

that is chartered or otherwise sanctioned by a state; State; Indian Tribe other than in Alaska; and Alaska Native Regional Corporation, Alaska Native Village Corporation, and Metlakatla Indian Community. In addition, Intertribal Consortia, other than those composed of ineligible Alaskan tribes, are eligible to apply for the brownfields job training grants.

For the purposes of determining a nonprofit organization's eligibility for the brownfields job training grant program, EPA will use the definition of nonprofit organizations contained in section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107. The term "nonprofit organization" means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization.

To ensure a fair selection process, evaluation panels consisting of EPA Regional and Headquarters staff and other federal agency representatives will assess how well the proposals meet the selection criteria outlined in the application booklet, Proposal Guidelines for Brownfields Job Training Grants (November 2002). Proposals will be evaluated and ranked by National Evaluation Panels. The evaluation panels will review the proposals carefully and assess each response based on how well it addresses the criteria, briefly outlined below. There are two different types of criteria—threshold criteria and ranking criteria. Applicants must meet the threshold criteria to be considered for an award of a grant. Responses to the evaluation criteria will be utilized to determine whether to make an award and the amount of funds to be awarded.

#### Job Training Grants

##### Threshold Criteria

- A. Location of Project
- B. Applicant Eligibility
- C. Proof of Non-Duplication of effort

##### Ranking Criteria

- A. Community Need (a maximum of 10 points may be received for this criterion)
- B. Institutional Capacity (a maximum of 15 points may be received for this criterion)
- C. Training Program Objectives and Plans (a maximum of 20 points may be received for this criterion)

D. Budget, Schedule and Leveraging (a maximum of 25 points may be received for this criterion)

E. Community Involvement and Partnerships (a maximum of 20 points may be received for this criterion)

F. Measures of Success (a maximum of 10 points may be received for this criterion)

Final selections will be made by EPA senior management after considering the ranking of Final Proposals by the National Evaluation Panels EPA decisions may take into account other statutory and policy considerations, such as urban and non-urban distribution and other geographic factors; compliance with the statutory petroleum funding allocation; designation as a Federal Empowerment Zone, Enterprise Community, or Renewal Community; population; and whether the applicant is a federally recognized Indian tribe. There is no guarantee of an award.

Dated: December 5, 2002.

**Sven Kaiser,**

*Acting Director, Office of Brownfields Cleanup and Redevelopment, Office of Solid Waste and Emergency Response.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7423-2]

### Chesapeake Bay Program

The U.S. Environmental Protection Agency's Chesapeake Bay Program Office, on behalf of the partners of the Chesapeake Bay Program, announces an extension to the comment period for the Draft Chesapeake Bay Comprehensive Oyster Management Plan until January 15, 2003. The draft plan addresses both habitat restoration and oyster fishery management. It emphasizes biologically based, strategic decision making, enables an adaptive management approach, and provides for better coordination among key agencies, organizations, and institutions involved in oyster restoration in Maryland and Virginia waters of Chesapeake Bay and its tidal tributaries. The Chesapeake Bay oyster partners include the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the National Oceanic and Atmospheric Administration, the Maryland Department of Natural Resources, the Virginia Marine Resources Commission, the Maryland Oyster Recovery Partnership, the Virginia Oyster Heritage Program, the Chesapeake Bay

Foundation, the University of Maryland, and the Virginia Institute of Marine Science. Following receipt of comments, a final draft plan will be circulated to Chesapeake Bay Program signatory partners for approval. It is expected that the final plan will be adopted by the Chesapeake Executive Council in 2003. The draft plan is available on-line at the EPA Region III Web site <http://www.epa.gov/r3chespk/>, or at the Chesapeake Bay Program Web site <http://www.chesapeakebay.net> or by regular mail from the EPA Chesapeake Bay Program Office (Phone: 410-267-5700).

Comments should be postmarked no later than January 15, 2003. Comments can be sent either by email to [fritz.mike@epa.gov](mailto:fritz.mike@epa.gov) or by regular mail to Michael Fritz, U.S. EPA, 410 Severn Avenue, Suite 109, Annapolis, MD 21403. Further information about the Chesapeake Bay Program and oysters and other living resources in the bay is available at <http://www.chesapeakebay.net>.

**Diana Esher,**

*Deputy Director, Chesapeake Bay Program Office.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7423-1]

### Intent to Grant a Co-Exclusive Patent License

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

**ACTION:** Notice of intent to grant a co-exclusive patent license.

**SUMMARY:** Pursuant to 35 U.S.C. 207 and 37 CFR part 404, EPA hereby gives notice of its intent to grant a co-exclusive, royalty-bearing, revocable license to practice the invention described and claimed in the patents listed below, all corresponding patents issued throughout the world, and all reexamined patents and reissued patents granted in connection with such patents, to Sensors, Inc., Saline, Michigan and to Horiba Instruments, Inc., Irvine, California, including its parent, subsidiaries, affiliates and companies controlled by Horiba. The patents are:

U.S. Patent No. 6,148,656, entitled "Real-time On-road Vehicle Exhaust Gas Modular Flowmeter and Emissions Reporting System," issued November 21, 2000.

U.S. Patent No. 6,382,014, entitled "Real-time On-road Vehicle Exhaust Gas