

in accordance with the Commission's Rules.

Lois D. Cashell,

Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-140239; FRL-4983-7]

Access to Confidential Business Information by Illinois Environmental Protection Agency

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor, the State of Illinois Environmental Protection Agency, 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 November 1, 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-W5-0039, the State of Illinois Environmental Protection Agency 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-W5-0039, 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 2200 Churchill Road, Springfield, Illinois 62794.

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: October 12, 1995.

George A. Bonina,

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

[FR Doc. 95-25843 Filed 10-17-95; 8:45 am]

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[OPPTS-140240; FRL-4983-9]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor, the Wisconsin 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 November 1, 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-W5-0037, the Wisconsin 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-W5-0037, 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 101 South Webster St., Madison, Wisconsin 53707.

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: October 12, 1995.

George A. Bonina,
*Acting Director, Information Management
Division, Office of Pollution Prevention and
Toxics.*

[FR Doc. 95-25842 Filed 10-17-95; 8:45 am]
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[FRL-5314-2]

Draft Compliance Application Guidance (CAG) Document

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: Pursuant to the Waste Isolation Pilot Plant Land Withdrawal Act, Public Law 102-579, EPA has issued proposed criteria for certifying whether the Department of Energy's (DOE) Waste Isolation Pilot Plant (WIPP) is in compliance with EPA's radioactive waste disposal standards set forth at 40 CFR part 191 ("Environmental Radiation Protection Standards for Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes"). See 60 FR 5766 (Jan. 30, 1995) (proposed compliance criteria). The EPA is developing a WIPP compliance application guidance document that is intended to be a companion to and based upon the WIPP compliance criteria. The EPA is hereby announcing that a draft WIPP compliance application guidance document is available for public comment. The draft

guidance document summarizes and, in some instances, provides non-binding interpretations of the proposed WIPP compliance criteria published on January 30, 1995. The EPA will fully consider timely public comments in developing and revising the guidance document.

DATES: Comments in response to today's notice must be received by December 18, 1995.

ADDRESSES: Copies of the draft compliance application guidance document are available to the public at EPA Docket No. A-93-02 (Category II-B) maintained at the following addresses: (1) Room 1500 (first floor in the Waterside Mall near the Washington Information Center), U.S. Environmental Protection Agency, Air Docket, 401 M Street, S.W., Washington, D.C. 20460 (open from 8:00 a.m. to 4:00 p.m. on weekdays); (2) EPA's docket in the Government Publications Department of the Zimmerman Library of the University of New Mexico located in Albuquerque, New Mexico (open from 8:00 a.m. to 9:00 p.m. on Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, 9:00 a.m. to 5:00 p.m. on Saturday, and 1:00 p.m. to 9:00 p.m. on Sunday); (3) EPA's docket in the Fogelson Library of the College of Santa Fe, located at 1600 St. Michaels Drive, Santa Fe, New Mexico (open from 8:00 a.m. to 12:00 midnight on Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, 9:00 a.m. to 5:00 p.m. on Saturday and 1:00 p.m. to 9:00 p.m. on Sunday); and (4) EPA's docket in the Municipal Library of Carlsbad, New Mexico, located at 101 South Halegueno (open from 10:00 a.m. to 9:00 p.m. on Monday through Thursday, 10:00 a.m. to 6:00 p.m. on Friday and Saturday, and 1:00 p.m. to 5:00 p.m. on Sunday). As provided in 40 CFR Part 2, a reasonable fee may be charged for photocopying docket materials.

Comments on the draft compliance application guidance document should be submitted, in duplicate, to: Docket No. A-93-02 (Category II-D), U.S. Environmental Protection Agency, Air Docket, Room M-1500 (LE-131), 401 M Street, S.W., Washington, D.C. 20460. **FOR FURTHER INFORMATION CONTACT:** Tom Peake, U.S. Environmental Protection Agency, Office of Radiation and Indoor Air (6602J), 401 M Street, S.W., Washington, D.C. 20460; (202) 233-9310.

SUPPLEMENTARY INFORMATION: The Department of Energy is proposing to use the Waste Isolation Pilot Plant (WIPP), located in Eddy County, New Mexico, as a deep geologic repository for the disposal of transuranic

radioactive waste generated by nuclear defense activities. The 1992 Waste Isolation Pilot Plant Land Withdrawal Act, (Pub. L. 102-579), calls for the EPA to perform several regulatory activities for the WIPP including: (1) issuing radioactive waste disposal standards; (2) establishing criteria for the EPA to determine whether the WIPP complies with the radioactive waste disposal standards; and (3) certifying whether the DOE's WIPP facility complies with the disposal standards, based on a DOE submitted compliance certification application. See section 8 of the WIPP Land Withdrawal Act. The WIPP Land Withdrawal Act prohibits the DOE from commencing with the emplacement of transuranic waste for underground disposal at the WIPP until the EPA certifies that the facility will comply with EPA's radioactive waste disposal standards. See section 7(b) of the WIPP Land Withdrawal Act.

The EPA has issued final radioactive waste disposal standards, which are codified at 40 CFR part 191. See 58 FR 66398 (Dec. 20, 1993). The EPA has also proposed criteria, to be codified at 40 CFR part 194, for certifying whether the WIPP facility will comply with EPA's radioactive waste disposal standards. See 60 FR 5766 (Jan. 30, 1995) "Criteria for Certification and Determination of the Waste Isolation Pilot Plant's Compliance with Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes." EPA recently announced that it was reopening the public comment period on the proposed compliance criteria. See 60 FR 39131 (August 1, 1995). The public is referred to the December 20, 1993 and January 30, 1995 Federal Register notices for more detailed information about the EPA's regulatory activities at the WIPP.

The compliance application guidance (CAG), the subject of this notice, is a guidance document for the proposed rule 40 CFR part 194. The proposed compliance criteria provide that EPA's evaluation for certifying, by rule, whether WIPP is in compliance with the radioactive waste disposal standards will be initiated after EPA determines that DOE has submitted a complete compliance certification application. See, e.g., 60 FR 5784-85. The draft CAG summarizes and interprets the proposed criteria related to the contents of the compliance certification application and, when revised, is intended to guide EPA's assessment of whether the DOE compliance application is complete.

By this notice, the EPA is inviting the public to participate in the development of the CAG, available in draft at the