

be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-4503 Filed 2-23-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6235-1]

### Agency Information Collection Activities: Submission for OMB Review; Comment Request; Mobile Source Emission Factor Recruitment Questionnaire

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Mobile Source Emission Factor Recruitment Questionnaire OMB Control Number 2060-0078, expiration date 2/27/99. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before March 26, 1999.

**FOR FURTHER INFORMATION CONTACT:** Sandy Farmer at EPA by phone at (202) 260-2740, by E-Mail at Farmer.Sandy@epamail.epa.gov or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 0619.08.

#### SUPPLEMENTARY INFORMATION:

**Title:** Mobile Source Emission Factor Recruitment Questionnaire, OMB Control Number 2060-0078, EPA ICR Number 0619.08, expiration date February 27, 1999. This is a request for extension of a currently approved collection.

**Abstract:** The EPA Emission Inventory Group, through contractors, solicits the general public to voluntarily offer their vehicle for emissions testing. The owner is also asked to complete a multiple choice form of nine questions that summarize vehicle usage. There are two methods of soliciting the general public for participation in Emission Factor Program (EFP):

1. Postal cards are sent to a random selection of vehicle owners using State motor vehicle registration lists.

2. Motor vehicle owners, who arrive at State inspection lanes for yearly certification, are randomly solicited.

Information from the EFP provides a basis for developing State Implementation Plans (SIPs), Reasonable Further Progress (RFP) reports, attainment status assessments for the National Ambient Air Quality Standards (NAAQS).

The legislative basis for the Emission Factor Program is section 103(a)(1)(2)(3) of the Clean Air Act, which requires the Administrator to "conduct \* \* \* research, investigations, experiments, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution" and "conduct investigations and research and make surveys concerning any specific problem of air pollution in cooperation with any air pollution control agency \* \* \*"

EPA uses the data from the EFP to verify predictions of the computer model known as MOBILE, which calculates the contribution of mobile source emissions to ambient air pollution. MOBILE is used by EPA, state and local air pollution agencies, the auto industry, and other parties interested in estimating mobile source emissions.

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 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on August 3, 1998 (63 FR 41251); no comments were received.

**Burden Statement:** The annual public reporting and record keeping burden for this collection of information is estimated to average 10 minutes to 2 hours per response. 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.

**Respondents/Affected Entities:**

General public owners of "on road motor vehicles."

**Estimated Number of Respondents:**

**Frequency of Response:**

**Estimated Total Annual Hour Burden:**

**Estimated Total Annualized Cost**

**Burden:**

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 0619.08 and OMB Control No. 2060-0078 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Policy, Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460

and  
Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503

Dated: February 18, 1999.

**Richard T. Westlund,**

*Acting Director, Regulatory Information Division.*

[FR Doc. 99-4580 Filed 2-23-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6235-3]

### Regulatory Reinvention (XL) Pilot Projects

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

**ACTION:** Notice of availability of Atlantic Steel Project XL Draft Phase 1 Project Agreement and Related Documents.

**SUMMARY:** EPA is requesting comments on a proposed Phase 1 Project XL Agreement for the Atlantic Steel XL Project. The Phase 1 Project Agreement is a voluntary agreement developed collaboratively by the project sponsor, Atlantis 16th, L.L.C., stakeholders, and EPA. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the flexibility to develop alternative strategies that will replace or modify specific regulatory requirements on the condition that the alternative strategy will produce greater environmental benefits. EPA has set a goal of

implementing a total of fifty XL projects undertaken in full partnership with the states.

**DATES:** The period for submission of comments ends on March 10, 1999.

**ADDRESSES:** All comments on the draft Phase 1 Project Agreement should be sent to: Michelle Glenn, U.S. EPA, Region IV, 61 Forsyth Street, Atlanta, GA 30303, or Tim Torma, U.S. EPA, Office of Reinvention (1802), 401 M Street, SW, Room 1025WT, Washington, DC 20460. Comments may also be faxed to Ms. Glenn at (404) 562-8628 or Mr. Torma at (202) 401-6637. Comments will also be received via electronic mail sent to: glenn.michelle@epa.gov or torma.tim@epa.gov.

**FOR FURTHER INFORMATION CONTACT:** The proposed Phase 1 Project Agreement and related documents are available via the Internet at the following location: "http://www.epa.gov/ProjectXL". The Agreement and related documents may also be obtained by contacting: Michelle Glenn, U.S. EPA, Region IV, 61 Forsyth Street, Atlanta, GA 30303, or Tim Torma, U.S. EPA, Office of Reinvention (1802), 401 M Street, SW, Room 1025WT, Washington, DC 20460. In addition, public files on the Project are located at EPA's Region IV in Atlanta. Questions to EPA regarding the documents can be directed to Michelle Glenn at (404) 562-8674 or Tim Torma at (202) 260-5180. To be included on the Atlantic Steel Project XL mailing list to receive information about future public meetings, XL progress reports and other mailings from the project sponsor, contact: Brian Leary, CRB Realty Associates, P.O. Box 2246, Duluth, GA 30096. Mr. Leary can be reached by telephone at (770) 622-7797. For information on all other aspects of the Project XL contact Christopher Knopes at the following address: Office of Reinvention (1802), United States Environmental Protection Agency, Room 1029, 401 M Street, SW, Washington, DC 20460. Additional information on Project XL, other EPA policy documents related to Project XL, regional XL contacts, application information, and descriptions of existing XL projects and proposals, is available via the Internet at "http://www.epa.gov/ProjectXL" and via an automated fax-on-demand menu at (202) 260-8590.

**SUPPLEMENTARY INFORMATION:** Atlantis 16th, L.L.C., a real estate development partnership in Atlanta, GA which is managed by and hereafter referred to as Jacoby Development Corporation or Jacoby, has proposed redevelopment of a 138-acre site currently owned by Atlantic Steel near Atlanta's central

business district. The proposed development is a mix of residential and business uses. An integral component of the project is a multimodal (cars, pedestrians, bicycles, transit linkage) bridge that would cross I-75/85 at 17th Street and provide access ramps as well as connecting the site to a nearby Metropolitan Atlanta Rapid Transit Authority (MARTA) station. EPA and Jacoby believe that the multi-modal access provided by the bridge would have a positive environmental impact, however, for reasons described below, the bridge cannot be built without the flexibility provided by this XL Project. Jacoby has worked intensively with representatives of EPA, the State of Georgia, local authorities, and public stakeholders to develop a site-specific Phase 1 Project XL Agreement that will allow implementation of this redevelopment.

#### **What is the Phase 1 Project XL Agreement?**

Due to the complexity of the Atlantic Steel project and the numerous processes and analyses necessary to implement it, EPA and Jacoby have adopted a two-phased approach to the Project XL Agreement. The Phase 1 Project Agreement being announced in this Notice is the first phase of a two-part agreement between EPA and Jacoby. EPA and Jacoby hope to sign a subsequent Final Project Agreement in May, 1999. Today's Phase 1 Agreement spells out intentions of Jacoby and EPA related to development and implementation of this project and describes areas where further details are needed or additional discussions between EPA, Jacoby and stakeholders will occur. Neither the Phase 1 Project Agreement nor the Final Project Agreement are legally binding. Legally enforceable commitments described in the Agreement will be contained in separate legal documents.

#### **Background**

The Atlanta metropolitan area is one of the fastest growing regions in the country. This growth is expected to continue. In part due to its rapid growth, Atlanta is currently out of compliance with federal air quality conformity requirements. Being "out of conformity" means that Atlanta has failed to demonstrate that its transportation activities will not exacerbate existing air quality problems or create new air quality problems in the region. The Clean Air Act (CAA), generally prohibits construction of new transportation projects that use federal funds or require federal approval in areas which are out of conformity.

However, projects which are expected to reduce air emissions, called transportation control measures (TCMs), can proceed even during a conformity lapse if they are approved in a state's air quality plan. EPA is considering an innovative approach to approving the Atlantic Steel redevelopment as a TCM and Jacoby is committing to attain superior environmental performance as described below.

Improving multi-modal access to the Atlantic Steel site is essential for completion of this XL Project as proposed by Jacoby. Construction of an interchange and multi-modal bridge across I-75/85 at 17th Street would improve access to the site. The bridge would also serve as a vital link between the Atlantic Steel redevelopment and the MARTA Arts Center station. The project site currently suffers from poor accessibility due to the lack of a linkage to and across I-75/85 to midtown and to the existing MARTA rail system. In addition, construction of the 17th Street bridge was one of the City of Atlanta's zoning requirements for the project.

#### **What Flexibility is EPA Granting?**

Because of the conformity lapse mentioned above, the proposed 17th Street bridge and the associated I-75/85 access ramps would not be able to proceed without the regulatory flexibility being allowed by EPA under this Project. The flexibility Jacoby is seeking through Project XL is to regard the entire redevelopment project, including the 17th Street bridge, to be a TCM. The flexibility under Project XL is necessary because the redevelopment likely would not qualify as a TCM in the traditional sense. There are two components to the flexibility.

The first is to consider the entire Atlantic Steel redevelopment to be a TCM. That is, EPA would view Atlantic Steel's location, transit linkage, site design, and other transportation elements (e.g., provisions for bicyclists; participation in a transportation management association) together as the TCM. Under the Clean Air Act, a project must demonstrate an air quality benefit to be considered a TCM. The Atlantic Steel redevelopment would incorporate many elements that could be TCMs by themselves. Such elements include the linkage to transit, the requirement that employers at the site will join or form a transportation management association, restricted access of certain areas of the site for pedestrian use, and paths for bicyclists and pedestrians. EPA believes that the combination of these and other aspects of the redevelopment will have a positive effect on reducing emissions.

The second aspect of the flexibility sought under Project XL concerns use of an innovative approach to measuring the air quality benefit of the Atlantic Steel redevelopment. When viewed in isolation, the Atlantic Steel redevelopment would attract new automobile trips, result in new emissions and would not qualify as a TCM in the traditional sense. However, EPA believes that the Atlanta region will continue to grow, and that redevelopment of the Atlantic Steel site will produce fewer air pollution emissions than an equivalent quantity of development at other sites in the region. Therefore, EPA will measure Atlantic Steel's air quality benefit relative to an equivalent amount of development at other likely sites in the region. This type of comparison is available only to this particular redevelopment through the Project XL process.

#### Why Is This Flexibility Appropriate?

EPA believes the flexibility described above is appropriate for this project because of the unique attributes of the site and the redevelopment. EPA's intention to grant flexibility to this project is a result of the superior environmental performance expected to result from the combination of unique elements listed below. In the absence of these elements, EPA would be unlikely to approve new transportation projects during a conformity lapse.

First, the site is a "brownfield." Brownfields are sites which are contaminated from past uses and which must be remediated prior to reuse. An accelerated clean-up of the site will occur if this XL Project is implemented. The clean-up and redevelopment of this industrial site aligns with EPA's general efforts to encourage clean-up and reuse of urban brownfields. The likely alternative would be an underdeveloped, unused industrial parcel in the middle of midtown Atlanta.

Second, the site has a regionally central, urban location. Redeveloping this property will result in a shift of growth to midtown Atlanta from the outer reaches of the metropolitan area. Because of the site's central location, people taking trips to and from the site will be driving shorter average distances than those taking trips from a development on the edge of the city. Shorter driving distances result in fewer emissions.

Third, the redevelopment plans include a linkage to MARTA. This linkage would make it possible for those who work at the site to commute without a car and would serve residents of Atlantic Steel as well as residents of

surrounding neighborhoods. In addition, the transit link is valuable for those coming to the site for non-work purposes, such as dining, shopping, and entertainment.

Fourth, the site design incorporates many "smart growth" site design principles. These principles include features which promote pedestrian and transit access rather than exclusive reliance on the car. Using these concepts, the redevelopment will avoid creating areas that are abandoned and unsafe in the evening, hotels and offices will be located within walking distance of shops and restaurants, shops that serve local needs will be located within walking distance of both the Atlantic Steel site and the adjacent neighborhoods, and wide sidewalks will encourage walking and retail use.

Fifth, the redevelopment incorporates many elements that could qualify as TCMs by themselves. In addition to the linkage to mass transit, the redevelopment will participate in a transportation management association (TMA). The TMA will monitor the number and type of vehicular trips and will create transportation management plans that would be implemented if specified performance criteria are not met.

With the exception of the accelerated site clean-up, all of these elements will have an impact on transportation decisions of people who begin and/or end their trips in the Atlantic Steel site. The combination of the site's location and design elements are expected to work together to reduce auto traffic in the Atlanta region. Therefore, EPA intends to use regulatory flexibility under Project XL to seek approval for the redevelopment and its associated transportation projects to proceed as a TCM.

Dated: February 10, 1999.

**Lisa Lund,**

*Deputy Associate Administrator for Reinvention Programs, Office of Reinvention.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-34177; FRL-6062-6]

### 1,3-Dichloropropene; Pesticide Reregistration Eligibility Decision Document; Availability for Comment

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

**ACTION:** Notice.

**SUMMARY:** This notice announces availability of the Reregistration

Eligibility Decision documents (REDs) for the active ingredient 1,3-dichloropropene (trade name, Telone®) and starts a 60 day public comment period. The RED for 1,3-dichloropropene is the Agency's formal regulatory assessment of the health and environmental data base of the subject chemical, and presents the Agency's determination that all pre-plant soil fumigant uses of 1,3-dichloropropene are eligible for reregistration.

**DATES:** Written comments on these decisions must be submitted by April 26, 1999.

**ADDRESSES:** Three copies of comments, identified with the docket control number [OPP-34177] and the case number (listed in the table in this document), should be submitted to: By mail: 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, deliver comments to: Rm. 119, Crystal Mall 2 (CM #2), 1921 Jefferson Davis Hwy., Arlington, VA.

Comments may also be submitted electronically by following the instructions under Unit III. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment in response to this notice may be claimed confidential by marking any part or all of that information as 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 docket. Information not marked confidential will be included in the public docket without prior notice (including comments and data submitted electronically). The public docket and docket index, including printed paper versions of electronic comments, which does not include any information claimed as CBI will be available for public inspection in Rm. 119 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

To request a copy of any of the listed RED, or a RED Fact Sheets, contact the Public Information and Records Integrity Branch, in Rm. 119 at the address in this unit or call (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Technical questions on the RED should be directed to the Chemical Review Manager, Lisa Nisenson, at (703) 308-