

Summary

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

ERP No. F-NPS-H65005-NB Niobrara National Scenic River, General Management Plan, Niobrara/Missouri National Scenic Riverways, Implementation, Brown, Cherry, Keya Paha and Rock Counties, NB.

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-SFW-K99026-CA Multiple Species Conservation Program (MSCP) Planning Area, Issuance of Take Authorizations for Threatened and Endangered Species Due to Urban Growth, San Diego County, CA.

Summary

EPA had environmental concerns with the proposed project.

Dated: May 20, 1997.

William D. Dickerson,

Director, NEPA Compliance Division Office of Federal Activities.

[FR Doc. 97-13671 Filed 5-22-97; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-00211; FRL-5716-3]

Cooperative Agreements to Develop and Carry Out Authorized State Training, Accreditation and Certification Programs for Lead-Based Paint Professionals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of funds availability; solicitation of applications for financial assistance.

SUMMARY: This notice announces EPA's intent to enter into cooperative agreements with States, Territories, the District of Columbia and federally-recognized Indian governing bodies to provide financial assistance for purposes of developing and carrying out EPA-authorized training, accreditation and certification programs for professionals engaged in lead-based paint activities. These State programs and this financial assistance are authorized by section 404 of the Toxic Substances Control Act (TSCA). The notice describes eligible activities, application procedures and requirements, and funding criteria. EPA anticipates that up to \$12,500,000 will

be available during federal fiscal year 1997 (FY97) for awards to eligible recipients. There are no matching share requirements for this assistance. This is the fourth year that funding is being made available for this cooperative agreement program. Subject to future budget limitations, EPA plans to provide this support on a continuing multi-year or program basis. All cooperative agreements will be administered by the appropriate EPA regional office. This cooperative agreement program is the first of two assistance programs that will be administered by EPA related to authorized State lead programs this year. The second program was formerly administered by the Department of Housing and Urban Development and will be announced in the **Federal Register** at a later date.

DATES: In order to be considered for funding during the FY97 award cycle, all applications must be received by the appropriate EPA regional office on or before June 23, 1997. EPA will make its award decisions and execute its FY97 cooperative agreements by September 30, 1997.

FOR FURTHER INFORMATION CONTACT: For general information, contact: Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD: (202) 554-0551, e-mail: TSCA-Hotline@epamail.epa.gov. For technical information, contact the appropriate Regional Primary Lead Contact person listed in Unit VI. of this notice.

SUPPLEMENTARY INFORMATION: Under TSCA section 404(g), EPA will award non-matching cooperative agreements to States, Territories, the District of Columbia and federally-recognized Indian governing bodies to develop and carry out programs established under section 402 for the training of individuals engaged in lead-based paint activities, the accreditation of training programs for these individuals, and the certification of contractors engaged in lead-based paint activities. Under section 404(a), States may seek EPA authorization to administer these programs. To achieve authorization under TSCA, programs must: (1) Be as protective of human health and the environment as the federal program established under TSCA section 402 or 406, or both, and (2) provide adequate enforcement. For States, Territories, the District of Columbia and federally-recognized Indian governing bodies that fail to obtain EPA authorization by

August 31, 1998, the Agency will administer and enforce the TSCA section 402 requirements (15 U.S.C. 2682, as amended on October 28, 1992) or 406 (15 U.S.C. 2686(b)) in that State.

Pursuant to section 404(g) of TSCA, EPA encourages States, Territories, the District of Columbia and federally-recognized Indian governing bodies to seek authorization of their own training, accreditation, and certification programs for lead-based paint activities. EPA therefore recommends that eligible parties seek funding through the TSCA section 404(g) assistance program, which is now being implemented to help achieve these ends. EPA further recommends that eligible parties plan to utilize this assistance support in a way that complements any related financial assistance they may receive from other federal sources. EPA will require all grant applicants under the program to provide information on other sources of federal support for lead-based paint activities. EPA will use the information in an effort to coordinate federally funded lead activities.

EPA will work with prospective applicants to develop cooperative agreements which promote a variety of objectives deemed critical to the success of its national lead program. These objectives include: (1) Permitting flexible approaches to reducing lead hazards; (2) developing a nationwide pool of qualified lead abatement professionals; (3) encouraging pollution prevention in lead-based paint activities; (4) promoting environmental justice in the reduction of lead exposures and the prevention of lead poisoning; (5) fostering the establishment of comprehensive and integrated lead management programs by States, Territories, the District of Columbia and Indian governing bodies; and (6) promoting reciprocity among authorized programs in the training and certification of lead abatement professionals.

The cooperative agreement program announced here is to be distinguished from another similar assistance program that will also support States in developing a lead-based paint training, accreditation and certification Program. This second cooperative agreement program, which will be announced in a separate **Federal Register** Notice at a later date, was previously administered by the Department of Housing and Urban Development (HUD) under section 1011(g) of Title X of the Housing and Community Development Act of 1992. EPA and HUD are finalizing an Interagency Agreement whereby EPA, under its section 404(g) authority, will award the remaining HUD funds.

I. Eligibility

All States are eligible to apply for and receive assistance under section 404(g) of TSCA. The term "State," for purposes of eligibility, refers broadly to any State of the United States, the District of Columbia, any federally-recognized Indian governing body, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

II. Authority

The "TSCA State Lead Cooperative Agreement Program" is a financial assistance program administered by EPA under authority of TSCA section 404(g) (Title IV of TSCA was enacted as subtitle B of Title X). Each of EPA's 10 regional administrators has been delegated the authority of section 404(g) to enter into cooperative agreements with eligible "States."

III. Activities to be Funded

EPA recognizes that when Title IV was enacted on October 28, 1992, States had widely varying capabilities for addressing lead hazards. Individual States currently fall within one of three broad categories of program development: (1) States without lead programs; (2) States with programs that qualify for authorization but that may need assistance in carrying out these programs; and (3) States with lead programs that will require modification before qualifying for authorization. Each State's need for assistance will vary, in part, according to the level of lead program development the State has attained. The type of program activity a given State seeks to pursue may also vary in a corresponding manner.

Although EPA generally supports all State activities aimed at developing or carrying out authorized State lead programs, the Agency does recognize certain priorities. Because few States presently have adequate lead program capabilities, as measured against TSCA sections 402 and 406, EPA priorities are: First to support the development of new State programs; second to support the continued implementation of authorized State programs; and third to support the implementation of existing State programs which do not presently qualify for authorization but which are otherwise willing to work toward timely authorization. Although these priorities do not constitute the Agency's criteria for award determinations, EPA will consider these items in its cooperative agreement negotiations with applicants.

EPA has established three general funding categories that reflect the

different status, or levels, of State lead program development. They are not mutually exclusive, and it is permissible for a State's work plan to combine elements from two or more categories. Numerous examples of activities considered to be eligible for this funding is described in a separate EPA document entitled "State and Tribal Cooperative Agreement Guidance for FY 1997." Copies of the grant guidance may be obtained through any of EPA's 10 regional offices at the addresses listed under Unit VI. of this notice. It is important to note, however, that the examples presented in the guidance are not exhaustive, and applicants are not limited in their proposals to the listed tasks. Individual State program innovations are eligible and encouraged, so long as the proposed tasks relate to the purposes set forth in TSCA section 404(g) and fit within one or more of the three general funding categories.

IV. Selection Criteria

During the FY97 award cycle, EPA expects up to \$12,500,000 to be available for distribution to eligible applicants. The Agency will use a two-tiered system to calculate how much assistance money a State may be eligible to receive. This system is aimed at achieving the broadest possible State participation, while at the same time, targeting areas with the greatest potential lead hazard and risk. It accomplishes this by providing for a tier-one distribution of "base funding," followed by a tier-two distribution of "formula funding," where additional funds are calculated based upon the relative lead burden estimated to exist within a State. The actual amount of money that an eligible State may receive in this assistance cycle will be determined by the appropriate EPA Regional Office. Specifically, applicants with funding requirements exceeding the base allotments will be considered by their EPA Regional Office for receiving this apportioned additional funding based on two factors: the relative "lead burden" allocation and the applicant's demonstration of the State's progress in obtaining authorization for a training, accreditation, and certification program for lead-based paint activities.

For each State and the District of Columbia that submits a qualifying proposal, EPA intends to award a base funding allotment of \$100,000. In addition, base funding of up to \$50,000 will be reserved for each base "Territory" that has been administratively assigned to an EPA Regional Office and that has historically participated in EPA toxics grant

programs. These "base" Territories include the U.S. Virgin Islands (Region 2), the Commonwealth of Puerto Rico (Region 2), Guam (Region 9), and American Samoa (Region 9). Base funding allotments may be subject to change if new statutory requirements are introduced into law within the funding cycle. The two remaining "non-base" Territories, the Canal Zone and the Northern Mariana Islands, are also eligible to apply for funding up to, but not exceeding, \$50,000 apiece. The non-base Territories are not considered in determining the base funding allotments. Base allotments are primarily intended to ensure that those States and base Territories wishing to pursue authorization under TSCA section 404 will be guaranteed a minimum level of funding for this purpose. Any unsubscribed base funding will be added to the formula funds pool.

Once base funding allotments have been reserved for all eligible applicants, each EPA Regional Office will be allocated \$100,000 from this year's assistance pool to be distributed at the Region's discretion to applicants within that region. In addition, EPA has set aside \$1,500,000 for Federally-recognized Indian governing bodies. EPA cannot reliably predict the level of participation from Indian governing bodies and non-base Territories; therefore, where these eligible parties do apply for funds, they will be assigned to an appropriate regional office for administrative oversight, and that regional office will determine the appropriate distribution of funds not allocated through the formula funding process described above. Indian governing bodies, however, will not receive a formula ranking, and will not be eligible to compete for additional formula allocations based upon lead burden calculations. All remaining funds will be treated as "formula funds."

States, base Territories and the District of Columbia with funding requirements exceeding their base allotments can be given apportioned additional sums ("formula funds") based upon their relative lead burden and the progress they have made toward establishing a training, certification, and accreditation program. In calculating the lead burden for the formula rankings, EPA will use readily available data derived from the 1990 Census of Population and Housing, together with data from the U.S. Department of Housing and Urban Development (HUD). The formula uses four factors to generate an estimate of the potential lead problem, or "lead burden," in each

State. Two of these factors, the number of housing units with lead-based paint and the number of children under age 6, express the potential magnitude of the lead problem. The remaining two factors, the fraction of young children in poverty and the fraction of low-income housing units with lead-based paint, express the potential severity of the problem.

In determining formula rankings, each State, base Territory, and the District of Columbia is scored independently for each factor, and the four individual factor scores for the State, base Territory, or the District of Columbia are then summed to obtain an overall score for that applicant (a combined factor score). The combined factor scores of all States, base Territories, or the District of Columbia applying for formula funds (or amounts in excess of their base allotment) are then summed, and the percentage of the total sum represented by the individual State, base Territory, or District of Columbia's score is then calculated. When the total formula funding available is then multiplied by the percentage score of an individual State, Territory or District of Columbia, the applicant's ceiling formula allotment can be obtained. For example, assume that \$10,000,000 are available and (1) all 50 States but none of the base Territories or the District of Columbia applies for formula allotments, (2) State X has a percentage score of 2 percent, and (3) a total of \$5,000,000 in formula funding is available. In determining how much money to allot to State X, EPA would multiply \$5,000,000 by .02. The product, \$100,000, represents the maximum additional funding that could be awarded to State X to supplement its base allocation. State X would then qualify for up to \$200,000 in total funding for the fiscal year (\$100,000 in base funding + \$100,000 in formula funding).

In general, the maximum, or ceiling, formula allotments will fluctuate inversely with the number of applicants. The greater the number of applicants, the lower the ceiling will tend to be, and vice versa. Formula allotments will be determined only after the annual application deadline has passed and EPA has full knowledge of the total amount of funds requested. If one or more States or base Territories request formula fund amounts below their ceiling allotments, residual formula funds will be available. Where this situation develops, if there are still other States or base Territories with unfunded needs, the formula will be run again. This procedure can be repeated until all formula funds have been fully allotted.

V. Submission Requirements

To be considered for funding, each application must include, at a minimum, the following forms and certifications which are contained in EPA's "Application Kit for Assistance": (1) Standard Form 424 (Application for Federal Assistance), (2) debarment and suspension certification, (3) disclosure of lobbying activities, and (4) a return mailing address. In addition to these standard forms, each application must also include a work program, a detailed line-item budget with sufficient information to clearly justify costs, a list of work products or deliverables, and a schedule for their completion or an update of an existing schedule from a previous funding year with updated work products or deliverables. This year, the State must also include a statement in their proposal that describes how the State will be able to develop and implement a lead training, accreditation and certification program for EPA approval by August 31, 1998.

Work programs are to be negotiated between applicants and their EPA regional offices to ensure that both EPA and State priorities can be addressed. Any application from a State, Territory, the District of Columbia or Indian governing body without an authorized program must demonstrate how the proposed activities will lead to that State's pursuit of authorization. Also, any applicant proposing the collection of environmentally related measurements or data generation must adequately address the requirements of 40 CFR 31.45 relating to quality assurance/quality control. These requirements are more specifically outlined in the "Guidance Document for the Preparation of Quality Assurance Project Plans" (May 1993) published by EPA's Office of Pollution Prevention and Toxics. This document, as well as the application kits referred to above, may be obtained from EPA's regional offices.

VI. Application Procedures and Schedule

Applications must be submitted to the appropriate EPA regional office in duplicate; one copy to the regional lead program branch and the other to the regional grants management branch. Early consultations are recommended between prospective applicants and their EPA regional offices. Because TSCA cooperative agreements will be administered at the regional level, these consultations can be critical to the ultimate success of a State's project or program. After the formula funding calculations are determined and the

funds are transferred to the appropriate EPA Regional account, the lead Regional Office will contact the Applicant and discuss the final award allotment. EPA Regional Offices may require the Applicant to modify their proposed workplan and cooperative agreement based upon the final grant allotment.

EPA reserves the right, in negotiating the cooperative agreement, to delete budget items that, in its judgement, are not necessary for the direct support of program purposes, and to request the grantee to redirect the deleted sums to other acceptable purposes or make a corresponding reduction in the funding request.

The cooperative assistance shall be used solely for the purpose described in the applicant's approved implementation plan and the budget, including any changes that may be negotiated and adopted in the cooperative agreement.

For more information about this financial assistance program, or for technical assistance in preparing an application for funding, interested parties should contact the Regional Primary Lead Contact person in the appropriate EPA regional office. The mailing addresses and contact telephone numbers for these offices are listed below.

Region I: (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont), JFK Federal Building, One Congress St., Boston, MA 02203. Telephone: (617) 565-3836 (Jim Bryson)

Region II: (New York, New Jersey, Puerto Rico, Virgin Islands), Building 5, SDPTSB, 2890 Woodbridge Ave., Edison, NJ 08837-3679. Telephone: (908) 321-6671 (Lou Bevilacqua)

Region III: (Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia), 841 Chestnut Bldg., Philadelphia, PA 19107. Telephone: (215) 566-2084 (Gerallyn Valls)

Region IV: (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), 100 Alabama St., SW., Atlanta, GA 30303. Telephone: (404) 562-8998 (Rose Anne Rudd)

Region V: (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), SP-14J, 77 W. Jackson St., Chicago, IL 60604. Telephone: (312) 886-7836 (David Turpin)

Region VI: (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), 12th Floor, Suite 2000, 1445 Ross Ave., Dallas, TX 75202. Telephone: (214) 665-7577 (Jeff Robinson)

Region VII: (Iowa, Kansas, Missouri, Nebraska), ARTD/RENV, 726

Minnesota Ave., Kansas City, KS
66101. Telephone: (913) 551-7518
(Mazzie Talley)

Region VIII: (Colorado, Montana, North
Dakota, South Dakota, Utah,
Wyoming), 999 18th St., Suite 500,
Denver, CO 80202. Telephone: (303)
312-6021 (David Combs)

Region IX: (Arizona, California, Hawaii,
Nevada, American Samoa, Guam), 75
Hawthorne St., San Francisco, CA
94105. Telephone: (415) 744-1094
(Harold Rush)

Region X: (Alaska, Idaho, Oregon,
Washington), Solid Waste and Toxics
Unit (WCM-128), 1200 Sixth Ave.,
Seattle, WA 98101. Telephone: (206)
553-1985 (Barbara Ross)

The deadline for EPA's receipt of final
FY97 applications is June 23, 1997.
Once the application deadline has
passed, EPA will process the formula
funding calculations and determine the
initial formula ceiling allocations. Final
negotiations for the award of
cooperative agreements can then
proceed, but all FY97 agreements must
be executed no later than September 30,
1997.

List of Subjects

Environmental protection,
Cooperative Agreements, Lead, Training
and accreditation.

Dated: May 16, 1997.

Susan H. Wayland,

*Acting Assistant Administrator for
Prevention, Pesticides and Toxic Substances.*

[FR Doc. 97-13642 Filed 5-22-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-00482; FRL-5716-4]

Notice of Availability of Regional Environmental Stewardship Program Grants

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice of Availability of
Regional Pesticide Environmental
Stewardship Program Grants.

SUMMARY: EPA is announcing the
availability of approximately \$498
thousand in fiscal year 1997 grant/
cooperative agreement funds under
section 20 of the Federal Insecticide,
Fungicide, and Rodenticide Act (FIFRA)
as amended, (the Act), for grants to
States and all Federally recognized
Native American Tribes. The grant
dollars are targeted at State and Tribal
programs that address reduction of the
risks associated with pesticide use in

agricultural and non-agricultural
settings in the United States. EPA's
Office of Pesticide Programs is offering
the following grant opportunities to
interested and qualified parties.

DATES: In order to be considered for
funding during the FY97 award cycle,
all applications must be received by the
appropriate EPA regional office on or
before June 6, 1997. EPA will make its
award decisions by June 27, 1997.

FOR FURTHER INFORMATION CONTACT:
Your EPA Regional Pesticide
Environmental Stewardship Program
Coordinator. Contact names for the
coordinators are listed under Unit IV. of
this document.

SUPPLEMENTARY INFORMATION:

I. Availability of FY 97 Funds

With this publication, EPA is
announcing the availability of
approximately \$498 thousand in grant/
cooperative agreement funds for FY97.
The Agency has delegated grant making
authority to the EPA Regional Offices.
Regional offices are responsible for the
solicitation of interest, the screening of
proposals, and the selection of projects.
Grant guidance will be provided to all
applicants along with any
supplementary information the Regions
may wish to provide.

All applicants must address the
criteria listed under Unit III.B. of this
document. In addition, applicants may
be required to meet any supplemental
Regional criteria. Interested applicants
should contact their Regional PESP
coordinator listed under Unit IV. of this
document for more information.

II. Eligible Applicants

In accordance with the Act, eligible
applicants for purposes of funding
under this grant program include the 50
States, the District of Columbia, the U.S.
Virgin Islands, the Commonwealth of
Puerto Rico, any territory or possession
of the United States, any agency or
instrumentality of a State including
State universities, and all Federally
recognized Native American tribes. For
convenience, the term "State" in this
notice refers to all eligible applicants.
Local governments, private universities,
private nonprofit entities, private
businesses, and individuals are not
eligible. The organizations excluded
from applying directly are encouraged
to work with eligible applicants in
developing proposals that include them
as participants in the projects. Contact
your EPA Regional PESP coordinator for
assistance in identifying and contacting
eligible applicants. EPA strongly
encourages this type of cooperative
arrangement.

III. Activities and Criteria

A. General

The goal of PESP is to reduce the risks
associated with pesticide use in
agricultural and non-agricultural
settings in the United States. The
purpose of the grant program is to
support the establishment and
expansion of Integrated Pest
Management (IPM) as a tool to be used
to accomplish the goals of PESP. The
grant program is also designed to
research alternative pest management
practices, demonstrate unique
application techniques, research control
methods for pest complexes, produce
educational materials for better pest
identification or management, and other
activities that further the goals of PESP.
EPA specifically seeks to build State
and local IPM capabilities or to test, at
the State level, innovative approaches
and methodologies that use application
or other strategies to reduce the risks
associated with pesticide use. Funds
awarded under the grant program
should be used to support the
Environmental Stewardship Program
and its goal of reducing the risk/use of
pesticides. State projects might focus
on, for example:

- Developing multimedia activities,
including but not limited to: promoting
local IPM activities, user-community
awareness of new innovative techniques
for using pesticides, providing technical
assistance to pesticide users; collecting
and analyzing data to target outreach
and technical assistance opportunities;
conducting outreach activities;
developing measures to determine and
document progress in pollution
prevention; and identifying regulatory
and non-regulatory barriers or
incentives to pollution prevention and
developing plans to implement
solutions, where possible.

- Institutionalizing IPM as an
environmental management priority,
establishing prevention goals,
developing strategies to meet those
goals, and integrating the ethic within
both governmental and
nongovernmental institutions of the
State or region.

- Initiating demonstration projects
that test and support innovative
pesticide use practices, approaches and
methodologies including measuring
progress towards meeting the goal of
75% implementation of IPM by the year
2000.

B. Criteria

Proposals will be evaluated based on
the following criteria: