

Information not marked confidential may be disclosed publicly by EPA without prior notice.

FOR FURTHER INFORMATION CONTACT: By mail: Walter Francis, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 6E, Crystal Station #1, 2800 Crystal Drive, Arlington, VA, (703) 308-6419, fax: 703-308-4687, e-mail: francis.walter@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

Electronic Availability: Electronic copies of this document and the draft PR Notice also are available from the EPA Home page at the Federal Register - Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/>).

For Fax on Demand, use a faxphone to call 202-401-0527 and select item (6110) for a copy of this document and the PR Notice.

I. Background

In the **Federal Register** of April 17, 1998 (63 FR 19256) (FRL-5780-7), EPA published a notice of availability of the draft PR Notice identified above. The Agency solicited comments on proposed guidance clarifying the criteria that pesticide products must meet to be eligible for the "treated articles exemption" pursuant to 40 CFR 152.25(a). If, after reviewing any comments, EPA determines that changes to the Notice are warranted, the Agency will revise the draft PR Notice prior to release.

Following publication of the April 17, 1998 notice, the National Paint and Coatings Association and the Treated Articles Coalition requested that EPA extend the comment period on the proposed PR Notice to enable these and other groups to more fully discuss these provisions and to coordinate data and information solicited from their member constituencies. In this fashion, a more comprehensive assessment of the potential impacts of this proposal could be determined.

In order to give all parties an opportunity to respond more fully to the proposed PR notice, this notice announces that EPA is extending the comment period. The new deadline for receipt of comments is June 30, 1998. Submit written comments to the address given earlier in this document. Submit electronic comments as noted in Unit II. of this document.

II. Public Record and Electronic Submissions

A record has been established for this action under docket number "OPP-

00530" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Rm. 119 of the Public Information and Records Integrity Branch, Information Resources and Services Division, Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA.

The official record for this action, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted in writing. The official record is the paper record maintained at the Virginia address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at:
opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form or encryption. Comments will also be accepted on disks in WordPerfect in 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number "OPP-00530." Electronic comments on this document may be filed online at many Federal Depository Libraries.

List of Subjects

Environmental protection, Antimicrobial pesticides, Treated articles exemption.

Dated: May 13, 1998.

Stephen L. Johnson,

Acting Director, Office of Pesticide Programs.

[FR Doc. 98-13211 Filed 5-15-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6014-1]

Internet Availability of Data in the Sector Facility Indexing Project

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the Internet release of data in the Sector Facility Indexing Project (SFIP). The SFIP is a community-right-to-know and data integration pilot project that provides environmental performance data for facilities within five industrial sectors. The industrial sectors profiled within the SFIP are automobile assembly; petroleum refining; pulp manufacturing; iron and steel; and primary smelting and refining of aluminum, copper, lead, and zinc (nonferrous metals).

DATES: An Internet website containing the data in the SFIP was released on May 1, 1998 and is currently available to the public.

ADDRESSES: Data may be accessed electronically via the Internet at the following address: <http://www.epa.gov/oeca/sfi>

FOR FURTHER INFORMATION CONTACT:

Robert Lischinsky, U.S. Environmental Protection Agency, Office of Compliance (2223-A), 401 M Street, SW, Washington, DC 20460; telephone: (202) 564-2628, fax: (202) 564-0050; e-mail: lischinsky.robert@epa.gov

SUPPLEMENTARY INFORMATION: The SFIP, a pilot program developed by EPA, integrates and provides public access to more environmental information than has ever before been available to the public in one location. The SFIP profiles approximately 650 facilities in five industrial sectors. The goals of the SFIP include the following: (1) Make environmental information about industrial facilities and regulatory compliance more accessible to the public; (2) expand the comprehensiveness and improve the accuracy of data for analyzing the environmental track record of an industrial sector; (3) provide industrial and government stakeholders with better analytical tools for permitting, reporting, compliance, bench marking, self-policing, and pollution prevention purposes; and (4) help all stakeholders take a more holistic, multi-media approach to environmentally sound performance. The five industrial sectors chosen for the pilot stage of the SFIP are automobile assembly; pulp manufacturing; petroleum refining; iron and steel production; and primary smelting and refining of aluminum, copper, lead, and zinc (nonferrous metals). For each facility, the SFIP provides information on its location, production or production capacity, surrounding population, permits held under major environmental programs, the number of inspections received, record of compliance with federal

regulations, and any chemical releases, transfers, and spills. Facility-specific reports are available in the SFIP for viewing and downloading. In addition to gathering all this information into one location for the first time, the SFIP is unique in that it structures and aggregates the data so a user can easily view, compare, and analyze information from different facilities. The SFIP includes compliance and enforcement information submitted to state and federal regulators, as well as chemical release information submitted under the federal Toxics Release Inventory (TRI). The SFIP also links data submitted to state and federal agencies by facilities regulated under the Clean Air Act, the Clean Water Act, the Resource Recovery and Conservation Act, and the Emergency Planning and Community Right-to-Know Act. Finally, statistics about the population around facilities were taken from census reports, and information about production was gathered from sources outside EPA.

To link all these data, the SFIP uses an interactive, high-speed data retrieval and integration system developed by EPA, the Integrated Data for Enforcement Analysis (IDEA) system.

EPA has been committed to providing all stakeholders an opportunity to comment formally on the SFIP in its entirety, as well as to review the project's underlying data. Therefore, from the onset of this project, the Agency embarked upon an extensive review and outreach process. Stakeholders, including environmental and community organizations, have commented on the project. Each facility included in the pilot project received a copy of its records and was given an opportunity to submit corrections. State agencies also received the information for review, since a large portion of the data is provided to EPA by state governments. EPA modified the data as appropriate, based on these comments. EPA will continue taking comments as this pilot project evolves. The Agency has set up an SFIP Hotline (617-520-3015) and has also established a "comment page" on the SFIP website for users to submit their comments instantly.

In addition to releasing the data electronically, EPA also will be providing a hard copy summary report of SFIP. The SFIP Progress Report is a publication that provides aggregated, pre-formatted information. A Notice of Availability will be placed in the **Federal Register** when it is ready for distribution.

Dated: May 11, 1998.

Mamie Miller,

*Branch Chief, Manufacturing Branch,
Manufacturing Energy & Transportation
Division, Office of Compliance.*

[FR Doc. 98-13116 Filed 5-15-98; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL DEPOSIT INSURANCE CORPORATION

General Counsel's Opinion No. 11, Interest Charges by Interstate State Banks

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of General Counsel's Opinion No. 11.

SUMMARY: The FDIC has received inquiries regarding the application of section 27 of the Federal Deposit Insurance Act to State banks operating interstate branches. This General Counsel's Opinion sets forth the Legal Division's conclusions regarding where such banks are "located" for purposes of section 27; when host state, as opposed to home state, laws will provide the appropriate interest rates for loans to customers; how various functions related to making loans to customers should be defined and the impact that they will have on the application of a particular state's interest rates to those loans; and the need for appropriate disclosure of the laws governing the loan to bank customers.

FOR FURTHER INFORMATION CONTACT: Barbara I. Taft, Assistant General Counsel, (202) 898-6830, Rodney D. Ray, Counsel, (202) 898-3556 or Robert C. Fick, Counsel, (202) 898-8962, Federal Deposit Insurance Corporation, Legal Division, 550 17th Street, NW, Washington, DC 20429.

Text of General Counsel's Opinion

*General Counsel's Opinion No. 11;
Interest Charges by Interstate Banks*

By William F. Kroener, III, General Counsel

Background

Section 27 of the Federal Deposit Insurance Act ("FDI Act") (12 U.S.C. 1831d) ¹ ("section 1831d") establishes

¹ For the convenience of the reader, the initial reference to a provision of the FDI Act or interstate branching legislation will be made to the citation, as enacted, followed by the United States Code citation. Thereafter, the provision will be referred to by the section number contained in the United States Code. For example, the initial citation of section 27 of the FDI Act will be followed by the United States Code citation (12 U.S.C. 1831d) and the section will subsequently be referred to as "section 1831d".

the maximum rates that insured state-chartered depository institutions and state-licensed insured branches of foreign banks (collectively, "State banks") may charge their customers for most types of loans. Section 1831d is patterned after and has been construed *in pari materia* with section 5197 of the Revised Statutes (12 U.S.C. 85) ("section 85" of the National Bank Act ("NBA")). Like section 85, section 1831d has been construed to provide State banks with "most favored lender" status and to permit State banks to "export" interest charges allowed by the state where the lender is located to out-of-state borrowers.

Since the enactment of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994, Pub. L. 103-328, 108 Stat. 2338 (1994) ("Riegle-Neal Act") and the Riegle-Neal Amendments Act of 1997, Pub. L. 105-24, 111 Stat. 238 (1997) ("Riegle-Neal Amendments Act") (collectively, "Interstate Banking Statutes") questions have arisen regarding the appropriate state law for purposes of section 1831d that should govern the interest charges on loans made to customers of a State bank that is chartered in one state (the bank's home state) but has a branch or branches in another state (the host state) (an "Interstate State Bank"). These questions have not previously been addressed by the Legal Division. Therefore, this General Counsel's Opinion sets forth the Legal Division's interpretation of section 1831d as it relates to the Interstate Banking Statutes to provide guidance in this area to State banks and the public.²

The Riegle-Neal Act established, for the first time, a comprehensive federal statutory scheme for interstate branching by state and national banks. In doing so, Congress recognized the potential efficiencies to be gained by an interstate branch banking structure as well as the complications that could arise in determining when an interstate bank should look to the laws of its home

² This opinion is not intended to address these issues with regard to national banks. The Office of the Comptroller of the Currency ("OCC"), which has regulatory jurisdiction over national banks, has issued several Interpretive Letters addressing these issues, in the context of national banks and section 85. See, OCC Interpretive Letter No. 686, September 11, 1995, *reprinted in* [1995-1996 Transfer Binder] Fed. Banking L. Rep. (CCH) P 81-001 ("Interpretive Letter No. 686"); OCC Interpretive Letter No. 707, January 31, 1996, *reprinted in* [1995-1996 Transfer Binder] Fed. Banking L. Rep. (CCH) P 81-022 ("Interpretive Letter No. 707"); OCC Interpretive Letter No. 782, May 21, 1997, *reprinted in* [Current Binder] Fed. Banking L. Rep. (CCH) P 81-209 ("Interpretive Letter No. 782"); OCC Interpretive Letter No. 822, February 17, 1998, *reprinted in* [Current Binder] Fed. Banking L. Rep. (CCH) P 81-265 ("Interpretive Letter No. 822").