the requirement that these same owners or operators of a demolition or renovation activity, notify in writing the designated state agency in advance of commencing with the demo/reno activity. EPA views this as a duplication of effort. EPA also believes that the costs, in terms of time and resources, of providing duel notification to both the state and federal government represent an unnecessary burden for the regulated community. Therefore, effective October 1, 1997, and with the exception referenced below, EPA will no longer require the regulated community in Maine, New Hampshire, Massachusetts, or Connecticut, to provide written Notification of Demolition and Renovation to EPA, pursuant to 40 CFR 61.145(b), as long as such notices are delivered to the designated state agency. EPA will view notification to the state agency as having satisfied the Federal notification requirement and conversely, will consider non-notifiers to the state agency as being in violation of the Federal notification requirement as well.

This notice is not subject to the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, since no additional reporting, recordkeeping, or notification requirements are being imposed as a result of this action.

Exception

Exceptions to this transfer of notification receipt procedures will apply to regulated facilities, as defined by the asbestos NESHAP at 40 CFR 61.141, where a demolition is to occur but where asbestos is believed to be present below State regulatory threshold amounts, including those demolitions believed to involve zero asbestos. In addition, this notification procedures change applies only to applicable demo/reno activities being conducted the states of Maine, New Hampshire, Massachusetts, and Connecticut. EPA will continue to require full compliance with the notification requirements outlined in 40 CFR 61.145(b) for any demo/reno operation, subject to the asbestos NESHAP, being conducted in the states of Vermont and Rhode Island.

FOR FURTHER INFORMATION CONTACT: Wayne R. Toland; U.S. EPA Region I; Office of Environmental Stewardship; Air, Pesticides, and Toxics Enforcement Office (SEA); J.F.K. Federal Building; Boston, MA, 02203. Telephone: (617) 565–3260.

Dated: September 25, 1997.

John P. DeVillars,

Regional Administrator EPA, Region I.

[FR Doc. 97–26175 Filed 10–1–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5902–1]

Request for Applications for Essential Use Exemptions to the Production and Import Phaseout of Ozone Depleting Substances Under the Montreal Protocol

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Through this notice, the Environmental Protection Agency (EPA) is requesting applications for consideration at the Tenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (the Protocol) to be held in September 1998, for exemptions to the production and import phaseout in 1999 and subsequent years for ozone-depleting substances (including halons 1211 and 1301, CFC–11, CFC–12, CFC–113, CFC–114, CFC–115, CFC–13, CFC–111, CFC–112, CFC–211, CFC–212, CFC–213, CFC–214, CFC–215, CFC–216, CFC–217, carbon tetrachloride, and methyl chloroform).

DATES: Applications for essential use exemptions must be submitted to EPA no later than November 17, 1997 in order for the United States (U.S.) government to complete its review and to submit nominations to the United Nations Environment Programme (UNEP) and the Protocol Parties in a timely manner.

ADDRESSES: Send five copies of application materials to: Chris O'Donnell, Stratospheric Protection Division (6205J), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Send one copy of application materials to: Air Docket A–93–39, 401 M Street, S.W. (6102), Room M1500, Washington, D.C. 20460.

Confidentiality: Applications should not contain confidential or proprietary information.

FOR FURTHER INFORMATION CONTACT: Chris O'Donnell at the above address or at (202) 233–9079 telephone, (202) 233–9665 fax, or odonnell.chris@epamail.epa.gov. General information may be obtained from the Stratospheric Ozone Hotline at 1–800–296–1996.

SUPPLEMENTARY INFORMATION:

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I. Background—The Essential Use Nomination Process

As described in previous **Federal Register** (FR) notices (58 FR 29410, May 20, 1993; 59 FR 52544, October 18, 1994; 60 FR 54349, October 23, 1995; and 61 FR 51110, September 30, 1996), the Parties to the Protocol agreed during the Fourth Meeting in Copenhagen on November 23–25, 1992, to accelerate the phaseout schedules for Class I ozone-depleting substances. Specifically, the Parties agreed to phase out the production of halons by January 1, 1994, and the production of other Class I substances, except methyl bromide, by January 1, 1996. The Parties also reached decisions and adopted resolutions on a variety of other matters, including the criteria to be used for allowing ''essential use'' exemptions from the phaseout of production and importation of controlled substances. Language regarding essential uses was added to the Protocol provisions in Article 2 governing the control measures. Decision IV/25 of the Fourth Meeting of the Parties details the specific criteria and review process for granting essential use exemptions.

At the Eighth Meeting of the Parties in 1996, the Parties modified the timetable for nomination of essential uses. Pursuant to Decision VIII/9, Parties may nominate a controlled substance for an exemption from the production phaseout by January 31 of each year. The United Nations Environment Programme (UNEP) committees then review the nominations at their spring meetings and forward their recommendations for decision at the Meeting of the Parties later that year. The Parties may choose to grant the exemption for one or more of the nominated years, but each approved or pending application may be reconsidered and modified by the Parties at their annual meetings. Since the Parties in 1998 will be considering nominations for the year 1999 and beyond, today's notice solicits requests for those years. Further detail on the essential use process is provided later in this section.

Decision IV/25 states that ''* * * a use of a controlled substance should qualify as ''essential'' only if: (i) It is necessary for the health, safety or is critical for the functioning of society (encompassing cultural and intellectual aspects); and (ii) there are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health''. In addition, the Parties agreed ''that production and consumption, if any, of a controlled

substance, for essential uses should be permitted only if: (i) All economically feasible steps have been taken to minimize the essential use and any associated emission of the controlled substance; and (ii) the controlled substance is not available in sufficient quantity and quality from the existing stocks of banked or recycled controlled substances * * *.''

Section 614 (b) of the Clean Air Act Amendments of 1990 (the Act) provides: ''In the case of conflict between any provision of this title [Title VI of the Act] and any provision of the Protocol, the more stringent provision shall govern.'' Thus, to the extent that an accelerated phaseout schedule has been adopted under the Protocol, EPA can legally provide exemptions for uses authorized by the Protocol but not otherwise specified in the Act as long as any additional production does not exceed the production reduction schedule contained in section 604(a).

The first step in the process to qualify a use as essential under the Protocol is for the user to ascertain whether the use of the controlled substance meets the Decision IV/25 criteria. The user should then notify EPA of the candidate use and provide information for U.S. government agencies and the Protocol Parties to evaluate that use according to the criteria under Decision IV/25. The UNEP Technology and Economic Assessment Panel (TEAP) has issued a handbook entitled ''Handbook on Essential Use Nominations,'' available from EPA, to guide applicants. Applicants should follow the guidelines in the handbook when preparing their exemption requests. Past applicants should note that the current TEAP handbook has been substantially revised to reflect Decision VIII/10 of the Parties.

Upon receipt of the exemption request, EPA reviews the application and works with other interested federal agencies to determine whether it meets the essential use criteria and as a result, warrants being nominated for an exemption. Applicants should be aware that recent essential use exemptions granted to the U.S. for 1997 were limited to chlorofluoro-carbons (CFCs) for metered dose inhalers (MDIs) to treat asthma and chronic obstructive pulmonary disease.

In the case of multiple exemption requests for a single use, EPA aggregates exemption requests received from individual entities into a single U.S. request. An important part of the EPA review is to determine that the aggregate request for a particular out-year adequately reflects the market penetration potential and expected availability of CFC substitutes by that point in time. If the sum of individual requests does not incorporate such assumptions, the U.S. government may adjust the aggregate request to better reflect true market needs.

Nominations submitted to the Ozone Secretariat by the U.S. and other Parties are then forwarded to the UNEP TEAP and its Technical Options Committees (TOCs), which review the submissions and make recommendations to the Parties for exemptions. Those recommendations are then considered by the Parties at their annual meeting for final decision. If the Parties declare a specified use of a controlled substance as essential and issue the necessary exemptions from the production phaseout, EPA may propose regulatory changes to reflect the decisions by the Parties consistent with the Act.

The timing of the reviews is such that in any given year the Parties review nominations for exemption from the production phaseout intended for the following year and any subsequent years. This means that, if nominated, applications submitted in response to today's notice for CFC production in 1999 and beyond will be considered by the Parties in 1998 for final action at the Meeting of the Parties in September of that year.

II. Information Required for Essential Use Applications for Production or Importation of Class I Substances in 1999 and Subsequent Years

Through this notice, EPA requests applications for essential use exemptions for all Class I substances for 1999 and subsequent years. All requests for exemptions submitted to EPA must present the information relevant to the application as prescribed in the TEAP Handbook mentioned in the previous section. As noted earlier, the TEAP handbook has been substantially revised to incorporate Decision VIII/10 adopted by the Parties at their Eighth Meeting, in November 1996. Decision VIII/10 will require applicants to expand on information provided in previous nominations as well as provide new information. Since the U.S. government does not forward incomplete or inadequate nominations to the Ozone Secretariat, it is important for applicants to provide all information requested in the Handbook, including the information specified in the supplemental research and development form (page 43) and the accounting framework matrix (page 41). Parties have been asked to request this information from companies, and these forms will assist the EPA in preparing a complete and comprehensive nomination. In brief, the TEAP Handbook states that applicants must present information on:

- Role of use in society
- Alternatives to use, including education programs on alternatives
- Steps to minimize use, including development of CFC-free alternatives
- Steps to minimize emissions
- Amount of substance available through recycling and stockpiling
- Quantity of controlled substances requested by year.

EPA anticipates that the 1998 review by the Parties of MDI essential use requests will focus extensively on research efforts underway to develop alternatives to CFC MDIs, on education programs to inform patients and providers of the phaseout and the transition to alternatives, and on steps taken to minimize CFC use and emissions including efforts to recapture or reprocess the controlled substance. Accordingly, applicants are strongly advised to present detailed information on these points, including the scope and cost of such efforts and the medical and patient organizations involved in the work. Applicants can strengthen their exemption requests by submitting a complete set of education materials and including copies of printed, electronic or audio-visual tools. Applicants are given notice that exemption requests without adequate information on research and education will not be considered complete.

Applicants should submit their exemption requests to EPA as noted in the **ADDRESSES** section at the beginning of today's notice.

Dated: September 25, 1997.

Richard D. Wilson,

Acting Assistant Administrator, Office of Air and Radiation.

[FR Doc. 97–26183 Filed 10–1–97; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5902–6]

Availability of FY 96 Grant Performance Report for Georgia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of grantee performance evaluation report.

SUMMARY: EPA's grant regulations (40 CFR 35.150) require the Agency to evaluate the performance of agencies which receive grants. EPA's regulations for regional consistency (40 CFR 56.7) require that the Agency notify the public of the availability of the reports