

Reservoir Canyon Road to the Cuesta Grade Overhead, Funding and Permit Issuance, San Luis Obispo County, CA.

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

ERP No. F-FTA-K40223-CA, Mission Valley East Corridor Transit Improvement Project, between I-15 in Mission Valley and the East County community of La Mesa, Funding, COE Section 404 Permit, Metropolitan Transit Development Board (MTDB) and Light Rail Transit (LRT), San Diego County, CA.

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

Dated: January 19, 1999.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 99-1509 Filed 1-21-99; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6223-3]

RCRA Hazardous Waste Biennial Reporting: Notice of Intent to Privatize Development of Reporting Software

AGENCY: Environmental Protection Agency.

ACTION: Notice of public meeting.

SUMMARY: The Environmental Protection Agency's (EPA's) Office of Solid Waste will hold a public meeting on February 24, 1999, from 8:30 a.m. to 4:00 p.m., to make information available on the EPA's efforts to privatize the development of software required by State and Federal Agencies for biennial reporting to the EPA about the generation, management and final disposition of hazardous waste regulated by the Resource Conservation and Recovery Act (RCRA). This meeting will focus on providing information to potential software vendors to encourage them to provide the reporting software to the State and Federal Agencies for use in meeting their 1999 biennial reporting requirements.

DATES: The public meeting will be held on February 24, 1999 from 8:30 a.m. to 4:00 p.m.

ADDRESSES: The meeting will be held in EPA's Crystal City office; Conference Room A, Second Floor, 2800 Crystal Drive, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: For technical information and registration

matters, contact Ms. Dina Villari of the EPA's Office of Solid Waste at (703) 308-7912; e-mail:

villari.dina@epamail.epa.gov. For general information regarding RCRA biennial reporting requirements, contact the RCRA Hotline at (800) 824-9346 or TDD (800) 553-7672 (hearing impaired). In the Washington, DC metropolitan area, call (703) 412-9810 or TDD (703) 412-3323.

SUPPLEMENTARY INFORMATION: The EPA, under the authority of the Resource Conservation and Recovery Act (RCRA) of 1976, and its amendments of 1980 and 1984 called the Hazardous and Solid Waste Amendments (HSWA), is required to collect information on a biennial basis from generators of hazardous waste and treatment, storage and disposal facilities. As part of this effort, EPA and the States collect and maintain information about the generation, management and final disposition of the nation's hazardous waste regulated by RCRA. Analysis of this information serves as a means of: reporting to Congress and the public on the location, quantities, and disposition of hazardous wastes; assessing the effectiveness of existing Agency regulations; and assisting the Agency in measuring nationwide progress in its mission to protect human health and the environment.

The EPA previously developed reporting software, the Biennial Reporting System (BRS), for use by State and Federal Agencies for the 1989 through 1997 Biennial Reporting cycles. The EPA is now preparing for the 1999 biennial reporting cycle. Although the EPA does not require electronic submission of data from the regulated community, recent biennial reporting cycles have become more automated, with both the regulated community and the State/Federal implementers of the biennial reporting requirements using electronic data submissions to prepare the State data files that ultimately comprise the BRS National Oversight Database. Although the EPA has provided BRS implementer software to State/Federal Agencies, private software vendors have recently begun providing software which meets the needs of both the regulated community and State/Federal implementers of the RCRA program.

A total of 35 State/Federal Agencies used either their own State-developed software or one of the electronic software packages provided by private software vendors for the implementation of the 1997 biennial reporting requirements. Consistent with the intent of the Information

Technology Management Reform Act (ITMRA) of 1995, also known as the Clinger-Cohen Act, the EPA is encouraging the privatization of the entire implementer component of the biennial reporting process. ITMRA requires that Federal Agencies make the maximum use of commercial, Off-the-Shelf technology if the private sector can efficiently support the function. The EPA has made the determination that the software developed by private vendors, or State-developed software, is an efficient and cost-effective way of implementing the RCRA biennial reporting requirements and, therefore, the EPA will no longer develop and provide the BRS implementer software.

The purpose of this public meeting is to explain to interested private software vendors the biennial reporting process and implementation schedule for the 1999 biennial reporting cycle, with particular emphasis on the output flat file specifications. This is necessary to ensure the data entry software and implementer database are in a standard format for proper data loading into EPA's National Database.

Subsequent to the February 1999 meeting, the EPA intends to sponsor a June 1999 national conference with the State/Federal Agencies who implement the biennial reporting requirements. EPA will provide interested private software vendors with an opportunity for exhibition of their software products during this June 1999 national conference. Additional details will be provided at the February 1999 meeting.

Dated: January 13, 1999.

Matthew Hale,

Acting Director, Office of Solid Waste.

[FR Doc. 99-1478 Filed 1-21-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPP-30000/60C; FRL-6058-1]

Cyanazine; Notice of Amendment to Terms and Conditions of Registration, Response to Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This Notice announces the Agency's decision to amend the terms and conditions of the cyanazine registrations held by DuPont Agricultural Products ("DuPont") and Griffin Corporation ("Griffin"). The registrations are currently being phased out according to the terms and conditions proposed by DuPont and subsequently agreed to by Griffin and

accepted by EPA. These terms and conditions were the basis for concluding the Special Review of cyanazine. This notice announces EPA's decision to grant the registrants' request to further amend the terms and conditions of their cyanazine registrations and voluntary cancellation orders to allow a maximum use rate of 3.0 lb/acre in 1999, instead of 1.0 lb/acre, as currently required. EPA's decision to grant this request is subject to 40 CFR 154.35 because the agreement to phase out cyanazine usage and ultimately cancel the registrations was the basis for the Agency's conclusion of the Special Review. EPA is granting this request because it is a proper response to special weather conditions, it will not disturb the original cancellation order that phases out cyanazine use by 2002 since there will be no extension of the time for phasing out use, and, because the Agency finds that the balance between risks and benefits of cyanazine will continue to justify allowing use under the terms of the phase-out.

FOR FURTHER INFORMATION CONTACT: By mail: Loan Phan, Office of Pesticide Programs (7508C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location for commercial courier delivery, telephone number, and e-mail address: Rm. 679, Crystal Mall 1B2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 308-8008, phan.loan@epamail.epa.gov.
SUPPLEMENTARY INFORMATION:

I. Introduction

A. Regulatory Background

Cyanazine is the common name for [2-(4-chloro-6-(ethylamino)-s-triazine-2-yl)amino]-2-methylpropionitrile, an herbicide.

A Special Review of cyanazine was initiated in November 1994 (58 FR 60412, November 23, 1994) (FRL-4919-5), based on cancer risk concerns to humans. In August 1995, DuPont voluntarily proposed to amend its cyanazine registrations to effectively phase out all use of cyanazine products by December 31, 2002. DuPont modified the labels of cyanazine formulated end use products released for shipment by the registrant after July 25, 1996, to specify the maximum application rates during the phase out and to inform the public of the existing stocks provisions. After EPA initiated the Special Review of cyanazine, Griffin filed an application to register certain cyanazine pesticide products and subsequently agreed to the same terms and conditions of registration that were proposed by DuPont. In August, 1995, EPA accepted

DuPont's proposal, and Griffin's agreement, to amend their cyanazine registrations, including voluntary cancellation effective December 31, 1999. EPA subsequently concluded the Special Review of cyanazine (61 FR 39023, July 25, 1996) (FRL-5385-7) because all registrations were being phased out and ultimately canceled, and because EPA determined that the risks from additional use during the phase-out period did not outweigh the benefits of use during that time.

On September 23, 1998, DuPont requested a change to the terms and conditions of its cyanazine registration (as established in the cancellation order, 61 FR 39023), in order to allow use at a rate of 3.0 lbs/acre during the 1999 growing season. Subsequently, Griffin submitted the same request.

On October 21, 1998, EPA issued a Notice of Receipt of the registrants' requests (63 FR 56178, October 21, 1998) (FRL-6040-2), and also announced the Agency's proposed decision to grant the registrants' request. The Agency explained that it believes that DuPont's request for a change in use rate for the 1999 growing season will not disturb the Agency's conclusion in 61 FR 39023 that risks associated with the voluntary phase out and cancellation are outweighed by its benefits. The Notice also solicited public comment pursuant to 40 CFR 154.35 on its proposed decision.

II. Response to Public Comments

EPA received one set of comments in response to its Notice of Receipt of the registrants' request to amend the terms and conditions of the cyanazine registrations (63 FR 56178), from the Vermont Department of Agriculture ("Vermont").

A. Impact of Agency's Decision on Applicator Training

1. *Comment.* "The publication and distribution of training materials and use recommendations for the 1999 growing season has already begun. The Agency should not permit the distribution of labeling with directions for use that contradicts material provided to commercial applicators and growers through our cooperative training program with the University Extension System and the Natural Resource Conservation Districts."

2. *Response.* EPA recognizes the importance of accurate training and enforcement materials, and is willing to aid any state that needs further clarification on the terms and conditions of this amendment, as well as in dispersing information about the amended terms. Further, the

supplemental labels clearly identify the change in the allowable use rate for only the 1999 growing season, and could be added to the training package. If training materials have already been distributed, it may be possible to distribute the supplemental labels as an addendum or through some other communications package. However, because this amendment is increasing, rather than decreasing, the maximum allowable use rate, there will be no additional risk if any growers, such as those in Vermont, do not receive the supplemental labels and continue to use the products at the original 1999 rate of 1 pound per acre.

B. Impact of Agency's Decision on Enforcement Program

Comment. "The determination of appropriate labeled use by the Enforcement Program field staff is complicated by two factors. One is the distinction between original and amended labels as far as rate per acre directions. The second is between labeled rates for sweet corn versus field corn. Having these two discrepancies on labeled products in the field at the same time will make the determination of use in accordance with label directions impossible on a practical basis for the enforcement program."

Response. EPA acknowledges that the supplemental labels may impose difficulties on Vermont's and other states' enforcement efforts. States may choose to address this in various ways, including a restriction under state law against use of cyanazine products labeled with the 3.0 lbs./acre application rate.

However, EPA believes it is likely that not all growers will choose to use the product at the maximum allowable rate and, if they do, they must have in their possession the supplemental label that allows the higher rate. Enforcement officials may require the grower who is found applying cyanazine at the 3.0 lbs/acre rate to produce the supplemental label.

EPA routinely requires re-labeling with supplemental labels as part of its risk management practices and generally, enforcement officials have been able to effectively implement these supplemental labels. However, the Agency is willing to aid any state that needs further clarification of this amendment and is willing to work with enforcement personnel if specific enforcement issues arise.

As for Vermont's second concern, the amended use rate of 3.0 lbs/acre in 1999 applies to all crops previously registered at this use rate on the cyanazine labels, not just sweet corn. If growers find that applying cyanazine at the higher rate is

effective on their crops, then they may use cyanazine at that rate.

C. Impact of Agency's Decision on Applicator Exposure

1. *Comment.* Vermont also asserts that, because "...the original cancellation decision was based in part on concern for applicator exposure,...postponing reductions in the use rate sends a contradictory message that the concern for applicator health and safety may not have been such an important issue in the first place. [Vermont] is fully aware of the argument that cumulative exposure over the entire phase-out period would not be changed. That justification does not serve the objective of encouraging pesticide applicators to change their pesticide use behaviors and crop management practices on a day-to-day basis."

2. *Response.* EPA remains concerned for applicator health and safety. The phase-out required that closed cab application equipment be used by all cyanazine mixer/loaders and applicators beginning in 1998 (61 FR 39023). This requirement remains unchanged, and demonstrates the Agency's commitment to reducing exposure to workers during the phase-out period. Both DuPont and Griffin have ceased production of cyanazine. Therefore, although the allowable maximum application rate will be three times what it would have been under the original terms of the phase-out, no more cyanazine than what was originally anticipated to be applied will actually be applied between 1998 and 2002.

The cyanazine phase-out was intended to reduce exposure to cyanazine and to eliminate cyanazine use by 2002. It was not specifically intended to encourage pesticide applicators to change their pesticide use behaviors and crop management practices on a day-to-day basis. However, this is a valid objective that the State of Vermont can pursue under state law if it chooses.

D. Existing Stocks; Atypical Weather Patterns

1. *Comment.* Although Vermont understands the concerns regarding the level of existing stocks remaining at the end of the cancellation period, it points out that "managing the inventory of cyanazine is not the Agency's responsibility. The issue of existing stocks would be a reasonable consideration if the Agency had any indemnity liability under FIFRA Section 15. As that is not the case with cyanazine, the Agency should not concern itself with the question of existing stocks."

2. *Response.* The Agency disagrees with Vermont that EPA should not concern itself with the question of existing stocks. Existing stocks of pesticides can pose risks which may not be adequately mitigated by hazardous waste regulatory provisions. Hence, the Agency believes that it is proper to consider existing stock concerns when implementing cancellation orders, especially so when the overall risk-benefit balance will not be disturbed.

3. *Comment.* Citing that the amended terms were requested in response to atypical weather patterns during the 1998 growing season (63 FR 56178), Vermont comments that, "managing environmental policy based on the weather is also not the Agency's mandate or responsibility. The weather is far too variable a factor to serve as a valid criteria for setting national environmental policy ..."

4. *Response.* Weather patterns often have significant effects on agriculture and pest control situations which form the basis for national pesticide regulatory policy. The atypical weather patterns of the 1998 growing season are only one factor in EPA's evaluation of the registrants' requested amendment. EPA also takes into consideration the concerns of growers, as well as registrants and applicators, when making decisions. In this case, the Agency received calls from sweet corn growers requesting permission to use cyanazine at the higher rate of 3.0 lbs/acre until the end of the phase-out period and information from the registrants noting that less cyanazine was used than originally anticipated. EPA balanced the growers' and registrants' concerns with the risks posed by allowing the 3.0 lbs/acre use rate to stay in place for one more growing season, and concluded that the overall risk will not be disturbed.

III. References

1. U.S. Environmental Protection Agency. "Notice of Receipt of Request to Amend the Terms and Conditions of Cyanazine Registrations." **Federal Register** Notice (63 FR 56178). October 21, 1998.

2. U.S. Environmental Protection Agency. "Notice of Preliminary Determination to Terminate Special Review; Notice of Receipt of Requests for Voluntary Cancellation." **Federal Register** Notice (61 FR 8185). March 1, 1996.

3. U.S. Environmental Protection Agency. "Cyanazine; Notice of Final Determination to Terminate Special Review of Cyanazine; Notice of Voluntary Cancellation and Cancellation Order of Cyanazine

Product Registrations." **Federal Register** Notice (61 FR 39023). July 25, 1996.

4. Communications between DuPont Agricultural Products and USEPA. Confidential Business Information.

5. Communications between Griffin Corporation and USEPA. Confidential Business Information.

List of Subjects

Environmental protection.

Dated: January 15, 1999.

Jack E. Housenger,

Acting Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 99-1476 Filed 1-21-99; 8:45 am]

BILLING CODE 6560-50-F

FARM CREDIT ADMINISTRATION

Sunshine Act Meeting

Farm Credit Administration Board; Amendment to Sunshine Act Meeting.

AGENCY: Farm Credit Administration.

SUMMARY: Pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), the Farm Credit Administration gave notice on January 11, 1999 (64 FR 1623) of the regular meeting of the Farm Credit Administration Board (Board) scheduled for January 14, 1999. This notice is to amend the agenda by adding an item for the open session of that meeting.

FOR FURTHER INFORMATION CONTACT: Floyd Fithian, Secretary to the Farm Credit Administration Board, (703) 883-4025, TDD (703) 883-4444.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090.

SUPPLEMENTARY INFORMATION: Parts of this meeting of the Board were open to the public (limited space available), and parts of this meeting were closed to the public. The agenda for January 14, 1999, is amended by adding an item to the open session to read as follows:

OPEN SESSION

B. New Business

2. Policy Statement

—Temporary Relief for Pork Producers

Date: January 19, 1999.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

[FR Doc. 99-1587 Filed 1-20-99; 2:52 pm]

BILLING CODE 6705-01-P