

companies' responses to complete the U.S. CFC Accounting Framework for submission to the Parties to the Montreal Protocol by the end of January.

EPA anticipates that the 2002 review by the Parties of MDI essential use requests will focus extensively on research efforts underway to develop alternatives to CFC MDIs, on education programs to inform patients and health care providers of the CFC phaseout and the transition to alternatives, and on steps taken to minimize CFC use and emissions including efforts to recapture or reprocess the controlled substance. Accordingly, applicants are strongly advised to present detailed information on these points, including the scope and cost of such efforts and the medical and patient organizations involved in the work.

Applicants should submit their exemption requests to EPA as noted in the Addresses section at the beginning of today's notice.

Dated: October 29, 2001.

Robert D. Brenner,

Acting Assistant Administrator, Office of Air and Radiation.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-6]

Request for Nominations of Members and Consultants, and Notice of Establishment; EPA National Advisory Committee for Environmental Policy and Technology (NACEPT) Superfund Subcommittee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency announces the establishment of the Superfund Subcommittee to be formed under the auspices of the EPA National Advisory Committee for Environmental Policy and Technology (NACEPT). EPA invites nominations for qualified candidates to be considered for appointment to the Subcommittee that will engage the public in an open dialogue about the future direction of the Superfund program. A critical aspect of the dialogue will be consideration of Superfund's relationship to other federal and state waste programs with an eye toward finding ways for all waste programs to work together in a more unified fashion.

DATES: EPA expects to make appointments by the end of the calendar

year and will accept nomination submissions until close of business on December 6, 2001.

ADDRESSES: Nominations must be submitted in writing by mail, electronically or in person, and must include a resume describing the professional, educational and/or experiential qualifications of the nominee. Nominations should also include the nominee's current business or residential address, daytime telephone number, fax, and E-mail address. Send nominations to: Lois Gartner, Designated Federal Officer, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency (5103), 1200 Pennsylvania Avenue NW., Washington, DC 20460, fax 202-260-8929, E-mail gartner.lois@epa.gov.

FOR FURTHER INFORMATION CONTACT: Lois Gartner, Designated Federal Officer, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency (5103), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, telephone 202-260-0714, E-mail gartner.lois@epa.gov.

SUPPLEMENTARY INFORMATION: NACEPT is a federal advisory committee under the Federal Advisory Committee Act, Pub. L. 92463. NACEPT provides advice and recommendations to the Administrator and other EPA officials on a broad range of domestic and international environmental policy issues.

Under the NACEPT framework, EPA is undertaking an examination of fundamental issues related to the future of the Superfund program. These issues cover a broad spectrum of topics important to Superfund including, but not limited to: the role and scope of the National Priorities List (NPL); how to address contaminated sediment, mining, and other "mega" sites; the role of states in Superfund; non-NPL cleanups; and measuring program progress. An important piece of the Subcommittee's dialogue will entail looking at Superfund in the context of other federal and state waste programs. This component of the group's deliberations will focus on how the Nation's waste programs can work together in a more effective and unified fashion, so that citizens can be assured that federal, state, and local governments are working cooperatively to make sites safe for their intended uses. The Superfund Subcommittee will deliberate on these and other Superfund-related issues and make policy recommendations to the EPA Administrator and other EPA officials.

EPA is soliciting qualified candidates who want to be considered for appointment to the Superfund Subcommittee. Any interested person or organization may nominate qualified persons for membership to the Subcommittee. Nominees should be qualified by education, training, or experience to participate in and contribute to a dialogue about the future direction of the Superfund program.

To ensure the Subcommittee represents a full spectrum of stakeholder views regarding Superfund policies, EPA seeks representation of the following groups: public policy analysts, academia, community groups, environmental justice groups, environmental and public interest organizations, state government, local government, tribal governments, industry, and scientists/engineers (e.g., toxicologists, ecologists, risk assessors, etc.). The EPA Administrator determines the Subcommittee's composition. Members will serve approximately an eighteen-month term.

Dated: October 31, 2001.

Marianne Lamont Horinko,

Assistant Administrator for the Office of Solid Waste and Emergency Response.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-5]

Request for Statement of Qualifications (RFQ) and Preliminary Proposals for Training and Outreach Coordination Support to the Chesapeake Bay Program

The U.S. Environmental Protection Agency (EPA) is issuing a request for qualifications for organizations interested in assisting the Chesapeake Bay Program in its efforts to develop, coordinate and support a training and event planning component of the Chesapeake Bay Program partnership. Applicants must be a nonprofit organization, interstate agency, college or university. Note, this is a request for qualifications for the benefit of the Chesapeake Bay Program partnership and not for direct benefit to EPA. Funding will be provided to an organization under the authority of the Clean Water Act, section 117.

The RFQ is available at the following web-site: <http://www.epa.gov/r3chespk/>. You may also request a copy by calling Robert Shewack at 410-267-9856 or by E-mail at: shewack.robert@epa.gov. Statement of qualifications (an original

and five (5) copies) must be postmarked no later than December 7, 2001. Any late, incomplete or fax proposals will not be considered.

Diana Esher,

Acting Director, Chesapeake Bay Program Office.

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ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-211046A; FRL-6808-7]

TSCA Section 21 Petition; Response to Citizen's Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On August 2, 2001, EPA received a petition under section 21 of the Toxic Substances Control Act (TSCA) from the Cystic Fibrosis Foundation. The petition requests that EPA initiate a rulemaking under TSCA section 6(a)(1)(A) to prohibit the manufacture processing, distribution in commerce, use, and improper disposal of *Burkholderia Cepacia* Complex (Bcc), a group of naturally occurring microorganisms in order to "address the significant threat that these microorganisms pose to individuals with cystic fibrosis (CF) and other diseases that compromise the immune system." For the reasons set forth in this notice, EPA has denied the petition to initiate rulemaking. However, based on EPA's review of Bcc's commercial status, and in light of the seriousness of the potential hazard presented to CF patients, EPA intends to initiate a rulemaking to issue a Significant New Use Rule (SNUR) under TSCA section 5(a)(2).

FOR FURTHER INFORMATION CONTACT: *For general information contact:* Barbara Cunningham, Acting Director, Environmental Assistance Division, Office of Pollution Prevention and Toxics (7401), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: James Alwood, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-8974; e-mail address: alwood.jim@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 interest to manufacturers (including importers), processors, and users of products that contain living microorganisms subject to jurisdiction under TSCA, especially if that entity knows that its products contain or may contain Bcc. 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 technical person listed under **FOR FURTHER INFORMATION CONTACT**.

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

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," 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/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPPTS-211046A. 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 Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center, North East Mall Rm. B-607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Center is (202) 260-7099.

II. Background

A. What is a TSCA Section 21 Petition?

Section 21 of TSCA allows citizens to petition EPA to initiate a proceeding for the issuance, amendment, or repeal of a rule under TSCA section 4, 5(a)(2), or 6, or an order under TSCA section 5(e) or 6(b)(2). A TSCA section 21 petition must set forth facts which the petitioner believes establish the need for the action requested. EPA is required to grant or deny the petition within 90 days of its receipt. If EPA grants the petition, the Agency must promptly commence an appropriate proceeding. If EPA denies the petition, the Agency must publish its reasons for the denial in the **Federal Register**. Within 60 days of denial or no action, petitioners may commence a civil action in a U.S. district court to compel initiation of the requested rulemaking. When reviewing a petition for a new rule, as in this case, the court must provide an opportunity for de novo review of the petition. Pursuant to TSCA section 21(b)(4)(B)(ii), "if the petitioner demonstrates to the satisfaction of the court by a preponderance of evidence that ... there is a reasonable basis to conclude that the issuance of such [TSCA section 6(a)(1)(A) rule] is necessary to protect health or the environment against an unreasonable risk of injury to health or the environment" the court can order EPA to initiate the requested action.

B. What Action is Requested Under this TSCA Section 21 Petition?

On August 2, 2001, EPA received a petition under TSCA section 21 from the Cystic Fibrosis Foundation. The petition requests that EPA initiate rulemaking under TSCA section 6(a)(1)(A) to prohibit the manufacture, processing, distribution in commerce, use, and improper disposal of Bcc, a group of naturally occurring microorganisms in order to "address the significant threat that these microorganisms pose to individuals with CF and other diseases that compromise the immune system."

III. Disposition of Petition

The petitioners submitted extensive information on the potential hazard Bcc microorganisms may present to CF patients. EPA agrees that Bcc microorganisms, when encountered in sufficient numbers through an appropriate route of exposure by a member of a sensitive population, such as a CF patient, have the potential to cause a severe infection, resulting in significantly increased rates of mortality. The petition claims that Bcc is likely used in products and services