

US EPA ARCHIVE DOCUMENT

Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

C. How and to Whom Do I Submit Comments?

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-50874. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI 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. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about

CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice.
7. Make sure to submit your comments by the deadline in this document.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Background

EPA has received an application from Monsanto Company, 700 Chesterfield Parkway North, St. Louis, MO 63198 for an experimental use permit for Cry2Ab protein and the genetic material necessary for its production (Vector ZMBK28L) in corn. The program proposes genetically contained non-food-use testing from October 15, 2000 to November 15, 2001 on a total of 11,394 acres in the States of Alabama, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, North Carolina, North Dakota, Nebraska, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Wisconsin, and the Commonwealth of Puerto Rico. Experimental trials are to (1) breeding and observation nursery, (2) agronomic and efficacy trials, and (3) seed increase for further regulatory testing.

III. What Action is the Agency Taking?

Following the review of the Monsanto Company application and any comments and data received in response to this notice, EPA will decide whether to issue or deny the EUP request for this EUP program, and if issued, the conditions under which it is to be

conducted. Any issuance of an EUP will be announced in the **Federal Register.**

IV. What is the Agency's Authority for Taking this Action?

The Agency's authority for taking this action is under FIFRA section 5.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: December 7, 2000.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 00-32403 Filed 12-19-00]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6917-9]

Regulatory Reinvention (XL) Pilot Projects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of the Project XL draft final project agreement and draft addenda for New Jersey Gold Task Program.

SUMMARY: EPA is requesting comments on a Draft Project XL Final Project Agreement (FPA) and Draft Addenda for the New Jersey Gold Track Program. The Draft FPA and Addenda are a voluntary agreement developed collaboratively by the New Jersey Department of Environmental Protection (NJDEP), stakeholders, and EPA. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities, communities and states the flexibility to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits.

The Gold Track Project XL project embodies the final and highest tier of NJDEP's Silver and Gold Track Programs. NJDEP has led detailed stakeholder discussions to frame the Silver and Gold Track Program for Environmental Performance (Silver and Gold) since the summer of 1999. New Jersey's Silver and Gold Tracks are designed as a tiered system, requiring an increased level of commitment to environmental performance in return for concomitant regulatory flexibility.

The first or baseline tier, Silver Track, requires participating entities to meet certain core criteria in return for baseline incentives such as recognition

as a top-performing company, a single point of contact in the department to expedite and coordinate permitting needs, and consolidated reporting (among others). The incentives offered under Silver Track are within the rubric of existing regulations, and, as such, do not require rule changes. The Silver Track portion of the program was implemented in September of 1999.

Silver Track II, the second tier of the program, maintains the original core requirements of the baseline tier, as well as some additional commitments. Participants must commit to attaining agreed-upon emission reductions of CO₂ or Greenhouse Gas equivalents. In turn, participants will not have to seek certain pre-construction air permits for sources that emit less than prescribed de minimus emission levels.

The third and highest tier, Gold Track, which is covered by this Agreement, represents the highest degree of commitment by participating entities and additional incentives offered by the NJDEP. Gold Track is envisioned to be multi-media in scope, with this Agreement serving as an "umbrella" document to define basic criteria and processes for participation in Gold Track. Core requirements for participating in Gold Track include (among others): Certifying current compliance with all applicable environmental rules and regulations, demonstrating a historically acceptable compliance record, conducting advanced community outreach, having an Environmental Management System (EMS) with an independent third party review component, and entering into a covenant with NJDEP to memorialize commitments and incentives as well as accountability milestones for the duration of the project. Media-specific requirements for participation are presented in the draft media-specific addenda.

Implementing the negotiated incentives under Gold Track may require both federal and state rule changes, which NJDEP plans to pursue through EPA's Project XL Program. Current federal rule change requests from NJDEP are described in the draft media-specific addenda.

DATES: The period for submission of comments ends on January 19, 2001.

ADDRESSES: All comments on the proposed Final Project Agreement should be sent to: Aleksandra Dobkowski-Joy, USEPA, 290 Broadway, New York, NY 10007, or Chad Carbone, U.S. EPA, Room 1027WT (1802), 1200 Pennsylvania Ave., NW., Washington, DC 20460. Comments may also be faxed to Ms. Dobkowski-Joy (212) 637-5045,

or Mr. Carbone (202) 260-1812. Comments may also be received via electronic mail sent to: dobkowski.aleksandra@epa.gov or carbone.chad@epa.gov.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the proposed Final Project Agreement or Fact Sheet, contact: Aleksandra Dobkowski-Joy, USEPA, 290 Broadway, New York, NY 10007, or Chad Carbone, U.S. EPA, Room 1027WT (1802), 1200 Pennsylvania Ave., NW., Washington, DC 20460. The FPA and related documents are also available via the Internet at the following location: <http://www.epa.gov/ProjectXL>. Questions to EPA regarding the documents can be directed to Aleksandra Dobkowski-Joy at (212) 637-3676 or Chad Carbone at (202) 260-4296. For information on all other aspects of the XL Program contact Christopher Knopes at the following address: Office of Policy, Economics and Innovation, United States Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Room 1029WT (Mail Code 1802), Washington, DC 20460. Additional information on Project XL, including documents referenced in this notice, 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>.

Dated: December 15, 2000.

Elizabeth A. Shaw,

Director, Office of Environmental Policy Innovation.

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BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6919-8]

Guidelines on Awarding Section 319 Grants to Indian Tribes in FY 2001

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: EPA has developed guidelines on awarding Section 319 nonpoint source grants to Indian Tribes in FY 2001. As was the case in FY 2000, Congress has authorized EPA to award nonpoint source pollution control grants to Indian Tribes under section 319 of the Clean Water Act in FY 2001 in an amount that exceeds the statutory cap (in section 518(f) of the Clean Water Act) of 1/3% of the total 319 appropriation. The guidelines are

intended to assist all Tribes that have approved nonpoint source assessments and management programs and also have "treatment-as-a-State" status to receive Section 319 funding to help implement those programs. The guidelines describe the process for awarding base funding in FY 2001, including submissions of proposed work plans. The guidelines also describe the competitive process and schedule to select watershed projects for FY 2001 funding, including submissions of watershed project summaries and the selection criteria for funding watershed projects. The guidelines clarify issues relating to the eligibility of intertribal consortia to receive Section 319 grants, and questions relating to the extent to which Section 319(h) grants may be awarded to Tribes for use outside the reservation.

DATES: The guidelines are effective December 20, 2000.

ADDRESSES: Persons requesting additional information or a complete copy of the document should contact Ed Drabkowski at (202) 260-7009; drabkowski.ed@epa.gov; or U.S. Environmental Protection Agency (4503-F), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Persons requesting additional information or a complete copy of the document should contact Ed Drabkowski at (202) 260-7009; drabkowski.ed@epa.gov; or U.S. Environmental Protection Agency (4503-F), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. The complete text of today's guidelines is also available on EPA's Internet site on the Nonpoint Source Control Branch homepage <http://www.epa.gov/owow/nps>.

SUPPLEMENTARY INFORMATION: The full text of the Guidelines on Awarding Section 319 Nonpoint Source Grants to Indian Tribes in FY 2001 is published below.

Dated: December 13, 2000.

Robert H. Wayland III,

Director, Office of Wetlands, Oceans, and Watersheds.

Memorandum

Subject: Guidelines on Awarding Section 319 Grants to Indian Tribes in FY 2001

From: Robert H. Wayland III, Director, Office of Wetlands, Oceans and Watersheds

To: EPA Regional Water Division Directors, Regional Tribal Coordinators/Program Managers,