

modified provisions do not substantively reduce the level of security afforded TSCA CBI. Copies of the modified version are available from the address referenced above in **FOR FURTHER INFORMATION CONTACT**.

Additional information may be secured from Scott Sherlock, EPA staffer assigned to this project at (202) 260-1536; e-mail: sherlock.scott@epamail.epa.gov.

Before access to TSCA CBI will be authorized at the contractor's site, EPA is required to approve the contractor's security certification statement, perform the required inspection of the facility, and ensure that the facilities are in compliance with the modified security provisions. Upon completing review of the CBI materials, the State/contractor will return all these materials to EPA.

Clearance for access to TSCA CBI under this contract may continue 60 days after the date of commencement, unless EPA agrees to extend it, in which case clearance will be extended to 120 days after the date of commencement.

All contractor personnel having access to the TSCA CBI will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI. Additionally, the contractor has provided assurances in writing that the TSCA CBI protections required under this contract are not inconsistent with any existing State provisions.

List of Subjects

Environmental protection, Access to confidential business information.

Dated: September 27, 1995.

George A. Bonina,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 95-24585 Filed 10-2-95; 8:45 am]

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[OPPTS-140238; FRL-4982-6]

Access to Confidential Business Information by the Georgia Department of Natural Resources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor, the State of Georgia Department of Natural Resources access to information which has been submitted to EPA under all sections of the Toxic Substances Control Act (TSCA). Some of the information may be

claimed or determined to be confidential business information (CBI).

DATES: Access to the confidential data submitted to EPA will occur no sooner than October 18, 1995.

FOR FURTHER INFORMATION CONTACT:

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD: (202) 554-0551; e-mail: TCSA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Under contract number 68-W5-0038, the State of Georgia Department of Natural Resources will review information directed to EPA under the authority of TSCA, including CBI, and determine the value of such information to its toxics programs. This contractor will produce a paper containing a summary of its findings to be directed to EPA.

In accordance with 40 CFR 2.306(j), EPA has determined that under EPA contract number 68-W5-0038, the identified contractor will require access to information, including CBI, submitted to EPA under all sections of TSCA to perform successfully the duties specified under the contract.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA that EPA may provide access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and at the State/contractor toxics facility headquarters located at 7 Martin Luther King, Jr. Drive, Atlanta, GA 30334.

The contractor will be required to adhere to a modified version of the security provisions included in the EPA *TSCA Confidential Business Information Security Manual*. These modified provisions do not substantively reduce the level of security afforded TSCA CBI. Copies of the modified version are available from the address referenced above in **FOR FURTHER INFORMATION CONTACT**.

Additional information may be secured from Scott Sherlock, EPA staffer assigned to this project at (202) 260-1536; e-mail: sherlock.scott@epamail.epa.gov.

Before access to TSCA CBI will be authorized at the contractor's site, EPA is required to approve the contractor's security certification statement, perform the required inspection of the facility, and ensure that the facilities are in compliance with the modified security provisions. Upon completing review of the CBI materials, the State/contractor will return all these materials to EPA.

Clearance for access to TSCA CBI under this contract may continue 60 days after the date of commencement, unless EPA agrees to extend it, in which case clearance will be extended to 120 days after the date of commencement.

All contractor personnel having access to TSCA CBI will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI. Additionally, the contractor has provided assurances in writing that the TSCA CBI protections required under this contract are not inconsistent with any existing State provisions.

List of Subjects

Environmental protection, Access to confidential business information.

Dated: September 27, 1995.

George A. Bonina,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 95-24586 Filed 10-2-95; 8:45 am]

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[FRL-5311-3]

Privacy Act of 1974; Debarment and Suspension System of Records

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed new Privacy Act system of records.

SUMMARY: The United States Environmental Protection Agency (EPA) is publishing a notice for public comment on a system of records subject to the Privacy Act of 1974, 5 U.S.C. 552a. This system is entitled "Debarment and Suspension Files". Additional information on this system is described in the Supplementary Information section of this notice.

EFFECTIVE DATE: This proposed action will be effective, without further notice on November 13, 1995, unless comments are received which result in a contrary determination.

ADDRESSES: Comments should be addressed to: David M. Sims, Chief Hearing Officer, Office of Grants and Debarment (Mail Code 3901F), U. S. Environmental Protection Agency, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: J.F. Drummond, Jr., Associate Hearing Officer, Office of Grants and Debarment (Mail Code 3901F), U. S. Environmental Protection Agency, Washington, DC 20460. Telephone (202) 260-6316.

SUPPLEMENTARY INFORMATION: The purpose of this system of records is to assist EPA in assembling information in order to conduct and document debarment and suspension proceedings to ensure that Federal contracts and Federal assistance, loans, and benefits are awarded to responsible business entities and individuals. The system includes case files and computer generated records developed in connection with initiating suspension and debarment proceedings under Federal Acquisition Regulation (FAR) 9.4 (procurement) and 40 CFR part 32 (nonprocurement), and in rendering interim and final decisions in such proceedings. Case files are comprised of: (1) The official administrative record maintained by hearing officers in EPA's Office of Grants and Debarment (OGD); (2) files compiled by attorneys in EPA's Suspension and Debarment Division (SDD), the Inspector General Division of the Office of General Counsel, and Offices of Regional Counsel in support of suspension and debarment actions; and (3) files developed by SDD to provide documentation for suspension and debarment actions and to conduct audits of compliance agreements. Computer generated records include data regarding categories and status of cases.

This system of records contains records retrievable by the names of businesses and other organizations, as well as by the names of individuals. Only information retrievable by the names of individuals is covered by this Privacy Act notice.

Dated: September 26, 1995.

Sallyanne Harper,
*Acting Assistant Administrator for
Administration and Resources Management.*

EPA—33

SYSTEM NAME:

Debarment and Suspension Files—
EPA/OGD.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Grants and Debarment, Fairchild Building, 499 South Capitol St., Washington, DC. Records are also located in files maintained by the EPA legal offices in Headquarters and Regions 1 through 10 which recommend suspension and debarment action.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have been suspended, proposed for debarment, or debarred from Federal procurement and assistance programs and individuals

who have been the subject of agency inquiries to determine whether they should be debarred and/or suspended from Federal procurement and assistance programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include information on individuals and firms excluded or considered for exclusion from Federal acquisition or assistance programs as a result of suspension or debarment proceedings initiated by EPA. Such information includes, but is not limited to, names and addresses of individuals covered by the system of records, evidence obtained in support of Action Referral Memoranda and Case Closure Memoranda, interim decisions, compliance agreements, audits of compliance agreements, and final determinations. Examples of evidence contained in files include correspondence, inspection reports, memoranda of interviews, contracts, assistance agreements, indictments, judgment and conviction orders, plea agreements, and corporate information. Evidence may include documents containing individuals' Social Security Numbers. Computer generated records include data regarding categories and status of cases.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Property and Administrative Services Act of 1949, 41 U.S.C. 251 et seq.; Office of Federal Procurement Policy Act, 41 U.S.C. 401 et seq.; Executive Order 12549 (February 18, 1986); and Executive Order 12689 (August 16, 1989).

PURPOSE:

The purpose of this system of records is to assist EPA in assembling information on, conducting, and documenting debarment and suspension proceedings to ensure that Federal contracts and Federal assistance, loans, and benefits, are awarded to responsible business entities and individuals.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in this system may be disclosed for routine uses as follows:

1. To the General Services Administration (GSA) to compile and maintain the "Lists of Parties Excluded From Federal Procurement or Nonprocurement Programs" in accordance with FAR 9.404 and 40 CFR 32.500 and 32.505.

2. To organizations suspended, proposed for debarment or debarred in EPA proceedings; to the legal representatives of such organizations; and to the legal representatives of

individuals suspended, proposed for debarment or debarred in EPA proceedings.

3. To a Federal, state, or local agency, financial institution or other entity for the purpose of verifying an individual's eligibility for engaging in a covered transaction as defined at 40 CFR 32.200.

4. To Federal, state, or local agencies for the purpose of: (a) assisting them in administering Federal acquisition, assistance, loan and benefit programs or regulatory programs, (b) assisting them in discharging their duties to ensure that Federal contracts and assistance, loans, and benefit programs are awarded to responsible individuals and organizations, and (c) ensuring that Federal, state or local regulatory responsibilities are met.

5. To Federal, state, or local agencies where necessary to enable EPA to obtain information relevant to an EPA decision concerning the hiring or retention of an employee; the letting of a contract or the issuance of a security clearance, license, permit, grant, or other benefit by EPA or another Federal, state or local agency.

6. To an appropriate Federal, state, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, permit, or order, where the records indicate on their face or in conjunction with other records a violation or potential violation of the statute, rule, regulation, permit, or order, and the information disclosed is relevant to the matter.

7. To the Department of Justice to the extent that each disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to litigation or anticipated litigation in which one of the following is a party or has an interest; (a) EPA or any of its components, (b) an EPA employee in his or her official capacity, (c) an EPA employee in his or her individual capacity where the Department of Justice is representing or considering representation of the employee, or (d) the United States where EPA determines that the litigation is likely to affect the Agency.

8. In a proceeding or contemplated proceeding before a court, other adjudicative body or grand jury, or in an administrative or regulatory proceeding, to the extent that each disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to the proceeding in which one of the following is a party or has an interest; (a) EPA or any of its components, (b) an EPA employee in his or her official capacity, (c) an EPA employee in his or her individual

capacity where the Department of Justice is representing or considering representation of the employee, or (d) the United States where EPA determines that the litigation is likely to affect the Agency. Such disclosures include, but are not limited to, those made in the course of presenting evidence, conducting settlement negotiations, and responding to requests for discovery.

9. In response to a subpoena from another Federal agency having the power to issue subpoenas to EPA.

10. To EPA and other Federal agency contractors, grantees, or volunteers who have been engaged to assist the Government in the performance of a contract, grant, cooperative agreement, or other activity related to this system of records and who need to have access to the records in order to perform the activity. Recipients are required to maintain the records in accordance with the requirements of the Privacy Act.

11. To the public, upon request, and to publishers of computerized legal research systems, but such disclosures shall be limited to interim or final decisions and settlement agreements.

12. To a member of Congress or a Congressional office in response to an inquiry from that member or office made at the request of the individual to whom the record pertains.

13. To representatives of GSA and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

POLICIES AND PROCEDURES FOR STORING, RETRIEVING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders; microfiche, discs, computers and other electronic media.

RETRIEVABILITY:

Records are retrieved by name of the firm or individual and by file number.

SAFEGUARDS:

Records are accessible only by authorized EPA employees and are secured in file cabinets in areas which are locked during non-duty hours. Access to data in computers is restricted to suspension and debarment personnel and other EPA employees with an official need for such information.

RETENTION AND DISPOSAL:

Records are retained in accordance with EPA's Assistance and Interagency Agreement Records Schedule, NC1-412-85-25/7. This schedule was developed under EPA Records

Management Guidelines established pursuant to 44 U.S.C. 3101 *et seq.* Investigative and advocacy files are destroyed after the issuance of a final determination or entry of a compliance agreement. Audit files are retained throughout the term of the relevant compliance agreement. The official administrative record is retained in the office until three months after the period of debarment or voluntary exclusion expires, or all provisions of the compliance agreement have been completed. The official administrative record is then transferred to the Federal Records Center (FRC) for storage. Files relating to cases closed without action are also transferred to the FRC three months after the decision to close the matter. The records transferred to the FRC are destroyed when they are 6 years and 3 months old.

SYSTEM MANAGER AND ADDRESSES:

Director, Office of Grants and Debarment, U.S. Environmental Protection Agency, Mail Code 3901F, 401 M Street, SW., Washington, DC, 20460.

NOTIFICATION PROCEDURES:

To obtain notification on whether this system contains information on you, contact the System Manager at the above address. Proof of identity will be required prior to disclosure of the records sought. If records pertaining to you are located outside of the Office of Grants and Debarment, the System Manager will direct you to the appropriate office.

RECORD ACCESS PROCEDURES:

See Notification Procedures. Please specify the particular records requested.

CONTESTING RECORD PROCEDURES:

See Notification Procedures. Your written inquiry should identify the record(s) to be corrected, the corrective action sought, including any requested amendment to the records, and any supporting documentation you consider relevant to EPA's consideration of your request.

RECORD SOURCE CATEGORIES:

EPA and other Federal officials, state and local officials, private parties, businesses and other entities who may have information relevant to an inquiry, and individuals who have been suspended, proposed for debarment or debarred, and their legal representatives.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

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[FRL-OW-5311-4]

State/Tribal Water Quality Standards: Listing of EPA Approvals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice contains a listing of States and Indian Tribes that have had their water quality standard regulations approved by EPA for the period covering October 1, 1991, through August 31, 1995. This notice is published in accordance with a requirement contained in the Water Quality Standards Regulation (40 CFR 131.21). Additionally, this notice contains a listing of Indian Tribes that have obtained EPA approval to administer their water quality standards program.

FOR FURTHER INFORMATION CONTACT:

Region	WQS coordinator	Phone No.
1	Eric Hall, JFK Federal Bldg., One Congress Street, Boston, MA 02203.	(617) 565-3533
2	Wayne Jackson, Water Division, 290 Broadway, New York, NY 10007.	(212) 264-5685
3	Evelyn MacKnight, Water Division, 841 Chestnut St., Philadelphia, PA 19107.	(215) 597-4491
4	Fritz Wagener, Water Division, 345 Courtland St., NE., Atlanta, GA 30365.	(404) 347-3555, ext. 6633
5	Dave Pfeifer, Water Division, 77 West Jackson Blvd., Chicago, IL 60604-3507.	(312) 353-9024