

its filings to all other parties. If you want to become intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).

You do not need intervenor status to have your scoping comments considered.

Lois D. Cashell,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5691-5]

Protection of Stratospheric Ozone: Notice of Revocation of a Technician Certification Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of revocation.

SUMMARY: Through this action EPA is announcing the revocation of Refrigerant Certification Services (RCS) of Houston, Texas, previously approved to provide the technician certification exam in accordance with the regulations promulgated at 40 CFR part 82 subpart F. RCS was issued a letter of revocation on February 13, 1997, that included an explanation of the basis for EPA's decision.

This program has not complied with the requirements established for technician certification programs pursuant to section 608 of the Clean Air Act Amendments (the Act). In accordance with those requirements, all approved technician certification programs must provide the certification test and issue credentials consistent with the applicable requirements. Failure to comply with any of the requirements may result in revocation. RCS has been indicted for criminal actions directly related to the administration of the section 608 Technician Certification Program.

In accordance with 40 CFR 82.161(e), EPA revoked approval of RCS to offer the section 608 Technician Certification Program on February 13, 1997. RCS is no longer authorized to certify technicians or issue valid certification credentials.

The criminal indictment against RCS and the three related indictments against RCS representatives are based on information regarding administration of certification test and inappropriate issuance of credentials. Therefore, most

technicians certified by RCS during the period that the program operated an EPA-approved program will remain certified in accordance with 40 CFR section 82.161(a). Technicians that were not properly certified by RCS and/or were issued credentials indicating that such certification did occur properly will be contacted by EPA. Technicians that comprise this subset either participated in testing events proctored by Herman E Brodzinski or were in contact with Mr. Brodzinski regarding the issuance of certification credentials. EPA would like to clarify that not every technician that participated in testing events administered by Mr. Brodzinski may be contacted by EPA. However, a group of approximately 100 technicians that either participated in a testing event or requested the issuance of certification credentials from Mr. Brodzinski will be contacted regarding whether or not these individuals are properly certified.

DATE: Refrigerant Certification Services had their approval to offer a technician certification program revoked, effective February 13, 1997.

FOR FURTHER INFORMATION CONTACT: Sue Stendebach, Program Implementation Branch, Stratospheric Protection Division, Office of Atmospheric Programs, Office of Air and Radiation (6205-J), 401 M Street, SW., Washington, DC 20460, 202/233-9117. The Stratospheric Ozone Information Hotline at 1-800-296-1996 can also be contacted for further information.

Dated: February 13, 1997.

Paul M. Stolpman,

Director, Office Of Atmospheric Programs.

[FR Doc. 97-4331 Filed 2-20-97; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5692-5]

Proposed Settlement Agreement, Clean Air Act Suit

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), notice is hereby given of a proposed settlement agreement, which was lodged with the United States District Court for the District of Columbia by the United States Environmental Protection Agency ("EPA") on January 31, 1997, in a lawsuit filed by the Washington Legal Foundation. A number of United States Senators and Representatives are co-

plaintiffs. This lawsuit concerns, among other things, EPA's alleged failure to meet mandatory deadlines under section 312 of the CAA to provide to Congress (1) a Cost/Benefit Report regarding the costs and benefits of past compliance with certain CAA standards ("Retrospective Report") and (2) the first Cost/Benefit Report making projections into the future regarding expected costs, benefits and other effects of compliance with CAA standards ("Prospective Report"). The proposed settlement agreement provides that EPA shall promulgate the Retrospective Report to Congress no later than October 15, 1997 and the first Prospective Report no later than August 30, 1999.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed settlement agreement from persons who were not named as parties to the litigation in question. In accordance with section 113(g) of the CAA, EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, following the comment period, that consent is inappropriate, the parties intend that the CAA provisions of the final settlement agreement, including the deadlines for the promulgation of the reports provided for in § 312, will be incorporated into an appropriate order of the court.

A copy of the proposed settlement agreement was lodged with the Clerk of the United States District Court for the District of Columbia on January 31, 1997. Copies are also available from Samantha Hooks (2344), Air and Radiation Division, Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7620. Written comments should be sent to Hale Hawbecker at the above address and must be submitted on or before March 24, 1997.

Dated: February 10, 1997.

Scott C. Fulton,

Acting General Counsel.

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