene. In accordance with 40 CFR 172.11(a), the Agency is soliciting public comments.

DATES: Written comments must be received on or before June 9, 1995.

ADDRESSES: Written comments, in triplicate should bear the docket control number OPP-50806A and be submitted to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person bring comments to Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Crystal City, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number "OPP-50806A" No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this document may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in unit III of this document.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice to the submitter. Written comments will be available for public inspection in Rm. 1128 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Linda A. Hollis, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, Office location and telephone number: CS1 5th floor, 2800 Crystal Drive, Crystal City, VA (703-308-8733).

SUPPLEMENTARY INFORMATION:

I. EUP Program

The EUP was issued to Calgene Inc., 1920 5th St., Davis, CA 95616. The permit was assigned EUP number 65247-EUP-1 and issued for 1 year, beginning April 13, 1995 and ending April 15, 1996. Calgene will be testing a transgenic insect resistant cotton plant which expresses a *Bacillus thuringiensis* subsp. *kurstaki* (B.t.k.) cryIA(c) segment within the plant cells. *Bacillus thuringiensis* subsp. *kurstaki* protein will be present at no more than .001 percent of the total weight of the cottonseed. The cryIA(c) gene of *Bacillus thuringiensis* is transferred to cotton via the Ti plasmid of *Agrobacterium tumefaciens*, a vector system which has been used to stably transform many plant pesticides. All transgenic plants to be used in this field trial are upland cotton *Gossypium hirsutum*.

A total of 2,460 pounds of transgenic cottonseed will be planted on 2.0 to 27.0 acre sites for a total of 67 acres transgenic planting. Calgene's test sites are located in the following States: Alabama, Arizona, Arkansas, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee and Texas. Upon completion of data collection and/or harvest, all cotton plants in the transgenic trial will be destroyed by incorporation into the soil. Seed harvested from the plant breeding nursery and strains test may be retained for use in further research and