

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6108-1]

Notice Announcing Availability, Guidance and Evaluation Criteria for Sector-Based Multimedia State Cooperative Agreement Funds

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

PURPOSE: This Notice and Cooperative Agreement Guidance and Evaluation Criteria, announces the availability of the cooperative agreements and summarizes the requirements and process for States to submit proposals for funding. At this time EPA invites eligible States and Territories to submit pre-proposals no longer than 5 pages to the appropriate EPA Regional office and to the workgroup chair by Friday, July 10, 1998.

CONTACT: Amy Porter, 2225A, Office of Compliance, US EPA, 401 M Street SW, Washington, DC 20460, (202) 564-4149, porter.amy@epamail.epa.gov.

This information is also being made available, with additional details, on the Internet at <http://es.epa.gov/oeca/polguid0.html>. Hard copy of the full package, with detailed pre-proposal requirements, can be obtained at the address above, or through any EPA Regional Office.

Background and Purpose

The FY 1998 EPA budget contains \$1,836,000 in State cooperative agreement funds available for multimedia/sector-based work under authority of section 28 of the Toxic Substances Control Act (TSCA). EPA plans to fund proposals in the range of \$100,000-\$500,000 to address sector, multimedia, ecosystem, or community-based environmental protection (CBEP) compliance and enforcement projects which are part of State efforts to establish or operate programs under section 28 of TSCA. All projects should have an impact on improving any aspect of data quality, either for the area being addressed, or overall. Projects relating to the national priority and significant sectors as defined by the OECA Memoranda of Agreement with Regions, as well as multi-State projects addressing problems affecting adjoining States, will be given priority for funding. Also, any other sector or priority project identified by Regions in their individual MOAs will be given funding priority. The national priority sectors include Dry Cleaners, Primary Nonferrous Metals, and Petroleum Refining. The significant sectors are

Municipalities, Industrial Organic Chemicals, Chemical Preparation, Iron and Basic Steel Products, Pulp Mills, Auto Service/Repair Shops, and Agricultural Practices.

Statutory Authority

The funding authority for making these grants is section 28 of TSCA which allows "the Administrator to make grants to States for the establishment and operation of programs to prevent or eliminate unreasonable risks within the States to health or the environment which are associated with a chemical substance or mixture and with respect to which the Administrator is unable or is unlikely to take action under [TSCA] for their prevention and elimination." The Office of Compliance believes that all projects that meet the criteria laid out in the guidance and which qualify for funding under this program will meet the statutory standards of TSCA section 28 because there are no multi-media compliance and enforcement initiatives for the types of projects being funded by this grant, nor are there likely to be.

If the forthcoming Environmental Program Grants Rule has been promulgated at the time these grants are awarded, they will be governed by that Rule.

Eligibility

Eligible entities include State governments and U.S. Territories. Eligible applicants will compete nationally for a portion of the total \$1,836,000 allocation. The Agency intends to announce a separate call for proposals for Federally recognized Tribes with a different focus at a later date.

Scope

The funding authority provides an avenue for cross-media environmental concerns. Cooperative agreements funded under this initiative are intended to provide eligible States and Territories the opportunity to try different and/or innovative approaches to multimedia compliance and enforcement. Proposals must address sector, multimedia, ecosystem, or community based environmental protection (CBEP) compliance assistance, monitoring or enforcement related to programs for the prevention or elimination of risks associated with chemical substances or mixtures. (For the definitions of chemical substances and mixtures, please refer to section 3 of TSCA, or contact EPA for further clarification.) Proposals should address how the project will improve at least one of the following aspects of data

quality: accuracy, completeness, consistency, utility, timeliness, and/or access to existing data systems or those newly developed for sector-related projects, either for the area being addressed, or overall.

Projects relating to the MOA national priority and significant sectors will be given priority for funding. Also, any other sector or priority project identified by Regions in their individual MOAs will be given the same priority for funding. Proposals for multi-State projects submitted by the lead State addressing problems affecting adjoining States, proposals for multi-year projects and multiple projects per State are also welcome.

Funding

Proposals in the range of \$100,000-\$500,000 will be considered for funding. The funding authority requires that recipients provide 25% matching funds. In-kind contributions such as volunteer labor hours may be applied towards the match, provided they meet the criteria in 40 CFR 31.24. Awards must be received by the State within two years of the budget allocation, but there are no time constraints on when the States can spend the money. States may use awards all at once or over multiple years, and at any time.

Process

Pre-proposals not longer than 5 pages, following the format specified in the guidance, must be submitted to EPA. The format includes a detailed list of proposal requirements. The pre-proposal process is intended to enable EPA to evaluate the proposals, request clarifications as needed, suggest modifications, and select States invited to submit a full proposal to the appropriate Region. The pre-proposal process is designed to reduce the investment of State resources for those States not invited to submit a full proposal.

Schedule

(1) At this time, we are asking interested States to submit pre-proposals of 5 pages or less to both the appropriate EPA Regional office and to the workgroup chair, Amy Porter, by July 10, 1998. The name and address of the Regional Contact can be obtained from Amy Porter (see **CONTACT** section above).

(2) EPA will complete its analysis of the pre-proposals and request clarification by September 4, 1998.

(3) Full State proposals are due to the appropriate EPA Region no later than November 27, 1998.

(4) EPA will analyze the final State proposal to assure it is in concert with the evaluation criteria and any clarifications requested from the pre-proposal, and meet any necessary administrative requirements before making an award.

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Dated: May 26, 1998.

Elaine Stanley,

Director, Office of Compliance.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-00538; FRL-5792-8]

Announcement of a Workshop to Develop a Protocol for Testing the Efficacy of Disinfectants Used to Inactivate Hepatitis B Virus

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is announcing a public workshop to be held July 23 and 24, 1998, in the Washington DC area. The purpose of this workshop is to allow all interested parties to have input in developing a new and usable protocol, using a surrogate test species such as "Duck", for testing the efficacy of disinfectants used to inactivate Hepatitis B Virus (HBV). The Agency is requesting that interested parties send in any protocols and other information that they would want to be included in the deliberations of the workshop. A package of pertinent information, including the workshop agenda, will be sent to the participants before the workshop. The workshop will be structured to allow the participants to discuss all issues that are germane to the development of a workable test protocol.

DATES: Protocols, other information, and comments, identified by the docket

number [OPP-00538], should be received on or before July 6, 1998 to be given full consideration.

ADDRESSES: Submit protocols and other information identified by the docket control number OPP-00538 by mail to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. In person, bring comments directly to the OPP Docket Office, which is located in Rm. 119 of Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as Confidential Business Information (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

FOR FURTHER INFORMATION CONTACT: By mail: Ibrahim Barsoum, Antimicrobials Division (7510W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6W23, Crystal Station #1, 2800 Crystal Drive, Arlington, VA, (703) 308-6417, fax: 703-308-6466, e-mail: barsoum.ibrahim@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

EPA has the authority through FIFRA to register antimicrobial pesticides. For public health pesticides, OPP reviews the submitted data for efficacy as well as safety. Guidelines have been developed for methods and performance standards which are used to test the efficacy of the various types of antimicrobial products that need to be registered.

II. Hepatitis Virus B Testing

The Agency has approved registrations for products that have Hepatitis Virus B claims based on a method using chimpanzees as the test subject. The continued use of the chimpanzee test is in doubt because the test is very expensive, which means that only one animal can be economically used for each test. An OPP Scientific Advisory Panel Meeting in September 1997 recommended that EPA look at alternative test systems, such as tests using Duck Hepatitis Virus B, in order to produce a new method to replace the

chimpanzee test. EPA has decided to conduct a workshop in order to develop a new protocol for HBV efficacy testing. The workshop is being planned to include all parties interested in this issue. The group's goal will be to provide information that will aid EPA's development of a workable protocol. The Agency will be responsible for developing the actual protocol suitable for testing and validation.

III. Workshop Process

The two-day workshop will concentrate on producing an effective protocol that will replace the chimpanzee test. EPA anticipates that individuals from academia, industry, health care facilities, other federal agencies and public health advocacy groups will attend the workshop. The Agency is requesting that all interested parties submit any information that would be relevant for developing a new protocol. Submissions could include protocols developed by the submitters and those found in the open literature. EPA requests that submitters not claim the materials as confidential because the Agency would like to disseminate the materials to the public. Any confidential information sent into the Agency for the workshop would be used internally by EPA scientists in identifying appropriate topics to be discussed, but would not be included in the information that would be provided to the participants. Any other pertinent information that interested parties feel would be helpful to the Agency in setting the workshop agenda, especially scientific issues that need to be discussed and names of individuals who should specifically be invited to attend, should be sent to the Agency as indicated under ADDRESSES or Unit V. The goal of the workshop will be for EPA to develop a draft protocol for validation.

IV. Workshop Follow up

Once EPA produces a protocol, it will be disseminated to the public, including the regulated community, and to testing laboratories for immediate use. If an applicant submits data using the new protocol, and EPA decides to register the product based on the results of the study along with the other required information, the registration will be time limited. This approach allows products to be registered and used during the time it takes for the AOAC validation. However, the registration will automatically expire, if the test protocol does not pass the validation process. EPA anticipates allowing a two year registration that may be renewed if