

classification as a solid waste for three types of materials, materials that are collected speculatively without sufficient amounts being recycled; materials that are reclaimed and then reused within the original primary production process in which they were generated; and materials which have been reclaimed, but must be reclaimed further before the materials are completely recovered. This variance is available to owners or operators of enclosed flame combustion devices.

40 CFR 261.33 and 261.4 contain provisions that allow generators to obtain a hazardous waste exclusion for certain types of wastes. Facilities applying for these exclusions must either submit supporting information or keep detailed records. Under section 261.3(a)(2)(iv), generators may obtain a hazardous waste exclusion for wastewater mixtures subject to Clean Water Act regulation. Under section 261.3(c)(2)(ii)(C), generators may obtain an exclusion for certain non-wastewater residues resulting from high metals recovery processing (HTMR) or K061, K062 and F006 waste. In addition, under section 261.4(b)(6), generators of chromium-containing waste may obtain a hazardous waste exclusion under certain conditions.

Also addressed under this section is the shipment of samples between generators and laboratories for the purpose of testing to determine its characteristics or composition. Sample handlers who are not subject to DOT or USPS shipping requirements must comply with the information requirements of section 261.4(d)(2).

When intended for treatability studies, hazardous waste otherwise subject to regulation under Subtitle C of RCRA is exempted from these regulations, provided that the requirements in section 261.4(e)-(f) are met, including the following information requests: initial notification, recordkeeping, reporting, and final notification. In addition, generators and collectors of treatability study samples also may request quantity limit increases and time extensions, as specified in section 261.4(e)(3).

40 CFR 261.31(b)(2)(ii) governs procedures and informational requirements for generators and treatment, storage and disposal facilities to obtain exemptions from listing as F037 and F038 wastes. Also under this section are regulations promulgated in 1990 under section 261.35(b) and (c) governing procedures and information requirements for the cleaning or replacement of all process equipment that may have come into contact with chlorophenolic formulations or

constituents thereof, including, but not limited to, treatment cylinders, sumps, tanks, piping systems, drip pads, fork lifts, and trams.

EPA anticipates that some data provided by respondents will be claimed as Confidential Business Information (CBI). Respondents may make a business confidentiality claim by marking the appropriate data as CBI. Respondents may not withhold information from the Agency because they believe it is confidential. Information so designated will be disclosed by EPA only to the extent set forth in 40 CFR part 2.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9, and in 48 CFR Chapter 15.

EPA would like to solicit comments to:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (iii) Enhance the quality, utility, and clarity of the information to be collected; and
- (iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

**Burden Statement:** Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The average annual burden imposed is approximately 57 hours per respondent. The average number of responses for each respondent is 1. The

estimated number of likely respondents is 330.

Dated: January 14, 1998.

**David Bussard,**

*Director, Hazardous Waste Identification Division.*

[FR Doc. 98-1642 Filed 1-22-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5488-3]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared January 5, 1998 through January 9, 1998 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260-5076. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 11, 1997 (62 FR 16154).

#### Draft EISs

ERP No. D-FHW-B59000-RI Rating EC2, Newport Marine Facilities Project, To Develop the Marine Mode of the Intermodal Gateway Transportation Center, Selected siting in various locations within the City of Newport, Towns of Middletown and Portsmouth, Funding, COE Section 404 Permit and US Coast Guard Permit, Aquidneck Island, RI.

**Summary:** EPA requested that additional information be provided with respect to water quality, contaminated sediments and eelgrass to fully disclose the environmental impacts of the proposed project.

ERP No. D-NOA-B39035-MA Rating LO, New Bedford Harbor Environment Restoration Plan, Implementation, Acushnet River, Buzzards Bay, MA.

**Summary:** EPA endorsed the 12 alternatives selected for near term implementation toward restoration of the New Bedford Harbor. EPA also explained that it does not support activities that would increase or alter the spatial extent of PCB contamination as a result of resuspension and that the agency will continue to work to ensure that none of the restoration work will interfere with or delay the ongoing Superfund work in the harbor.

**Final EISs**

ERP No. F-AFS-L65286-OR, Summit Fire Recovery Forest Restoration Project, Implementation, Malheur National Forest, Long Creek Ranger District, Grant County, OR.

*Summary:* Review of the final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-FAA-B51025-NH, Manchester (New Hampshire) Airport Master Plan Update, Improvements to Airside and Landside Facilities, Airport Layout Plan, Permits and Approvals, Manchester, NH.

*Summary:* EPA continues to have concerns regarding wetlands, air quality, and alternative modes of transportation.

ERP No. F-FHW-C40136-NY, Stutson Street BIN-3317120 Over Genesee River (PIN 4751.05.121), from the Interchange of the Lake Ontario State Parkway and Latta Road to Lake Shore Boulevard, COE Section 10 and 404 Permit, and Coast Guard Bridge Permits, in the City of Rochester, Town of Greece and Irondequoit, Monroe County, NY.

*Summary:* EPA had no objection to the action as proposed.

ERP No. FS-FHW-B40029-VT, Burlington Southern Connector, I-189 to Battery Street, Additional Information, Funding, Burlington, Chittenden County, VA.

*Summary:* EPA continues to express concerns regarding wetland, water and air quality and superfund issues. EPA requested that these issues be clarified in the Record of Decision.

Dated: January 20, 1998.

**B. Katherine Biggs,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 98-1655 Filed 1-22-98; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-5488-2]

**Environmental Impact Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed January 12, 1998 Through January 16, 1998 Pursuant to 40 CFR 1506.9.

EIS No. 980006, Draft Supplement, EPA, CA, International Wastewater Treatment Plant and Outfall Facilities, Construction, Operation and

Maintenance, Construction Grants, CA and Mexico, Due: March 09, 1998, Contact: Elizabeth Borowiec (415) 744-1165.

EIS No. 980007, Draft EIS, FHW, AZ, Red Mountain Freeway (Loop 202) Construction and Operation, between AR 87 (County Club Drive) and US-60 (Superstition Freeway), Funding, NPDES Permit and COE Section 404 Permit, City of Mesa, Maricopa County, AZ, Due: March 09, 1998, Contact: Ken Davis (602) 379-3646.

EIS No. 980008, Draft Supplement, AFS, AK, Control Lake Timber Sales, Implementation, Updated Information, Prince of Wales Island, Tongass National Forest, AK, Due: March 16, 1998, Contact: Dave Arrasmith (907) 228-6304.

EIS No. 980009, Draft EIS, AFS, ID, Frank Church—River of No Return Wilderness (FC-RONRW), Implementation for the Future Management of Land and Water Resource, Bitterroot, Boise, Nez Perce, Payette and Salmon-Challis National Forests, ID, Due: April 24, 1998, Contact: Ken Wotring (208) 756-5131.

EIS No. 980010, Draft EIS, NOA, SC, Marine Environmental Health Research Laboratory (MEHRL), Construction and Operation of Premiere, High Technology and Marine Research Center, Approval of Permits, Charleston County, SC, Due: March 09, 1998, Contact: Donna Howard (803) 762-8604.

EIS No. 980011, Draft Supplement, BLM, CO, NM, TransColorado Gas Pipeline Transmission Project, Updated Resource Information, Construction, Operation and Maintenance, COE Section 404 and 10 Permits, Right-of-Way Grants and Special Use Permit, La Plata, Delta, Dolores, Garfield, Mesa, Montezuma, Montrose, Rio Blanco, San Miguel Counties, CO and San Juan County, NM, Due: March 25, 1998, Contact: Bill Bottomly (970) 240-5337.

**Amended Notices**

EIS No. 970425, Draft EIS, SFW, MO, Big Muddy National Fish and Wildlife Refuge (Big Muddy Refuge) Expansion and Land Acquisition, Missouri River Basin, Several Counties, MO, Due: February 17, 1998, Contact: Ms. Judy McClendon (800) 686-8339.

Published FR 01-07-98—Review period extended.

Dated: January 20, 1998.

**B. Katherine Biggs,**

*Associate Director, NEPA Compliance Division, Office of Federal Activities.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-00230; FRL-5766-1]

**Notice of Availability of FY 1998 Multimedia Environmental Justice Through Pollution Prevention Grant Funds**

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

**ACTION:** Notice of availability.

**SUMMARY:** EPA is soliciting grant proposals under the Environmental Justice Through Pollution Prevention (EJP2) grant program. EPA anticipates that as much as \$4 million will be available in Fiscal Year (FY) 1998. The purpose of this program is to support pollution prevention approaches that address environmental justice concerns in affected communities. The grant funds will support: (1) Local environmental, environmental justice, and community grassroots organizations, including religious and civic organizations, as well as tribal governments that promote environmental justice using pollution prevention as the preferred approach; (2) national and regional organizations working in partnership with local organizations, or tribal governments to promote environmental justice using pollution prevention approaches; (3) state and local governments; and (4) academic institutions.

**DATES:** All applications must be received by EPA's contractor, Eastern Research Group (ERG), located in Arlington, VA, by April 20, 1998. No applications will be accepted after this date.

**FOR FURTHER INFORMATION CONTACT:** To obtain copies of the EJP2 grant program guidance and application package, or to obtain more information regarding the EJP2 grant program, please contact Louise Little at (703) 841-0483. A complete electronic copy of the EJP2 grant program guidance and application package is also available on the EPA Home Page on the Internet. The Internet address is: <http://www.epa.gov/opptintr/ejp2>.

**SUPPLEMENTARY INFORMATION:****I. Scope and Purpose of the EJP2 Grant Program**

The purpose of the FY 1998 EJP2 grant program is to support the use of pollution prevention approaches to address the environmental problems of minority communities and/or low-income communities and Federally recognized tribes. This grant program is designed to fund projects that have a