this notice that convinces us that our present evaluation is incorrect) would be to assist the industry in making a determination (as is required under 40 CFR 262.11(c)), on whether the spent antifreeze it generates exhibits a hazardous waste characteristic. Under § 262.11(c) the generator may either test the waste or rely upon its knowledge of the waste in light of the materials or processes used to make a determination as to whether it meets the definition of a hazardous waste. EPA's statement on this issue would assist the generators by directing them to a compilation of data which they could rely on or give weight to when making their hazardous waste determination. Although EPA believes that generators will find that spent antifreeze rarely fails the TC for lead and is therefore not a hazardous waste, there may be factors (e.g., spent antifreeze from an old vehicle that has not had the antifreeze changed for many years) known to the generator that increase the likelihood that a particular sample may be more likely to fail the TC than the spent antifreeze that is typically generated. The generator is responsible for taking such factors into account. Of course, a statement by EPA that antifreeze rarely fails the TC would not absolve generators of spent antifreeze from their obligation to make a correct § 262.11(c) determination.

The Agency is seeking comment on whether the information we are providing today supports a claim that spent antifreeze rarely fails the TC for lead. We are also seeking any additional data on the composition of spent antifreeze, particularly as they pertain to lead content. EPA is also seeking comment on whether we have properly limited the scope of our evaluation to the presence of lead in spent antifreeze, or whether there are other constituents of concern commonly present in spent antifreeze that would render it a hazardous waste under RCRA. Finally, the Agency solicits information on changes in automotive radiator manufacture that reduce or eliminate concerns about lead.

The information in the docket for today's notice falls into three main categories. The first of these is the TCLP data. We have included raw data submitted to the Agency by both Safety-Kleen and the Dames & Moore antifreeze study (conducted for the New Jersey Automobile Dealers Association). The raw data were organized and analyzed by Science Applications International Corporation (SAIC), an EPA contractor. The July 22, 1997 SAIC report in the docket is an analysis of the data contained in today's notice. The two spreadsheets of data that were prepared by SAIC and used to draft their report are also included. One contains raw data with no calculations. The other is sorted by constituent and concentration value. The Antifreeze Coalition also provided a summary and discussion of the data evaluated in the SAIC report and included in the docket for this notice. In addition to the data from Safety-Kleen, we have included a number of letters from Safety-Kleen and others that endeavor to put the data in its proper context. The Dames & Moore report, which concluded based on its data that ''antifreeze analyses indicate that antifreeze collected directly from automobiles lacks the characteristics of a hazardous waste,'' (p.7) is also included in the data portion of the documents placed in the docket for today's notice. The report represents a cross-section of the antifreeze used in automobiles. Spent antifreeze was collected from a variety of dealerships, including large, multi-brand dealerships. Based on consultations with the New Jersey Department of Environmental Protection and Energy, nine dealerships were chosen to participate in the study.

In addition to the TCLP data and analyses, the docket includes qualitative information provided to EPA by the Antifreeze Coalition. These documents include information on radiator technology and on the manner in which spent antifreeze is managed. Included in this category are the ''Voluntary Management Standards for Used Antifreeze Generator Facilities'' prepared by the Antifreeze Coalition. Although not legally binding, these are practices that the Coalition supports to promote the environmentally sound recycling of spent antifreeze. Although this document does address whether spent antifreeze fails the TC for lead, it is useful as background material to anyone desiring a broader understanding of how this material is managed and the industry's efforts to promote environmentally sound recycling. EPA strongly supports environmental sound recycling as the preferred method for managing spent antifreeze.

The Antifreeze Coalition documents also contain considerable information concerning changes in the manufacture of radiators. As stated above, EPA believes the trends in radiator manufacturing substantially diminish the likelihood that spent antifreeze will contain lead in levels that would fail the TC.

Documents pertaining to ethylene glycol comprise the third category into which the documents in the docket for today's notice fall. These are assorted letters and memoranda pertaining to whether or not there is a risk posed by ethylene glycol. There is also general discussion of the regulation of ethylene glycol-based antifreeze which, although not relevant to whether spent antifreeze fails the TC, may be useful as background information on the properties of spent antifreeze.

OSW will evaluate and thoroughly consider all of the comments we receive on this notice during the 60 day comment period prior to making a final decision on this issue.

Dated: April 9, 1998.

Matt Hale,

Acting Director, Office of Solid Waste.

[FR Doc. 98–10865 Filed 4–22–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6001–5]

National Environmental Justice Advisory Council; Notification of Meeting and Public Comment Period(s); Open Meetings

Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92–463, we now give notice that the National Environmental Justice Advisory Council (NEJAC) along with the subcommittees will meet on the dates and times described below. All times noted are Pacific Daylight Time. All meetings are open to the public. Due to limited space, seating at the NEJAC meeting will be on a first-come basis. Documents that are the subject of NEJAC reviews are normally available from the originating EPA office and are *not* available from the NEJAC. The NEJAC and subcommittee meetings will take place at the Oakland Marriott City Center, 1001 Broadway, Oakland, California 94607, phone: 510/451–4000. The meeting dates are May 31, 1998 through June 3, 1998.

The NEJAC meeeting will begin Sunday, May 31 with a bus tour of local environmental justice sites and a community poster session from 12:00 p.m. to 4:30 p.m. Public comment periods are scheduled for Sunday, May 31 from 6:00 p.m. to 9:00 p.m. and Monday, June 1 from 1:30 p.m. to 4:30 p.m., and 6:00 p.m. to 9:00 p.m. The full NEJAC will convene Monday, June 1 from 9:00 a.m. to 12:00 p.m., and on Wednesday, June 3 from 9:00 a.m. to 6:00 p.m. to follow-up on pending items from the previous NEJAC meeting, to discuss the creation of the new Air and Water Subcommittee, and to address several new business interest items. The

subcommittees of the NEJAC will meet Tuesday, June 2 from 8:30 a.m. to 6:30 p.m. Any member of the public wishing additional information on the subcommittee meetings should contact the specific Designated Federal Official at the telephone number listed below.

Sub-committee	Federal official and telephone No.
Enforcement.	Ms. Sherry Milan –202/564–2619.
Health and Research.	Mr. Lawrence Martin –202/564–6497.
	Ms. Carol Christensen –202/260–2301.
International.	Ms. Wendy Graham –202/564–6602.
Indigenous Peoples.	Mr. Danny Gogal –202/564–2576.
Public Participation.	Ms. Renee Goins –202/564–2598.
Waste/Facility Siting.	Mr. Kent Benjamin –202/260–2822.

Members of the public who wish to present materials during the community poster session or participate in one of the public comment periods should register to do so by May 1. Individuals or groups making oral presentations during the public comment period will be limited to a total time of five minutes. If you wish to submit written comments of any length (at least 50 copies), they should also be received by May 1. Comments received after that date will be provided to the Council as logistics allow. Correspondence concerning comments, poster sessions, or registration should be sent to Tama Clare of Tetra Tech Environmental Management, Inc. at: 1593 Spring Hill Road, Suite 300, Vienna, VA 21882, phone: 703/287–8880 or fax: 703/287–8843. Hearing impaired individuals or non-English speaking attendees wishing to arrange for a sign language or foreign language interpreter, may make appropriate arrangements using these numbers also. In addition, NEJAC offers a toll-free Registration Hotline at 888/335–4299. For on-line registration, you may visit the internet site: http://www.ttemi.com.nejac.

Dated: April 15, 1998.

Linda K. Smith,

Acting Designated Federal Official, National Environmental Justice Advisory Council.

[FR Doc. 98–10859 Filed 4–22–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[TRL–6000–7]

Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity To Comment Regarding City of Manhattan, KS

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

ACTION: Notice of proposed sdministrative penalty sssessment and opportunity to comment regarding City of Manhattan, Kansas.

SUMMARY: EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1319(g).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after issuance of public notice.

On April 1, 1998, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551–7630, the following complaint:

In the Matter of, the City of Manhattan, Kansas; CWA Docket No. VII–98–W–0015.

The Complaint proposes a penalty of One Hundred Thirty-Seven Thousand Five Hundred Dollars ($137,500) for failure to comply with certain requirements of the sludge program, including monitoring, recordkeeping, reporting and application limitations in violation of Section 405 of the Clean Water Act.

FOR FURTHER INFORMATION CONTACT: Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by the City of Manhattan, Kansas is available as part of the administrative record subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this notice.

Dated: April 7, 1998.

William Rice,

Acting Regional Administrator, Region VII.

[FR Doc. 98–10719 Filed 4–22–98; 8:45 am]

BILLING CODE 6560–50–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6001–6]

Proposed Administrative Penalty Assessment and Opportunity to Comment

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed assessment of Clean Water Act Class I Administrative Penalty and opportunity to comment.

SUMMARY: EPA is providing notice of a proposed administrative penalty for alleged violations of the Clean Water Act. EPA is also providing notice of opportunity to comment on the proposed penalty.

EPA is authorized under section 309(g) of the Act, 33 U.S.C. 1319(g), to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons notice of the proposed penalty and a reasonable opportunity to comment on its issuance. Under section 309(g), any person who without authorization discharges a pollutant to a navigable water, as those terms are defined in section 502 of the Act, 33 U.S.C. 1362, may be assessed a penalty in a ''Class I'' administrative penalty proceeding. Class I proceedings under section 309(g) are conducted in accordance with the proposed Consolidated Rules of Practice Governing the Administrative