

copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) published in FR dated April 09, 1999 (64 FR 17362).

#### Draft EISs

ERP No. D-AFS-J65300-MT Rating EC2, Tobacco Root Vegetation Management Plan, Restore and Maintain a Mix Vegetation, Beaverhead-Deer Lodge National Forest, Madison Ranger District, Madison County, MT.

*Summary:* EPA expressed environmental concerns with potential adverse impacts to wetlands and requests disclosure of management practices in the final EIS.

ERP No. D-AFS-J65305-UT Rating EC2, Pretty Tree Bench Vegetation Project, Implementation, Dixie National Forest, Escalante Ranger District, Garfield County, UT

*Summary:* EPA expressed environmental concerns regarding wetlands, sediment impacts and trends in visibility improvement impairment in potentially impacted National Parks. EPA requested additional information on these issues.

ERP No. D-FHW-B40086-CT Rating EO2, CT 82/85/11 Corridor Transportation Improvements, Funding and COE Section 404 Permit, in the Towns of Salem, Montville, East Lyme and Waterford, CT.

*Summary:* EPA has objection to the proposed action since it is likely that any of the expressway alternatives described in the EIS would cause or contribute to significant degradation of the aquatic ecosystem. EPA supports further consideration of a community sensitive upgrade and further exploration of a parkway concept.

ERP No. DS-FAA-F51040-IN Rating EC2, Indianapolis International Airport Master Plan Development, Updated/ New Information, Establishing New Air Traffic Procedures to Restore, Construct and Operate, Runway 5L/23R Parallel to existing Runway 14/32 and connecting to Runways 5R/23L and 5L/23R, Airport Layout Plan Approval, Funding and US COE Section 404 Permit, Marion County, IN.

*Summary:* EPA expressed environmental concerns related to the potential adverse impacts on wetlands and bat habitat.

#### Final EISs

ERP No. F-AFS-J65256-CO, Lakewood Raw Water Pipeline for Continued Operation, Maintenance, Reconstruction and/or Replacement, Application for Easement, Roosevelt

National Forest, Boulder Ranger District, in the City of Boulder, CO.

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

ERP No. F-AFS-K65184-CA, Rock Creek Recreational Trails Management Plan, Implementation, Eldorado National Forest, Georgetown Ranger District, Eldorado County, CA.

*Summary:* Review of the Final EIS has been completed and the project found to be satisfactory. No formal comment letter was sent to the preparing agency.

ERP No. F-DOE-K08021-CA, Sutter Power Plant Project, Operation and Maintenance of a High-Voltage Electric Transmission, 500 megawatt (MW) Gas Fueled, Sutter County, CA.

*Summary:* EPA continues to express concerns about the adverse impact to wetlands.

ERP No. F-FHW-F40369-WI, US 141 Highway Transportation Project, Improvement between WI-22 and WI-64 (LeMere Road-6th Road), Funding and COE Section 4 Permit, Marinette and Oconto Counties, WI.

*Summary:* EPA expressed environmental objections on the basis of the projected secondary impacts to the Baraboo Range National Natural Landmark (BRNNL) area. The secondary impacts (due to the increased potential for development) to the BRNNL from a bridge build alternative or a Year-Round ferry alternative are significant, therefore EPA recommends selection of the NO Build alternative (F1) or Seasonal 24-Vehicle ferry alternative (F2).

ERP No. F-NAS-K59011-CA, Programmatic EIS—NASA Ames Aerodynamic Testing Program, Implementation, Analyzation of the Noise Envelope of Future Wind Tunnel Testing at the National Full-Scale Aerodynamic Complex (NFAC), NASA Ames Research Center, Moffet Field, Santa Clara County, CA.

ERP No. F-NAS-K59011-CA, Programmatic EIS—NASA Ames Aerodynamic Testing Program, Implementation, Analyzation of the Noise Envelope of Future Wind Tunnel Testing at the National Full-Scale Aerodynamic Complex (NFAC), NASA Ames Research Center, Moffet Field, Santa Clara County, CA.

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

Dated: July 27, 1999.

**William D. Dickerson,**

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

[FR Doc. 99-19626 Filed 7-29-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[PB-402404-NH/RI; FRL-6091-3]

### Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; States of Rhode Island and New Hampshire Authorization Applications

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

**ACTION:** Notice; request for comments and opportunity for public hearing.

**SUMMARY:** On April 30, 1999, Rhode Island and on June 30, 1999, New Hampshire submitted applications for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for lead-based paint activities in target housing and child-occupied facilities under section 402 of the Toxic Substances Control Act (TSCA). This notice announces the receipt of the applications from Rhode Island and New Hampshire and the opening of a public comment period that will last for 45 days. Rhode Island and New Hampshire have provided individual State self-certifications of lead programs meeting the requirements for approval under section 404 of TSCA. Therefore, pursuant to section 404, each of these State programs is deemed authorized as of the date of submission. If EPA subsequently finds that a program does not meet all the requirements for approval of a State program, EPA will work with the State to correct any deficiencies in order to approve the program. If the deficiencies are not corrected, a notice of disapproval will be issued in the **Federal Register** and a Federal program will be implemented in the State whose program has been disapproved.

**DATES:** Individuals should submit comments on or before September 13, 1999. In addition, a public hearing request may be submitted by September 13, 1999. If a public hearing is requested and granted, the hearing date and time will be announced in the **Federal Register**.

**ADDRESSES:** Submit in duplicate all written comments and/or requests for a public hearing, identified by docket

control number "PB-402404-NH/RI" to: Environmental Protection Agency, Region I, (CPT), Suite 1100, One Congress Street, Boston, MA 02114-2023. Comments and a request for a public hearing may be submitted electronically to BRYSON.JAMESM@epamail.epa.gov. Please follow the instructions in Unit IV. of this document. No confidential business information (CBI) should be submitted through e-mail.

**FOR FURTHER INFORMATION CONTACT:** James M. Bryson, Regional Abatement Coordinator, Environmental Protection Agency, Region I, (CPT), Suite 1100, One Congress Street, Boston, MA 02214-2023. Telephone: 617-918-1524, e-mail: BRYSON.JAMESM@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On October 28, 1992, the Housing and Community Development Act of 1992, Public Law 102-550, became law. Title X of that statute is the Residential Lead-Based Paint Hazard Reduction Act of 1992. That Act amended the Toxic Substances Control Act ("TSCA") (15 U.S.C. 2601 *et seq.*) by adding Title IV (15 U.S.C. 2681-92) which is entitled "Lead Exposure Reduction."

Section 402 of TSCA (15 U.S.C. 2682) authorizes and directs EPA to promulgate final regulations governing lead-based paint activities in target housing, public and commercial buildings, bridges and other structures. Those regulations are to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that individuals engaged in those activities are certified and follow documented work practice standards. Under section 404, a State may seek authorization from EPA to administer and enforce its own lead-based paint activities program.

On August 29, 1996 (61 FR 45777) (FRL-5389-9), EPA promulgated final TSCA section 402/404 regulations governing lead-based paint activities in target housing and child-occupied facilities (a subset of public buildings). Those regulations are codified at 40 CFR part 745, and allow both States and Indian Tribes to apply for program authorization. On August 31, 1998, EPA was required to institute the Federal program in States or Indian Country not having an authorized program, as provided by section 404(h) of TSCA. States and Indian Tribes that choose to apply for program authorization must submit a complete application to the appropriate Regional EPA office for review. EPA is required to review those

applications within 180 days of receipt of the complete application. To receive EPA approval, a State or Indian Tribe must demonstrate that its program is at least as protective of human health and the environment as the Federal program, and that its program provides adequate enforcement. EPA's regulations (40 CFR part 745, subpart Q) provide the detailed requirements a State or Tribal program must meet in order to obtain EPA approval.

A State may choose to certify that its lead-based paint activities program meets the requirements for EPA approval by submitting a letter signed by the Governor or Attorney General stating that the program meets the requirements of section 404(b) of TSCA and concluding, based on the required program analysis, that the State program is at least as protective as the Federal program and that the State program provides adequate enforcement.

Upon submission of such certification letter, along with a complete program application, the program is deemed authorized. This authorization is retracted, however, if upon review, EPA subsequently determines that the program is not at least as protective of human health and the environment as the Federal program, and/or does not provide for adequate enforcement, and the State does not correct the deficiencies necessary to make it so. Section 404(b) of TSCA provides that before authorizing a State program, EPA must provide notice and an opportunity for a public hearing on the application. Therefore, by this notice EPA is soliciting public comment on whether the applications submitted by the States of Rhode Island and New Hampshire meet the requirements for EPA approval. This notice also provides an opportunity to request a public hearing on the applications. If a hearing is requested and granted, EPA will issue a **Federal Register** notice announcing the date, time, and place of the hearing. If EPA's final decision on the application is a disapproval, this will be discussed in another **Federal Register** Notice.

**II. State Program Description Summary**

The Rhode Island and New Hampshire programs: (1) Require abatement permits prior to the commencement of abatement activity; (2) investigate tips and complaints, and enforce certification, accreditation, and permitting requirements for all disciplines and for all abatement-related activities, including training; and (3) provide for the suspension and/or revocation of the accreditation of training providers, as well as of the

certifications of individuals and firms engaged in lead abatement practices.

The following are summaries of the programs proposed by Rhode Island and New Hampshire.

*Rhode Island*

The State of Rhode Island and Providence Plantations submitted a Lead Poisoning Prevention Program established by Title 23, Chapter 24.6 of the Rhode Island General Laws (RIGL), the Rhode Island Department of Health Rules and Regulations for Lead Poisoning Prevention (R23-24.6-PB), enacted February 1992 and last amended October 1997, and Rhode Island Department of Environmental Management Air Pollution Control Regulation No 24--Removal of Lead Based Paint from Exterior Surfaces, enacted April 1993.

This program includes: (1) Statewide standards for lead-based paint, dust, soil, and water hazard identification and remediation; (2) approval and monitoring of training programs for lead hazard reduction and environmental lead inspection personnel; (3) licensure of lead hazard reduction contractors, supervisors and workers; (4) certification of environmental lead inspectors and inspector technicians; (5) oversight of lead poisoning cases and evaluation of trends in blood lead levels utilizing the Department of Health Lead Surveillance System and the Department of Health Adult Blood Lead Registry; (6) a full range of clinical and environmental lead-related testing services provided by the RI Department of Health- Division of Laboratories; and (7) health education and community outreach activities to promote lead safe behavior and conditions.

This overall program has been implemented by the RI Department of Health Office of Occupational & Radiological Health and Office of Environmental Health Risk Assessment, the RI Department of Environmental Management Office of Compliance and Inspections, and the RI Department of the Attorney General.

*New Hampshire*

The State of New Hampshire has submitted a Lead Poisoning Prevention Program established by the New Hampshire Revised Statutes Annotated Chapter 130-A, and New Hampshire Chapter He-P 1600, the Lead Poisoning Prevention and Control Rules. This program includes: (1) Licensure and certification requirements for those professionals who carry out lead abatement and inspection activities; (2) procedures and requirements for the accreditation and reaccreditation of training providers; (3) work practice standards for conducting lead-based

paint activities; (4) certification requirements for laboratories performing tests to detect or measure lead in human body fluids and tissues; (5) reporting requirements for laboratories who conduct blood lead analysis on adults or children residing in New Hampshire; and (6) procedures and requirements for enforcement of the rules within the state. The program has been implemented by the Department of Health & Human Services, Office of Community and Public Health.

### III. Public Record and Electronic Submissions

The official record for this action, as well as the public version, has been established under docket control number "PB-402404-NH/RI." Copies of this notice, and all comments received on the applications are available for inspection in the EPA Region I Office from 7:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket is located at the EPA Region I Library, Suite 1100, One Congress Street, Boston, MA 02114-2023. Commenters are encouraged not to include CBI in their comments. However, any information submitted and claimed as CBI must be clearly identified as such and marked "confidential," "CBI," or with some other appropriate designation. In addition, a commenter submitting such information must prepare a nonconfidential version (in duplicate) that can be placed in the public record. Any information so marked will be handled in accordance with the procedures contained in 40 CFR part 2. Comments and information not claimed as CBI at the time of submission will be placed in the public record.

Electronic comments can be sent directly to EPA at:

BRYSON.JAMESM@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number "PB-402404-NH/RI." Electronic comments on this document may be filed online at many Federal Depository Libraries. Information claimed as CBI should not be submitted electronically.

### IV. Regulatory Assessment Requirements

#### A. Certain Acts and Executive Orders

EPA's actions on State or Tribal lead-based paint activities program

applications are informal adjudications, not rules. Therefore, the requirements of the Regulatory Flexibility Act (RFA, 5 U.S.C. 601 *et seq.*), the Congressional Review Act (5 U.S.C. 801 *et seq.*), Executive Order 12866 ("Regulatory Planning and Review," 58 FR 51735, October 4, 1993), and Executive Order 13045 ("Protection of Children from Environmental Health Risks and Safety Risks," 62 FR 1985, April 23, 1997), do not apply to this action. This action does not contain any Federal mandates, and therefore is not subject to the requirements of the Unfunded Mandates Reform Act (2 U.S.C. 1531-1538). In addition, this action does not contain any information collection requirements and therefore does not require review or approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### B. Executive Order 12875

Under Executive Order 12875, entitled "Enhancing Intergovernmental Partnerships" (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local, or Tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to OMB a description of the extent of EPA's prior consultation with representatives of affected State, local, and Tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local, and Tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates." Today's action does not create an unfunded Federal mandate on State, local, or Tribal governments. This action does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this action.

#### C. Executive Order 13084

Under Executive Order 13084, entitled "Consultation and Coordination with Indian Tribal Governments" (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes

substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the Tribal governments. If the mandate is unfunded, EPA must provide OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected Tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." Today's action does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this action.

**Authority:** 15 U.S.C. 2682, 2684.

#### List of Subjects

Environmental protection, Hazardous substances, Lead, Reporting and recordkeeping requirements.

Dated: July 19, 1999.

**John P. DeVillars,**

*Regional Administrator, Region I.*

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### ENVIRONMENTAL PROTECTION AGENCY

[OPP-34161C; FRL-6097-2]

#### Methyl Parathion; Notice of Time Change for Public Meeting on Revised Organophosphate Risk Assessments

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

**ACTION:** Notice.

**SUMMARY:** EPA will hold a public meeting to present the revised risk assessments for one organophosphate pesticide, methyl parathion, to interested stakeholders. This public meeting, called a "Technical Briefing," will provide an opportunity for stakeholders to learn about the data, information, and methodologies that the Agency used in revising its risk assessments for methyl parathion. In addition, representatives of the U.S.