

assessment, the potential concentrations of esfenvalerate in shallow ground water are judged to be negligible.

4. *Non-dietary exposure.* Dietary exposure is the only significant route of chronic non-occupational exposure to esfenvalerate. However, esfenvalerate is registered for non-crop uses including spray treatments in and around commercial and residential areas, treatments for control of ectoparasites on pets, home care products including foggers, pressurized sprays, crack and crevice treatments, lawn and garden sprays, and pet and pet bedding sprays. For the non-agricultural products, the very low amounts of active ingredient they contain, combined with the low vapor pressure (1.5×10^{-9} mm Mercury at 25° C.) and low dermal penetration, would result in minimal inhalation and dermal exposure.

D. Cumulative Effects

The potential for cumulative effects of esfenvalerate and other pyrethroid insecticides that have a common mechanism of toxicity must also be considered. While risk assessment methodology has not been developed to estimate cumulative exposure to multiple pyrethroids, their similar insecticidal efficacy results in the substitution of one pyrethroid for another, rather than addition of pyrethroids. Because of the breadth of exposures included in the assumptions for esfenvalerate risk assessment, it is unlikely that there will be significant additive exposure to other pyrethroids.

These issues are extremely complex and require an extensive evaluation of a wealth of proprietary and published data across a broad range of pyrethroid insecticides in order to provide a scientifically sound interpretation upon which to base any regulatory judgments. The Pyrethroid Working Group is currently awaiting guidance from the Agency on cumulative effects. They anticipate having some preliminary evaluation data available for the Agency by August, 1997. For any interim decisions, the Agency should take into consideration the relatively benign toxicological profiles of pyrethroid insecticides and their long history of safe use.

E. Safety Determination

Both the chronic and acute toxicological endpoints are derived from maternal NOEL's of 2.0 mg/kg/day in developmental studies in rats and rabbits. There were no fetal effects. Therefore, the safety factor used for protection of adults is fully appropriate for the protection of infants and

children; no additional safety factor is necessary.

1. *U.S. population.* A chronic dietary exposure assessment using anticipated residues and assuming that 100% of all crops are treated, found the percentage of the Reference Dose (RfD) utilized by the General Population to be 16%. There is generally no concern for exposures below 100% of the RfD because the RfD represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. Therefore, there is a reasonable certainty that no harm will result from aggregate exposure to esfenvalerate residues.

A Tier 3 acute dietary exposure assessment found the General Population to have MOE's of 1,803 at the 95th percentile of exposure and 676 at the 99th percentile of exposure. These values were generated using actual field trial residues and market share data for percentage of crop treated. These results depict an accurate exposure pattern at an exaggerated daily dietary exposure rate. Thus, there is a reasonable certainty that no harm will result from aggregate exposure to esfenvalerate residues.

2. *Infants and children.* The chronic dietary assessment using the same assumptions described above, found the two most sensitive sub-populations to be non-nursing infants (<1 yr.) and children (1–6 yrs.) utilizing 44% and 48% of the RfD, respectively. In the Tier 3 acute dietary assessment that was rerun using the assumptions described above, non-nursing infants were found to have an MOE of 914 at the 95th percentile of exposure and an MOE of 254 at the 99th percentile. Children (1–6 yrs.) were determined to have an MOE of 698 at the 95th percentile and 321 at the 99th percentile. Therefore, there is a reasonable certainty that no harm will result from aggregate exposure to esfenvalerate residues.

F. International Tolerances

Codex maximum residue levels (MRL's) have been established for residues of fenvalerate on a number of crops that also have U.S. tolerances. Several of these MRL's are different than the proposed U.S. tolerances for esfenvalerate. Therefore, some harmonization of these maximum residue levels is still needed.

[FR Doc. 97-24691 Filed 9-16-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

(FRL-5893-1)

Draft Report of the National Performance Measures Strategy ("Measures Strategy")

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of the draft report of the National Performance Measures Strategy and request for comment.

SUMMARY: The Environmental Protection Agency (EPA), Office of Enforcement and Compliance Assurance (OECA) announces the availability of and requests for comment on, the Draft Report of the National Performance Measures Strategy ("Measures Strategy"). The Measures Strategy was initiated by OECA in January of 1997 "to develop and implement an enhanced set of performance measures for EPA's enforcement and compliance assurance program." Since January, public meetings and roundtable sessions, consultations with experts, and reviews of studies and articles have occurred. Ideas were offered by representatives of regulated industries or companies, national and local environmental organizations, environmental justice advocates, state environmental protection agencies and associations, state Attorneys General offices, federal oversight and management agencies, federal regulatory and law enforcement agencies, environmental policy institutes, Congressional staff, academic experts, DOJ representatives, and EPA regional and headquarters managers and staff. EPA has reviewed the ideas and suggestions that have been offered from these sources, and from that review a proposed set of performance measures has been developed.

The report describes the need for enhanced measures, key ideas from interested parties, general findings about performance measurement, a proposed measurement framework, and a set of performance measures and possible implementation steps. Stakeholders are invited and encouraged to offer comment on the draft report through written submission. EPA will review these comments, revise the report and the proposed measures (if necessary), and distribute a final report by the end of October with the performance measures OECA intends to implement. In some cases, EPA may initiate further steps to study alternative measures that require more analysis or

have more complex implementation strategies.

DATES: The Measures Strategy announced today will be available on or about September 17, 1997. Written comments must be received by EPA (see address below for contact person) the close of business on October 17, 1997.

ADDRESSES: The draft report is available at the following Internet address: <http://es.inel.gov/oeca/perfmeas>. It is also available by contacting Mary Woods at Science Applications International Corporation; telephone 703-645-6958. Hard copies of the draft report are available at EPA's Information Resource Center, which is located at 401 M St. SW (Room #M2904); Washington, DC 20460; telephone (202) 260-5921. The Information Resource Center is open for business Monday-Friday between 8:00 am—5:00 pm, except legal holidays.

FOR FURTHER INFORMATION CONTACT: Additional documents relating to the Measures Strategy may also be obtained by contacting James McDonald, U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance (2201-A); 401 M St. SW; Washington, DC 20460; telephone (202) 564-4043; fax (202) 501-0701; e-mail: mcdonald.james@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The draft report released today will be the subject of a conference in Alexandria, VA on October 7, 1997. It will take place at the Holiday Inn Historic District Alexandria, 625 First Street, Alexandria, Virginia 22314; telephone 703-548-6300. The purpose of the conference is to review and discuss with stakeholders and regulatory partners the alternative performance measures contained in the draft report and which EPA is considering adopting for its enforcement and compliance assurance program. At that conference, panels of stakeholders and interested parties will be asked to provide comments and suggestions about the measures or other aspects of the report. Anyone interested in attending the conference and/or interested in being considered for participation on a panel should contact: James McDonald at the address listed above, or Mary Woods, Science Applications International Corporation, 2222 Gallows Road, Suite 300, Dunn Loring, VA 22027; telephone 703-645-6958; fax 703-903-1373.

Dated: September 10, 1997.

Sylvia Lowrance,

Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance.

[FR Doc. 97-24548 Filed 9-16-97; 8:45 am]

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COUNCIL ON ENVIRONMENTAL QUALITY

American Heritage Rivers Initiative

AGENCY: Council on Environmental Quality.

ACTION: Description of American Heritage Rivers Initiative and information on how communities nominate their rivers.

CONTENTS: The major sections of this document include:

Summary
Deadline
Availability of Nomination Packets and Supplementary Information
Background
Summary of Comments Received from the Federal Register Notices of May 19 and June 20
Overall Program Design
Benefits of Designation
Benefits to Applicants who Submit Complete Nomination Packages
Improved Services Available to All Communities
Clarifications
Appendices

Summary

In the State of the Union Address on February 4, 1997, President Clinton announced an initiative supporting community-led efforts relating to rivers that spur economic revitalization, protect natural resources and the environment, and preserve historic and cultural heritage. President Clinton has since issued Executive Order 13061 directing agencies to establish and implement the initiative. This notice summarizes the initiative developed to implement the President's directive.

The federal government plays two critical roles in supporting river-related projects. First, it offers federal agency services to organizations and governments conducting community-based work. Second, it creates a national information and communications network to encourage communities to provide useful information to communities, including sharing success stories.

The American Heritage Rivers initiative is voluntary and locally driven; communities choose to participate and can terminate their participation at any time. In implementing the American Heritage Rivers initiative, federal departments and agencies shall act with due regard for the protections of private property provided by the Fifth Amendment to the United States Constitution.

The American Heritage Rivers initiative will create no new regulatory requirements or rules for property owners or state, tribal, or local

governments. The American Heritage Rivers initiative will use existing federal resources more effectively to assist communities.

To enhance federal assistance to community-based projects, the federal government will solicit nominations from communities wishing to designate their rivers as American Heritage Rivers. The nomination process is described in this notice. The President will designate 10 American Heritage Rivers in early 1998. The communities surrounding designated rivers will receive a number of benefits, including special recognition; focused support from existing federal programs; a person (the "River Navigator") to serve as a liaison between the community and the federal government; improved delivery of assistance from agencies throughout the federal government; and a "good neighbor" policy. The federal government will work to integrate and streamline its approach to providing existing federal services in designated American Heritage River communities in partnership with local leadership. These partnerships will give the federal government an opportunity to study and improve how it provides assistance to communities across the nation.

Additionally, the federal government will provide a new information center on the World Wide Web for community-based projects in economic revitalization, natural resources and the environment, and historic and cultural preservation. These Web pages will include information about services that can assist community projects and provide opportunities for dialogue between communities. The federal government will also provide this information to people without access to the Internet.

The American Heritage Rivers initiative was developed by an interagency task force convened by the White House.

The President's Executive Order creates a new committee, called the American Heritage Rivers Interagency Committee (Committee) that will be responsible for the implementation of the American Heritage Rivers initiative. The Committee will be composed of the following members or their designees at the Assistant Secretary level or equivalent:

- The Secretary of Defense;
- The Attorney General;
- The Secretary of the Interior;
- The Secretary of Agriculture;
- The Secretary of Housing and Urban Development;
- The Secretary of Transportation;
- The Secretary of Energy;