

Congress Street, Suite 1100, Mail code SES, Boston, Massachusetts 02214, (617) 918-1885.

The Agency's response to any comments received will be available for public inspection with the Docket Clerk, U.S. Environmental Protection Agency, Region 1, One Congress Street, Suite 1100, Mailcode RCG, Boston, Massachusetts (U.S. EPA Docket No. CERCLA-I-99-0076).

Dated: December 3, 1999.

John DeVillars,

Regional Administrator, Region 1.

[FR Doc. 00-489 Filed 1-7-00; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-62163; FRL-6397-2]

Asbestos-Containing Materials in Schools; State Request for Waiver from Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed waiver.

SUMMARY: EPA has received from Oklahoma a request for a waiver from the Agency's asbestos-in-schools program. A waiver of these requirements will be granted if EPA determines, after notice and comment and opportunity for a public hearing, that Oklahoma is implementing or intends to implement a program of asbestos inspection and management at least as stringent as EPA's program. This notice announces an opportunity for a public hearing on the Oklahoma waiver request and solicits written comments.

DATES: Written comments under docket control number OPPTS-62163 must be received on or before March 10, 2000. Each comment must include the name and address of the submitter. Any request for a public hearing must be in writing, be received on or before March 10, 2000, and detail specific objections to the grant of the waiver. If, during the comment period, EPA receives such a request for a public hearing, EPA will schedule a public hearing in Oklahoma following the comment period. EPA will announce the date of the public hearing in the **Federal Register**.

ADDRESSES: Written comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided under Unit I. of "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA, you must identify docket control number

OPPTS-62163 on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Neil Pflum, Asbestos Coordinator, (6PD-T), Region VI, Environmental Protection Agency, 1445 Ross Ave., Dallas, TX 75202; telephone: (214) 665-2295; e-mail: pflum.neil@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of special interest to teachers and other school personnel, their representatives, and parents in Oklahoma, and asbestos professionals working in Oklahoma. Since other entities may also be interested, the Agency has not attempted to describe all entities that may be affected by this action. If you have any questions regarding the applicability of this action to any entity, contact the person under "FOR FURTHER INFORMATION CONTACT."

B. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

EPA has established an official record for this action under docket control number OPPTS-62163. The official record consists of the documents referenced in this action, as well as any public comments received during the comment period, and other related information. The official record, which includes printed versions of any electronic comments, is available for inspection in Rm. 12D13 (Library 12th floor), EPA Region VI, 1445 Ross Ave., Dallas, TX. The Library is open from 8 a.m. to noon, Monday through Friday, excluding legal holidays. The telephone number is (214) 665-6427.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, you must identify docket control number OPPTS-62163 on the first page of your response.

1. *By mail.* Submit your comments to: Neil Pflum, Region VI Asbestos Coordinator (6PD-T), Environmental Protection Agency, 1445 Ross Ave., Dallas, TX 75202.

2. *In person or by courier.* Deliver your comments to: Rm. 12D13 (Library 12th floor), EPA Region VI, 1445 Ross Ave., Dallas, TX. The Library is open from 8 a.m. to noon, Monday through Friday, excluding legal holidays. The telephone number is (214) 665-6427.

3. *Electronically.* You may submit your comments by e-mail to:

pflum.neil@epa.gov, or mail your computer disk to the address identified above. 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 standard disks in WordPerfect 6.1/8.0

II. Background

A. What Action is the Agency Taking and under What Authority?

EPA is considering granting, with conditions, a waiver of the asbestos-in-schools program to Oklahoma. This notice is issued, and the waiver, if granted, would be issued under section 203(m) of TSCA and 40 CFR 763.98. Section 203 is within Title II of TSCA, the Asbestos Hazard Emergency Response Act (AHERA).

In 1987, under TSCA section 203, the Agency promulgated regulations that require the identification and management of asbestos-containing material by local education agencies (LEAs) in the nation's elementary and secondary school buildings: the "AHERA Schools Rule" (40 CFR part 763, subpart E). Under section 203(m) of TSCA and 40 CFR 763.98, upon request by a State Governor and after notice and comment and opportunity for a public hearing in the State, EPA may waive, in whole or in part, the requirements of the asbestos-in-schools program (TSCA section 203 and the AHERA schools rule) if EPA determines that the State has established and is implementing or intends to implement a program of asbestos inspection and management that contains requirements that are at least as stringent as those in the Agency's asbestos-in-schools program. A State seeking a waiver must submit its request to the EPA Region in which the State is located.

The Agency recognizes that a waiver granted to any State would not encompass schools operated under the defense dependents' education system (the third type of LEA defined at TSCA section 202(7) and 40 CFR 763.83), which serve dependents in overseas areas, and other elementary and secondary schools outside a State's jurisdiction, which generally include schools in Indian country. Such schools would remain subject to EPA's asbestos-in-schools program.

B. When Did Oklahoma Submit its Request for a Waiver and How is EPA Proposing to Respond?

On October 4, 1999, Oklahoma Governor Frank Keating, submitted to Gregg A. Cooke, Regional Administrator, EPA Region VI, a letter requesting a full

waiver of the requirements of EPA's asbestos-in-schools program.

EPA is hereby issuing a notice in the **Federal Register** announcing receipt of the complete Oklahoma waiver request and an opportunity for comment and public hearing, and making the request and the supporting documentation available in the public record for this notice. The Agency is also describing the information submitted by Oklahoma and the Agency's preliminary determinations as to how the waiver request meets the criteria for the grant of a waiver.

C. What was EPA's Determination with Regard to the Completeness of Oklahoma's Waiver Request?

The Oklahoma waiver request has been deemed complete by EPA and contains the following:

1. A copy of the Oklahoma provisions that include its program of asbestos inspection and management in schools. These consist of: The Oklahoma Asbestos Control Act, Title 40 section 450 *et seq.* and Oklahoma Statutes, Title 27A, Section 1-3-101(J), and the Oklahoma Administrative Code (OAC) Title 380, Oklahoma Department of Labor, Chapter 50, "Abatement of Friable Asbestos Materials Rules."

2. The name of the Oklahoma agency responsible for administering and enforcing the requirements of a waiver, namely the Oklahoma Department of Labor (ODOL). Responsible officials include: Brenda Reneau, Commissioner; Trey Davis, Deputy Commissioner; and John Crowder, Director of Asbestos--telephone: (405) 528-1500, ext. 352.

3. Reasons, supporting papers, and the rationale for concluding that Oklahoma's asbestos inspection and management programs, for which the waiver request is made, are at least as stringent as the requirements of EPA's program, as discussed in EPA's Preliminary Determinations in Units II.D.2. and 3.

4. A discussion of any special situations, problems, and needs pertaining to the waiver request accompanied by an explanation of how Oklahoma plans to handle them, as discussed in EPA's Preliminary Determination in Unit II.D.6.

5. A statement of the resources that Oklahoma intends to devote to the administration and enforcement of its program, as discussed in EPA's Preliminary Determination in Unit II.D.5.

6. Copies of Oklahoma laws and regulations relating to the request, including provisions for assessing penalties, as referenced in Unit II.C.1.

7. Assurance from the legal counsel of ODOL that the Department has the legal authority necessary to carry out the requirements relating to the waiver request, as indicated in a letter from Kevin Able, General Counsel, to Gregg Cooke, dated September 20, 1999.

D. What are the Criteria for EPA's Grant of the Waiver and What are EPA's Preliminary Determinations Relating to These Criteria?

EPA may waive the requirements of the Agency's asbestos-in-schools program if the Agency determines that Oklahoma has met the criteria set forth at 40 CFR 763.98. The criteria and EPA's preliminary determinations relating to the grant of the waiver to Oklahoma are set forth below:

1. *Criterion:* Oklahoma's lead agency has the legal authority necessary to carry out the provisions of asbestos inspection and management in schools relating to the waiver request.

EPA's Preliminary Determination: EPA has determined preliminarily that the statutory and regulatory provisions cited at Unit II.C.1. give ODOL such legal authority.

2. *Criterion:* Oklahoma's program is or will be at least as stringent as the EPA asbestos-in-schools program.

EPA's Preliminary Determination: Since Oklahoma has adopted the AHERA schools rule by reference in its regulations, EPA has determined preliminarily that Oklahoma's program is or will be at least as stringent as EPA's program. See EPA's Preliminary Determination in Unit II.D.6.

3. *Criterion:* Oklahoma has an enforcement mechanism to allow it to implement the program described in the waiver request.

EPA's Preliminary Determination: EPA has determined preliminarily that the compliance and enforcement provisions of Oklahoma's asbestos-in-schools program are adequate to run the program. Inspectors will use site visits to determine if the LEAs are complying with the program. Violations will be cited for enforcement action which can range from warning letters (notices of noncompliance) to administrative actions to civil actions.

4. *Criterion:* ODOL has or will have qualified personnel to carry out the provisions relating to the waiver request.

EPA's Preliminary Determination: EPA has preliminarily determined that ODOL has or will have qualified personnel to carry out the provisions of the waiver. Inspectors currently employed by ODOL have had experience in conducting asbestos inspections in schools.

5. *Criterion:* Oklahoma will devote adequate resources to the administration and enforcement of the asbestos inspection and management provisions relating to the waiver request.

EPA's Preliminary Determination: EPA has determined preliminarily that Oklahoma has adequate resources to administer and enforce the provisions of the program. Oklahoma plans to devote \$143,508 to the program annually. It plans to match a Federal grant of \$107,631, with \$35,877 of State funds. The budget allows for two inspectors, travel, supplies, and training.

6. *Criterion:* Oklahoma gives satisfactory assurances that the necessary steps, including specific actions it proposes to take and a time schedule for their accomplishment, will be taken within a reasonable time to conform with applicable criteria in Units II.D.2.4.

EPA's Preliminary Determination: For EPA to grant a full waiver to Oklahoma, the State, as a condition of the grant of the waiver, would need to give a written assurance satisfactory to EPA that, if following the grant of the waiver, any provision of either TSCA section 203 or the AHERA schools rule is changed, the State would, within a reasonable period of time, make appropriate changes, as necessary, to the statutory and regulatory provisions of its asbestos-in-schools program to ensure that the program remains at least as stringent as the EPA asbestos-in-schools program.

In addition, if a waiver is granted and as long as it remains in effect, Oklahoma, utilizing adequate resources, would need to continue its asbestos-in-schools implementation and enforcement strategy. EPA may evaluate periodically the adequacy of Oklahoma's program under 40 CFR 763.98, and, under circumstances set forth in the regulation, may, in whole or in part, rescind the waiver if the Agency determines the program to be inadequate.

G. What Recordkeeping and Reporting Burden Approvals Apply to the Oklahoma Waiver Request?

The recordkeeping and reporting burden associated with waiver requests was approved by the Office of Management and Budget (OMB) under OMB control number 2070-0091. This document announces the Agency's receipt of the Oklahoma waiver request and, therefore, imposes no additional burden beyond that covered under existing OMB control number 2070-0091.

III. Materials in the Official Record

The official record, under docket control number OPPTS-62163, contains the Oklahoma waiver request, supporting documentation, and other relevant documents.

List of Subjects

Environmental protection, Administrative practice and procedure, Asbestos, Hazardous substances, Imports, Intergovernmental relations, Labeling, Occupational safety and health, Reporting and recordkeeping requirements, Schools.

Dated: December 22, 1999.

Gregg A. Cooke,

Regional Administrator, Region VI.

[FR Doc. 00-494 Filed 1-7-00; 8:45 am]

BILLING CODE 6560-50-F

FARM CREDIT ADMINISTRATION

Farm Credit Administration Board; Regular Meeting

AGENCY: Farm Credit Administration.

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), of the forthcoming regular meeting of the Farm Credit Administration Board (Board).

DATE AND TIME: The regular meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, VA, on January 13, 2000, from 9 a.m. until such time as the Board concludes its business.

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

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

SUPPLEMENTARY INFORMATION: This meeting of the Board will be open to the public (limited space available). In order to increase the accessibility to Board meetings, persons requiring assistance should make arrangements in advance.

The matters to be considered at the meeting are:

Open Session

- A. Approval of Minutes
December 9, 1999 (Open and Closed)
- B. New Business—Regulations
Customer Choice [12 CFR Parts 611, 614, and 618] (Final)

Dated: January 5, 2000.

Vivian L. Portis,

Secretary, Farm Credit Administration Board.

[FR Doc. 00-590 Filed 1-6-00; 12:57 pm]

BILLING CODE 6705-01-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

Notice of Distribution of Funds To Address Unmet Needs Resulting From Presidentially Declared Disasters

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: FEMA announces a second allocation of Fiscal Year (FY) 2000 funds for grants to States to address disaster-related needs not met by Federal disaster relief programs. These funds are available to certain States for use in communities that have experienced presidentially declared major disasters in FY 1999. The funds will be allocated to States (grantees) for distribution in communities affected by the disasters.

EFFECTIVE DATE: This notice is effective January 10, 2000.

FOR FURTHER INFORMATION CONTACT:

Robert F. Shea, Jr., Director, Program Support Division, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., room 417, Washington, DC 20472, (telephone) 202-646-4621, (facsimile) 202-646-3104, or (email) *robert.shea@fema.gov*.

SUPPLEMENTARY INFORMATION: On May 21, 1999, Congress appropriated \$230 million to the Federal Emergency Management Agency (FEMA) to address communities' unmet disaster assistance needs for Fiscal Years 1998 and 1999. In a previous notice FEMA made allocations totaling \$189,665,000. By this notice FEMA allocates an additional \$39,335,000. Congress instructed FEMA to award these funds expeditiously to States for use in eligible communities. Pub. L. 106-31, Emergency Supplemental Appropriations Act for Fiscal Year 1999, requires the publication of a notice governing the allocation and use of these funds.

Authority: Emergency Supplemental Appropriations Act for Fiscal Year 1999, Pub. L. 106-31, 113 Stat. 74.

Eligible applicants: States are to use these funds to benefit communities affected by presidentially-declared major disasters between January 1, 1999 and May 21, 1999, including Native American tribes. The latter date is the date of enactment of the appropriations bill that provides the funds for this effort.

State emergency management organizations (grantees) will administer these grants in conjunction with their administration of FEMA disaster assistance programs.

Availability of funds: By this notice funds are allocated to the following States that experienced disasters between January 1, 1999 and May 21, 1999: Alabama, Arkansas, California, Colorado, Georgia, Iowa, Kansas, Louisiana, Maine, Mississippi, Missouri, Oklahoma, Tennessee, Texas and Wyoming.

Allocations: The allocations are as follows:

State	Disaster No.	Allocation
Alabama	1261	\$3,532,104
Arkansas	1266	1,194,098
California	1267	4,310,428
Colorado	1276	6,064,742
Georgia	1271	51,241
Iowa	1277	3,446,853
Kansas	1273	4,426,195
Louisiana	1264	5,511,911
Louisiana	1269	557,948
Maine	1263	1,192,193
Mississippi	1265	4,569,973
Missouri	1270	1,273,588
Oklahoma	1272	1,012,570
Tennessee	1260	89,190
Tennessee	1262	253,580
Tennessee	1275	54,214
Texas	1274	307,671
Wyoming	1268	1,486,502
Total	39,335,000

We will provide an application package to States that receive allocations. States will submit applications to us indicating the proposed use of the funds. We will make awards up to the amount of the allocation after we make an expedited review of the State application package.

The application will require additional information and data that was used by the States in identifying the amount of their unmet needs in the submission to FEMA. This additional information and data must be specific and include supporting documentation. To the extent that we deem the information and data are insufficient or that they support an ineligible activity, we will reduce the amount of the initial allocation accordingly.

Correction to the Federal Register Notice of August 6, 1999. The August 6, 1999 Notice indicated that \$40,000 of Florida's grant for unmet needs related to Disaster 1249 was to be directed to the Poarch Band of Creek Indians. We have since determined that the tribe's land is primarily in the State of Alabama; this is notice to the affected States that we have re-directed \$40,000 from Florida to Alabama, and that we have adjusted each State's total allocation commensurately. We have notified each State separately of this action through official correspondence.