

investigations, experiments, surveys, studies, public-private partnerships, or approaches to develop, evaluate, and demonstrate non-regulatory strategies and technologies.

## II. Definitions of Environmental Justice and Pollution Prevention

Environmental justice is defined by EPA as the fair treatment of people of all races, cultures, and incomes with respect to the development, implementation, and enforcement of environmental laws, regulations, programs, and policies. Fair treatment means that no racial, ethnic or socio-economic group should bear a disproportionate share of the negative environmental consequences resulting from the operation of industrial, municipal, and commercial enterprises and from the execution of federal, state, local, and tribal programs and policies.

The Pollution Prevention Act of 1990 establishes a hierarchy of environmental management practices. In order of preferences, these practices include:

- Pollution prevention
- Recycling
- Treatment
- Disposal

Pollution prevention means source reduction; that is, any practice that reduces or eliminates any pollutant at the source prior to recycling, treatment, or disposal. Pollution prevention also includes practices that reduce or eliminate the creation of pollutants through:

Increased efficiency in the use of raw materials, energy, water, or other resources; and

Protection of natural resources by conservation.

This grant program is focused on using the top of the hierarchy--pollution prevention--to bring about better environmental protection.

## III. Possible Approaches

Below are brief summaries of sample projects which meet the definitions of pollution prevention and environmental justice. These may help guide applicants as they develop their proposals.

- Provide funding, assistance, or technical support to organizations that will assist minority and low-income communities and Tribal organizations in obtaining environmental information or designing and implementing training programs for such communities to promote pollution prevention initiatives.

- Provide funding, assistance, or technical support to organizations that will conduct demonstration programs in concert with voluntary programs (e.g.,

the Green Lights program or the Waste Wise program) which promote resource efficiency, or EPA; industry sector projects such as the Common Sense Initiative.

- Provide funding, assistance, or technical support to organizations that will conduct research, demonstrations, or public educational training activities to institutionalize sustainable agricultural practices including integrated pest management techniques to reduce use of pesticides.

- Provide funding, assistance, or technical support to organizations that will establish demonstration projects to provide financial assistance through establishment of revolving loan funds to assist small businesses in obtaining loans for pollution prevention-oriented activities.

- Provide funding, assistance, or technical support to organizations that will be working with the business community in a collaborative fashion to address community environmental justice issues.

## IV. Eligibility

Eligible applicants include currently incorporated organizations that are not intended to be profit-making organizations, including any Federally-recognized Tribal organizations. Organizations must be incorporated by July 31, 1996, in order to receive funds. Governments other than Tribal entities are not eligible to receive funding under this program. Private businesses and individuals are not eligible.

Organizations excluded from applying directly are encouraged to work with eligible applicants in developing proposals that will include them as participants in the projects. For this funding cycle, EPA especially encourages organizations that are not experienced in grant writing to seek out partnerships with national or regional-based organizations.

No applicant can have two grants for the same project at one time. EPA will consider only one proposal for a given project. Applicants may submit more than one application as long as the applications are for separate and distinct projects. However, no organization will receive more than one grant per year under the EJP2 grant program. Organizations seeking funds from the EJP2 grants can request up to \$250,000. EPA anticipates most grants will be awarded in the \$100,000 and \$200,000 range. All grants are subject to a 5% matching requirement. All grantees are required to contribute at least 5% of the total project cost, either through in-kind or monetary contributions.

Dated: June 6, 1996.

William H. Sanders III,  
*Director, Office of Pollution, Prevention, and Toxics.*

[FR Doc. 96-15042 Filed 6-12-96; 8:45 am]  
**BILLING CODE 6560-50-F**

**[FRL-5519-5]**

## National Advisory Council for Environmental Policy and Technology; Reinvention Criteria Committee; Public Meeting

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of public meeting.

**SUMMARY:** Under the Federal Advisory Committee Act, PL 92-463, EPA gives notice of a two-day meeting of the National Advisory Council for Environmental Policy and Technology (NACEPT) Reinvention Criteria Committee (RCC). NACEPT provides advice and recommendations to the Administrator of EPA on a broad range of environmental policy issues. The RCC has been asked to identify criteria the Agency can use to measure the progress and success of specific reinvention projects and its overall reinvention efforts; and to identify criteria to promote opportunities for self-certification, similar to the concept used for pesticide registration. This meeting is being held to provide the EPA with perspectives from representatives of state and local government, academia, industry, and NGOs.

**DATES:** The two-day public meeting will be held on Wednesday, July 24, 1996, from 9 a.m. to 5 p.m. and on Thursday, July 25, 1996 from 9 a.m. to 3 p.m.

**ADDRESSES:** The meeting will be held at the Dupont Plaza Hotel, 1500 New Hampshire Avenue, NW., Washington, DC 20036.

Materials, or written comments, may be transmitted to the Committee through Gwendolyn Whitt, Designated Federal Official, NACEPT/RCC, U.S. EPA, Office of Cooperative Environmental Management (1601-F), 401 M Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:**  
Gwendolyn Whitt, Designated Federal Official for the Reinvention Criteria Committee at 202-260-9484.

Dated: May 30, 1996.

Gwendolyn C.L. Whitt,  
*Designated Federal Official.*

[FR Doc. 96-15036 Filed 6-12-96; 8:45 am]  
**BILLING CODE 6560-50-M**

[FRL-5515-6]

**Utah; Final Determination of Adequacy of State/Tribal Municipal Solid Waste Permit Program**

**AGENCY:** Environmental Protection Agency (Region VIII).  
**ACTION:** Notice of final determination of full program adequacy for Utah's application.

**SUMMARY:** Section 4005(c)(1)(B) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, requires States to develop and implement permit programs to ensure that municipal solid waste landfills (MSWLFs) which may receive hazardous household waste or conditionally exempt small quantity generator waste will comply with the revised Federal MSWLF Criteria (40 CFR Part 258). RCRA Section 4005(c)(1)(C) requires the Environmental Protection Agency (EPA) to determine whether States have adequate "permit" programs for MSWLFs, but does not mandate issuance of a rule for such determinations. On January 26, 1996, EPA proposed a State/Tribal Implementation Rule (STIR) (40 CFR Parts 239 and 258) that will provide procedures by which EPA will approve, or partially approve, State/Tribal landfill permit programs. The Agency intends to approve adequate State/Tribal MSWLF permit programs as applications are submitted. Thus, these approvals are not dependent on final promulgation of the STIR. Prior to promulgation of the STIR, adequacy determinations will be made based on the statutory authorities and requirements. In addition, States/Tribes may use the draft STIR as an aid in interpreting these requirements. The Agency believes that early approvals have an important benefit. Approved State/Tribal permit programs provide interaction between the State/Tribe and the owner/operator regarding site-specific permit conditions. Only those owners/operators located in States/Tribes with approved permit programs can use the site-specific flexibility provided by Part 258 to the extent the State/Tribal permit program allows such flexibility. EPA notes that regardless of the approval status of a State/Tribe and the permit status of any facility, the Federal Criteria will apply to all permitted and unpermitted MSWLFs.

Utah applied for a determination of adequacy under Section 4005 of RCRA. EPA reviewed Utah's application and proposed a determination that Utah's

MSWLF permit program is adequate to ensure compliance with the revised MSWLF Criteria. After review of all comments received, EPA is today issuing a final determination that Utah's program is adequate.

**EFFECTIVE DATE:** The determination of adequacy for Utah shall be effective May 29, 1996.

**FOR FURTHER INFORMATION CONTACT:** Linda Walters, Pollution Prevention Program (8P2-P2), US EPA Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, phone 303/312-6385.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

On October 9, 1991, EPA promulgated revised Criteria for MSWLFs (40 CFR Part 258). Subtitle D of RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), requires States to develop permitting programs to ensure that facilities comply with the Federal Criteria under Part 258. Subtitle D also requires in Section 4005 that EPA determine the adequacy of State municipal solid waste landfill permit programs to ensure that facilities comply with the revised Federal Criteria. To fulfill this requirement, the Agency has proposed a State/Tribal Implementation Rule (STIR) (40 CFR Parts 239 and 258, January 26, 1996). The rule will specify the requirements which State/Tribal programs must satisfy to be determined adequate.

EPA intends to approve State/Tribal MSWLF permit programs prior to the final promulgation of STIR. EPA interprets the requirements for States or Tribes to develop "adequate" programs for permits or other forms of prior approval to impose several minimum requirements. First, each State/Tribe must have enforceable standards for new and existing MSWLFs that are technically comparable to EPA's revised MSWLF criteria. Next, the State/Tribe must have the authority to issue a permit or other notice of prior approval to all new and existing MSWLFs in its jurisdiction. The State/Tribe also must provide for public participation in permit issuance and enforcement as required in Section 7004(b) of RCRA. Finally, EPA believes that the State/Tribe must show that it has sufficient compliance monitoring and enforcement authorities to take specific action against any owner or operator that fails to comply with an approved MSWLF program.

EPA Regions will determine whether a State/Tribe has submitted an "adequate" program based on the interpretation outlined above. EPA plans to provide more specific criteria for this evaluation in the proposed State/Tribal Implementation Rule (STIR). EPA expects States/Tribes to meet all of these requirements for all elements of an MSWLF program before it gives full approval to an MSWLF program.

On September 27, 1993, the EPA Administrator signed the final rule extending the effective date of the landfill criteria for certain classifications of landfills (proposed rule 58 Federal Register 40568, July 28, 1993). Thus, for certain small landfills that fit the small landfill exemption as defined in 40 CFR Part 258.1(f), the Federal Criteria were effective on October 9, 1995, rather than on October 9, 1993. The final ruling on the effective date extension was published in the Federal Register October 1, 1993.

On August 10, 1995, the EPA published a proposed rule to solicit comments on a two-year delay, until October 9, 1997, of the general compliance date of the MSWLF criteria for qualifying small MSWLFs. This will allow EPA time to finalize the proposed alternatives. The final ruling on the delay of the compliance date was published in the Federal Register on October 6, 1995.

**B. State of Utah**

On July 20, 1993, Utah submitted an application for adequacy determination for the State's MSWLF permit program. On October 8, 1993, EPA published a final determination of partial program adequacy for Utah's program. Further background on the final determination of partial program adequacy appears in 58 Federal Register 52489 (October 8, 1993). In that action, EPA approved all portions of the State's MSWLF permit program except Utah's regulations incorporating the Federal financial assurance requirements in 40 CFR Part 258, Subpart G.

On November 28, 1994, the State of Utah submitted a revised application package for full program adequacy. EPA reviewed Utah's application and tentatively determined that the State's Subtitle D program will ensure compliance with the Federal financial assurance requirements in 40 CFR 258.70 through 258.74.

During its November 9, 1995 meeting, the Utah Solid and Hazardous Waste Control Board adopted proposed changes in the Utah Solid Waste Permitting and Management Rules

R315–309, Financial Assurance, as required by 40 CFR Part 258, Subpart G.

EPA has reviewed Utah's application and has determined that all portions of the State's MSWLF permit program will ensure compliance with the revised Federal Criteria. In its application, Utah demonstrated that the State's permit program adequately meets the location restrictions, operating criteria, design criteria, groundwater monitoring and corrective action requirements, closure and post-closure care requirements, and financial assurance criteria in the revised Federal Criteria. In addition, the State of Utah also demonstrated that its MSWLF permit program contains specific provisions for public participation, compliance monitoring, and enforcement.

#### C. Public Comment

The EPA received three public comments on the tentative determination of adequacy for Utah's MSWLF permit program.

The State of Utah, in two comments, requested that EPA re-evaluate language in the tentative determination regarding jurisdiction over "Indian Country", especially the use of the term "former Indian reservation lands". The commentors requested that EPA approve the State's MSWLF permit program within the State of Utah except for Indian lands. EPA has revised this language in the section below entitled "Decision".

In its application for adequacy determination, Utah has not asserted jurisdiction over "Indian Country" as defined in 18 U.S.C. Section 1511. Until EPA approves a State or Tribal MSWLF permitting program, the requirements of 40 CFR Part 258 in Utah for any part of "Indian Country" will automatically apply to that area. Thereafter, the requirements of 40 CFR Part 258 will apply to all owners/operators of MSWLFS located in any part of "Indian Country" that is not covered by an approved State or Tribal MSWLF permitting program. For further information regarding this issue, see the "Decision" section.

One commentator maintained that use of the proposed STIR as guidance is a violation of the Administrative Procedure Act (APA) requirements that a rule must go through notice and opportunity for comment. EPA does not believe that it is violating requirements of the APA. The Agency is not utilizing the proposed STIR as a regulation which binds either the Agency or the States/Tribes. Instead, EPA is using the proposed STIR as guidance for evaluating State/Tribal permit programs utilizing the proposed STIR and/or

other criteria which assure compliance with 40 CFR Part 258.

In addition, members of the public have an opportunity to comment on the criteria by which EPA assures the adequacy of State/Tribal MSWLF permit programs because the Agency discusses the criteria for approval of a permit program when it publishes each tentative determination notice in the Federal Register. In the tentative determination notice for the State of Utah's permit program, the Agency set forth for public comment the requirements for an adequate permit program (58 FR 42965–42967, August 12, 1993).

#### D. Decision

After reviewing the public comments, I conclude that Utah's application for adequacy determination meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Utah is granted a determination of adequacy for all portions of its MSWLF permit program.

This approval does not extend to "Indian Country", as defined in 18 U.S.C. Section 1511, including lands within the exterior boundaries of the following Indian reservations located within or abutting the State of Utah:

1. Goshute Indian Reservation
2. Navajo Indian Reservation
3. Northwestern Band of the Shoshone Nation of Utah (Washakie) Indian Reservation
4. Paiute Indian Tribe of Utah Indian Reservation
5. Skull Valley Band of Goshute Indians of Utah Indian Reservation
6. Uintah and Ouray Indian Reservation
7. Ute Mountain Indian Reservation

EPA is cognizant that the State of Utah and the United States Government differ as to the exact geographical extent of Indian Country within the Uintah and Ouray Indian Reservation and are currently litigating this question in Federal Court. Until that litigation is completed and this question is resolved, EPA will enter into discussions with the Ute Indian Tribe of the Uintah and Ouray Indian Reservation and the State of Utah to determine the best interim approach to managing this program in the disputed area. EPA will notify the public of the outcome of these discussions. In excluding Indian Country from the scope of this approval, EPA is not making a determination that the State either has adequate jurisdiction or lacks jurisdiction over sources in Indian Country. Should the State of Utah choose to seek program approval within Indian Country, it may do so without prejudice. Before EPA

would approve the State's program for any portion of Indian Country, EPA would have to be satisfied that the State has authority, either pursuant to explicit Congressional authorization or applicable principles of Federal Indian law, to enforce its laws against existing and potential pollution sources within any geographical area for which it seeks program approval and that such approval would constitute sound administrative practice.

Section 4005(a) of RCRA provides that citizens may use the citizen suit provisions of Section 7002 of RCRA to enforce the Federal MSWLF criteria in 40 CFR Part 258 independent of any State/Tribal enforcement program. As EPA explained in the preamble to the final MSWLF criteria, EPA expects that any owner or operator complying with provisions in a State/Tribal program approved by EPA should be considered to be in compliance with the Federal Criteria. See 56 Federal Register 50978, 50995 (October 9, 1991).

This action takes effect on May 29, 1996. EPA believes it has good cause under Section 553(d) of the Administrative Procedure Act, 5 U.S.C. 553(d), to put this action into effect less than 30 days after publication in the Federal Register. All of the requirements and obligations in the State's/Tribe's program are already in effect as a matter of State/Tribal law. EPA's action today does not impose any new requirements with which the regulated community must begin to comply. Nor do these requirements become enforceable by EPA as Federal law. Consequently, EPA finds that it does not need to give notice prior to making its approval effective.

#### Compliance With Executive Order 12866

The Office of Management and Budget has exempted this notice from the requirements of Section 6 of Executive Order 12866.

#### Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities. This notice, therefore, does not require a regulatory flexibility analysis.

Authority: This notice is issued under the authority of Sections 2002, 4005 and 4010 of the Solid Waste Disposal Act, as amended; 42 U.S.C. 6912, 6945, 6949(a).

Dated: May 16, 1996.

Max Dodson,

*Acting Regional Administrator.*

[FR Doc. 96-15031 Filed 6-12-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5520-8]

**Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act; In the Matter of Waukegan Paint and Lacquer Company, Inc., Waukegan, IL**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Settlement of CERCLA Section 107 Cost Recovery Matter.

**SUMMARY:** EPA is proposing to settle a cost recovery claim with certain potentially responsible parties (PRPs) with regard to past costs at the Waukegan Paint and Lacquer Company, Inc. Site in Waukegan, Illinois. EPA is authorized under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA") to enter into this administrative settlement.

Response costs totalling \$165,118 were incurred by EPA in connection with an emergency removal action at the Waukegan Paint and Lacquer Site. On February 23, 1995, U.S. EPA sent the PRPs a demand for reimbursement of the Agency's past costs. The Settling Parties have agreed to pay \$94,000 to settle EPA's claim for reimbursement of response costs related to the Site. EPA is proposing to approve this administrative settlement because it reimburses EPA, in part, for costs incurred during its response activities at this Site.

**DATES:** Comments on this administrative settlement must be received by no later than July 15, 1996.

**ADDRESSES:** Written comments relating to this settlement, Docket Number V-W-96-C-325, should be sent to Cynthia N. Kawakami, Associate Regional Counsel, U.S. Environmental Protection Agency, Region 5, Mail Code: CM-29A, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

**ADDITIONAL INFORMATION:** Copies of the Agreement and the Administrative Record for this Site are available at the following address for review. It is

strongly recommended that you telephone Ms. Mila Bensing at (312) 353-2006 before visiting the Region 5 Office. U.S. Environmental Protection Agency, Region 5, Superfund Division, Emergency Response Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

Authority: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.*

William E. Muno,

*Director, Superfund Division.*

[FR Doc. 96-15037 Filed 6-12-96; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL COMMUNICATIONS COMMISSION**

**Notice of Public Information Collections being Reviewed by the Federal Communications Commission; Comments Requested**

June 3, 1996.

**SUMMARY:** The Federal Communications, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commissions burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before August 12, 1996. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of

time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESS:** Direct all comments to Dorothy Conway, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to dconway@fcc.gov.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Dorothy Conway at 202-418-0217 or via internet at dconway@fcc.gov.

**SUPPLEMENTARY INFORMATION:**

**OMB Approval Number:** 3060-0398.

**Title:** Equipment Authorization Measurement Standards; Sections 2.948, 15.117(G)(2).

**Form No.:** None.

**Type of Review:** Revision of existing collection.

**Respondents:** Businesses/For Profit Institutions.

**Number of Respondents:** 320.

**Estimated Time Per Response:**

28.4375

**Total Annual Burden:** 9,100 hours

**Needs and Uses:** The information gathered is used by the Commission to ensure that data accompanying all requests for equipment authorization are valid, and that proper testing procedures are used. Testing ensures that potential interference to radio communications is controlled, and if necessary, the data gathered may be used for investigating complaints of harmful interference, or for verifying the manufacturer's compliance with the Commission's Rules. This revision eliminates the necessity for manufacturer's to file UHF noise figure data documenting the performance of TV receivers tested and marketed in the U.S. The requirement was eliminated from the rules by the adoption of the Report and Order in ET Docket No. 95-144.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 96-14959 Filed 6-12-96; 8:45 am]

BILLING CODE 6712-01-F

**Renewal Application Designated for Hearing**

1. The Assistant Chief, Audio Services Division, has before him the following application for renewal of broadcast license: