

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7047-8]

**EPA Region 8 "Best Professional Judgment" (BPJ) Determination of Effluent Limitations That Represent Best Available Technology Economically Achievable (BAT) for Coalbed Methane (CBM) Activities; Announcement of a Meeting****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice, announcement of a meeting.

**SUMMARY:** EPA Region VIII will conduct an informational meeting on its efforts in developing a "Best Professional Judgment" (BPJ) determination of effluent limitations that represent Best Available Technology Economically Achievable (BAT) for Coalbed Methane (CBM) activities in Region 8. The Agency will provide an overview of the project. In December 2001, EPA intends to finalize the BPJ determination for Coalbed Methane produced waters, for use in Region 8's Clean Water Act National Pollutant Discharge Elimination System (NPDES) permitting activities. The meeting is open to the public, and limited seating is available on a first-come, first-served basis.

**DATES:** The meeting will be held on September 25, 2001, 1:00 pm to 4:00 pm.

**ADDRESSES:** Sheraton Billings Hotel (Granite Room), 27 North 27th Street, Billings, MT 59101. For information on accommodations and/or directions, contact the hotel at 406-252-7400.

**FOR FURTHER INFORMATION CONTACT:** Michael Reed, NPDES Permits Team, Water Program, Office of Partnerships and Regulatory Assistance, EPA Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202-2466; telephone (303) 312-6132; e-mail: reed.mike@epa.gov

**SUPPLEMENTARY INFORMATION:** The Clean Water Act, in section 301(b), requires the NPDES permitting authority to consider effluent limits based both on the technology available to treat the pollutants and on protection of the designated uses of the receiving water. These are known as technology-based and water quality-based effluent limitations, respectively. Section 301(b)(2)(A) of the Clean Water Act requires effluent limitations that "shall require the application of the best available technology economically achievable for such category or class, which will result in reasonable further progress toward the national goal of eliminating the discharge of all

pollutants." There are two approaches for developing technology-based limits for industrial facilities: (1) National effluent limitations guidelines (ELGs) and (2) in the absence of ELGs, limitations developed on a case-by-case basis using best professional judgment. Because CBM activities were not significant and widespread when EPA developed the ELGs for the Oil and Gas Point Source Category (40 CFR part 435), EPA did not consider CBM in developing these guidelines and has not applied them to CBM. Therefore, according to 40 CFR 125.3(c)(2), technology-based limits for the CBM permits need to be developed using a BPJ case-by-case analysis.

EPA Region 8, with the assistance of the EPA Office of Science and Technology in Washington, DC, will do an economic analysis to assess disposal options for water that is produced as part of the coalbed methane (CBM) extraction process. The analysis will support a BPJ determination of effluent limitations that represent Best Available Technology Economically Achievable (BAT) for CBM produced waters in Region 8. Several technologies are being considered for both technical and economic feasibility, including several water treatment technologies: zero discharge via reinjection, infiltration and/or evaporation; and beneficial use of the effluent for agriculture and wildlife. The main objectives of this action are to support EPA NPDES permitting in Indian Country, fulfilling our trust responsibility with Tribes to implement environmental laws and regulations, and to inform the states and EPA in the implementation of their NPDES permit programs.

The meeting will provide an update on the development of the BPJ determination for BAT. EPA will discuss CBM operations in EPA Region 8, feasibility and cost of produced water disposal options, and economic and environmental impacts. EPA will also be soliciting additional information prior to development of the draft analysis. The meeting is not a mechanism for submitting formal comments and will not be recorded nor transcribed. A more detailed agenda and other documents related to the BPJ project will be available at the meeting. For those unable to attend the meeting, EPA will make documents available at the EPA website <http://www.epa.gov/region08/water/wastewater/npdeshome/cbm.html>, and they can be obtained by an e-mail or telephone request to Michael Reed at the above address.

Dated: August 15, 2001.

**Kerrigan G. Clough,***Assistant Regional Administrator, Office of Partnerships and Regulatory Assistance, Region VIII.*

[FR Doc. 01-22279 Filed 9-4-01; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7049-2]

**National Tribal Conference on Environmental Management****AGENCY:** Environmental Protection Agency.**ACTION:** Notice to Solicit Proposals from Federally-recognized Indian Tribes and Intertribal Consortia.

**SUMMARY:** The Environmental Protection Agency (EPA) is requesting proposals from federally-recognized Indian Tribes or Intertribal consortia to host the 6th National Tribal Conference on Environmental Management. EPA will be the official sponsor. The Tribal Conference will provide an opportunity for tribal leaders, tribal environmental managers, tribal organizations, Federal agencies, and other interested entities/persons to share information about tribal environmental programs and discuss issues of vital interest to Indian country. EPA is seeking to broaden the scope of the conference to be even more inclusive of the multi-media environmental issues being addressed by Tribes to establish stronger tribal networks and relationships across environmental efforts in Indian country, identify shared lessons learned, and familiarize Tribes with the full extent of tribal and EPA program environmental activities. EPA will award a cooperative agreement to the selected host Tribe to co-sponsor the conference, including personnel, planning, facilities and management expenses.

**DATES:** Submit proposals on or before October 12, 2001.

**ADDRESSES:** Mail proposals via U.S. Postal Service (including express and priority mail) to: U.S. Environmental Protection Agency, Attn: Clara Mickles, American Indian Environmental Office, Mailcode: 4101, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Mail proposals via commercial overnight delivery service (e.g., FedEx, DHL, UPS, etc.) to: U.S. Environmental Protection Agency, Attn: Clara Mickles, American Indian Environmental Office, 9th Floor, Room 913 East Tower, 401 M. Street, S.W., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Felicia Wright at (202) 260-4410, Caren

Rothstein-Robinson at (202) 260-0065, Claudia Walters at (202) 564-6762 or Clara Mickles at (202) 260-7519, for pre-application assistance or questions about the conference.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Starting in 1992, the U.S. EPA has co-sponsored five bi-annual NTCEM conferences to provide an opportunity for tribal leaders, tribal environmental program managers, tribal organizations, Federal agencies, and other interested entities to share information about tribal environmental programs and discuss issues of vital interest to Indian Country. Topics at past conferences have helped to build tribal capacity in the following areas:

- Managing environmental programs (including integrated waste programs);
- Grant assistance to Tribes;
- Addressing concerns about human health risks and subsistence;
- Contracting, research, and business development opportunities;
- Technology (GIS) and natural resource management; and
- Air, water, and waste management issues.

The conference has traditionally been held in late Spring. Here is a list of previous conference locations and dates:

- (1) Cherokee Nation, NC (May 19-20, 1992)
- (2) Cherokee Nation, NC (May 23-26, 1994)
- (3) Confederated Salish and Kootenai Tribes of the Flathead Nation, MT (May 1996)
- (4) Prairie Island Indian Community, MN (May 19-21, 1998)
- (5) Confederated Tribes of Siletz Indians, OR (June, 2000)

The most recent conference, hosted by the Confederated Tribes of Siletz Indians in Lincoln City, Oregon, was very successful in content as well as in attendance. Over 600 people attended this conference. Past conferences have drawn 500-700 participants representing more than 200 Tribes, Native Alaskans, Inter-tribal Consortia, and organizations. The conference agenda included all aspects of tribal environmental issues. For copies of past conference agendas, please see **FOR FURTHER INFORMATION CONTACT** section of this notice, or send email to [wright.felicia@epa.gov](mailto:wright.felicia@epa.gov). Any significant clarifications to this request for proposals will be posted on EPA's American Indian Environmental Office's web page at <http://www.epa.gov/indian/>.

##### II. 2002 Host Responsibilities

The tribal host will be the primary lead for this conference, including

developing the conference agenda, handling conference logistics (such as registration, transportation and administering/making decisions regarding travel scholarships for tribal participants travel), developing conference materials, and in making sure that priority environmental issues of interest to tribes are represented. The host tribe will also take the lead role in developing a conference theme based on uniting tribal environmental efforts to protect human health and the environment in Indian country and tribal homelands.

##### III. Coordination With Other Federal Agencies and Tribal Organizations

EPA is coordinating with other federal agencies (including the Department of Interior, the Department of Health and Human Services, and the Department of Defense) and our key tribal partners (including the Tribal Operations Committee, Tribal Pesticide Program Council, Tribal Science Council, Tribal Association on Solid Waste and Emergency Response, and many other broader-based intertribal organizations and consortia) to strengthen the multi-media character of this conference. These groups will be invited to hold their own independently-sponsored meetings according to their own procedures around the other on-going conference events. For example, the National Tribal Environmental Council (NTEC) has advised EPA that they are planning to coordinate around and co-locate their annual meeting the same week as this conference. Once the conference host is selected, we encourage other organizations to contact the host to coordinate similar joint efforts.

##### IV. Evaluation Criteria

EPA is requesting proposals from Federally-recognized Indian Tribes or intertribal consortia to host the National Tribal Conference On Environmental Management through a cooperative agreement with EPA (the applicable Catalog of Federal Domestic Assistance number is 66.604). To be eligible to receive a cooperative agreement under the authorities listed in today's Notice, an intertribal consortium must meet the definition of eligibility in the Environmental Program Grants for Tribes Final Rule, at 40 CFR 35.504 (66 FR 3782, January 16, 2001), and are a non-profit organization within the meaning of OMB Circular A-122. The funding amount for the cooperative agreement is subject to the availability of funds in EPA. Prior cooperative agreement awards for co-hosting the tribal conference have been in the

amount of \$350,000. EPA will negotiate the final amount of the reward with the selected tribal host.

Tribes or intertribal consortia that wish to submit proposals must first meet two mandatory factors described below under the Evaluation Criteria. If your Tribe or intertribal consortium meets these mandatory factors, EPA will score your proposal based on how well you meet the evaluation criteria. Please make sure you address the mandatory factors first and then provide detailed information on all the listed criteria in your proposal. Submissions which do not address a particular criterion will receive a zero score for that criterion. EPA will evaluate all submissions according to the listed criteria.

All proposals must come from a tribal government or intertribal consortium. We strongly encourage direct involvement by staff from your environmental program/department, facility managers, and members of the local business community/chamber of commerce. EPA will award a grant to the selected tribal host to cover personnel, planning, and management expenses. EPA reserves the right to reject all proposals and make alternative arrangements for the conference. Clearly mark any information you consider confidential. Please submit a description of your facilities and a summary of your capabilities for each of the criteria below.

##### A. Mandatory Factors

- Have a conference center or other suitable meeting facilities capable of holding at least four concurrent sessions and a plenary session that will accommodate 700 people.
- Demonstrate the ability to effectively manage EPA financial assistance (i.e., an adequate financial management system with effective accounting procedures that maintain fiscal control).

##### B. Evaluation Criteria

- *Conference Facilities:* Proposed conference center (or other suitable meeting facility) is capable of holding at least four concurrent sessions and a plenary session for 700 people; facilities should have adequate amenities to comfortably accommodate large groups of people. Lodging for 700 people should be available within a reasonable travel time, preferably within 15 minutes of conference facilities. Tribes that do not have facilities located on their lands can outline a plan to utilize nearby facilities that meet the logistical needs described in the criteria. (Maximum of 25 points)

- Bonus of up to 10 additional points for conference facilities/amenities that are tribally-owned or located on tribal land.

- *Conference management:*

Demonstrate capability to manage all aspects of a major conference, including conference planning, logistics, booking, registration, travel, on-site events, contractual support, closeout activities, and an ability to effectively manage EPA financial assistance (*i.e.*, an adequate financial management system with effective accounting procedures that maintain fiscal control). EPA will award a grant to the selected host Tribe to cover personnel, planning, and management expenses. (Maximum of 25 points)

- *Conference Transportation:*

Demonstrate that: (1) Airline transportation is economically feasible for most conference participants; (2) the conference facilities are located within 90 minutes of a major airport; and (3) ground transportation can be provided for attendees to and from the airport and around the meeting sites (e.g., between meeting facility and offsite locations such as hotels, special event locations, etc.). (Maximum of 18 points)

- *Conference Materials:* Capability to produce and distribute conference materials, such as a conference logo, registration materials, signs/banners, an agenda booklet, and handouts. (Maximum of 15 points)

- *Vendor Area:* Use of an area in close proximity to the meeting area(s) capable of accommodating 25 or more vendors, providing exhibit booth space of 8' X 8' or 10' X 10' per vendor and access to electrical and telephone service. (Maximum of 12 points)

- *Recycling:* Commitment to use, to the maximum extent possible, products with recycled content and to collect recyclables at the conference. (Maximum of 5 points)

**Total:** 100 points with potential for up to 110 total points, including bonus.

In addition to soliciting proposals for the 2002 conference, we encourage you to submit suggestions or ideas for potential agenda topics that your Tribe would like to see addressed at the conference. We will forward suggestions to the selected tribal host. We also encourage you to attend the conference regardless of whether you are interested in hosting the event.

**Authority:** 7 U.S.C. 136, 15 U.S.C. 2601, 33 U.S.C. 1254, 42 U.S.C. 300f, 33 U.S.C. 1254, 42 U.S.C. 300f, 42 U.S.C. 6981, 42 U.S.C. 7403, 42 U.S.C. 13101 and 13102.

Dated: August 27, 2001.

**Stephen D. Luftig,**

*Acting Principal Deputy Assistant Administrator, Office of Solid Waste and Emergency Response.*

[FR Doc. 01-22280 Filed 9-4-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-00678C; FRL-6801-7]

### Opportunity to Comment on Implications of Revised Bt Crops Reassessment for Regulatory Decisions Affecting These Products, and on Potential Elements of Regulatory Options; Extension of Comment Period

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

**ACTION:** Notice.

**SUMMARY:** EPA is currently engaged in a comprehensive reassessment of the time-limited registrations for all existing *Bacillus thuringiensis* (*Bt*) corn and cotton plant-incorporated protectants. This notice announces the Agency's intent to provide additional time to comment on the implications of the revised risk and benefit sections of the reassessment, the draft Potential Risk Mitigation and Regulatory Options paper, and the regulatory decisions affecting *Bacillus thuringiensis* Cry1F protein and the genetic material necessary for its production (plasmid insert PHI8999) in corn plants.

**DATES:** Comments, identified by docket control number OPP-00678B, must be received on or before September 10, 2001.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the **SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-00678B in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Mike Mendelsohn, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8715; fax number: (703) 308-7026; e-mail address: mendelsohn.mike@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 be of particular interest to manufacturers, producers, distributors, users, and other persons interested in the registrations listed below. This action may also be of interest to other persons who have an interest in the registration and/or the use of *Bt* corn, *Bt* cotton, and *Bt* potato plant-pesticides regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and under the Federal Food, Drug, and Cosmetic Act (FFDCA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

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

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents (including copies of EPA's fact sheets on each registered *Bt* plant-pesticide, workshop proceedings on resistance management, EPA technical papers on regulation of agricultural biotechnology including resistance management for *Bt* plant-pesticides, ecological effects data requirements for protein plant-pesticides, allergenicity and health effects for protein plant-pesticides, and Scientific Advisory Panel reports from EPA's Biopesticide Internet Home Page at <http://www.epa.gov/pesticides/biopesticides> and from EPA's SAP Home Page at <http://www.epa.gov/scipoly/sap>). To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "**Federal Register—Environmental Documents.**" You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgrstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-00678B. Additionally, the *Bt* Corn Cry1F registrations have official records under docket control numbers OPP-30494 and OPP-30120. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as