

In order to resolve this matter without protracted litigation, the plaintiffs and EPA have reached agreement on a proposed consent decree and settlement agreement that have been signed by the parties and lodged with the District Court on November 13, 1998. The proposed consent decree provides that EPA shall conclude the public consultative process in accordance with the schedule set forth therein. The accompanying proposed settlement agreement provides that EPA will undertake certain actions regarding Federal agencies and Federal mobile source ozone control measures in the South Coast Air Basin.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed consent decree and settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree and settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

Dated: December 2, 1998.

Scott Fulton,

Acting General Counsel.

[FR Doc. 98-32569 Filed 12-8-98; 8:45 am]

BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6198-4]

Request for Great Lakes Preproposals Through "FY1999-2000 Great Lakes Priorities and Funding Guidance"

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of funding availability.

SUMMARY: EPA's Great Lakes National Program Office (GLNPO) is now requesting the submission of preproposals for GLNPO funding. This request is part of the *FY1999-2000 Great Lakes Priorities and Funding Guidance* (Funding Guidance). The Great Lakes Funding Guidance identifies Great Lakes priorities, solicits preproposals for assistance projects, and describes other Federal Great Lakes funding opportunities.

DATES: The deadline for submission of preproposals is January 15, 1999.

DOCUMENT AVAILABILITY: The Funding Guidance is available on the Internet at

<http://www.epa.gov/glnpo/fund/99guid.html>. It is also available from Lawrence Brail (312-886-7474/brail.lawrence@epa.gov).

FOR FURTHER INFORMATION CONTACT:

Mike Russ, EPA-GLNPO, G-17J, 77 West Jackson Blvd., Chicago, IL 60604 (312-886-4013/russ.michael@epamail.epa.gov).

SUPPLEMENTARY INFORMATION: USEPA's Great Lakes National Program Office is requesting Preproposals for Great Lakes projects addressing: Contaminated Sediments (\$1.4 million), Pollution Prevention and Reduction—Binational Toxics Strategy (\$800 thousand); Habitat (Ecological) Protection and Restoration (\$1 million); Exotic Species (\$300 thousand); and Emerging Issues (\$300 thousand). A total of \$3.8 million is targeted for awards in the Summer and Fall of 1999. A "roadmap" section describes some of the other Great Lakes Federal funding available through USEPA, the Natural Resources Conservation Service, the Fish and Wildlife Service, the Army Corps of Engineers, and the Federal Highway Administration.

Dated: November 30, 1998.

Gary V. Gulezian,

Director, Great Lakes National Program Office, Region 5.

[FR Doc. 98-32566 Filed 12-8-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPP-181065; FRL 6047-8]

Malathion and Diazinon; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received a quarantine exemption request under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) from the U.S. Department of Agriculture (hereinafter referred to as the "Applicant") to use the pesticides malathion (CAS No. 121-75-5), formulated as Fyfanon ULV (EPA Registration No. 4787-8 and 51036-104) and diazinon (CAS No. 333-41-5), formulated as Diazinon 4-E (EPA Registration No. 769-687) to treat areas within Florida where nonindigenous subtropical fruit flies (various species in the family *Tephritidae*) are found. This notice provides a 30-day period for public comment on the request.

Four geographically distinct infestations of the Mediterranean fruit fly (*Ceratitis capitata*) were discovered in Florida in 1998. In addition, a widespread outbreak of the Mediterranean fruit fly was discovered in central Florida in 1997. In order to ensure that this pest did not become established in Florida, the Applicant and the State of Florida used the pesticides identified above, along with the release of sterile Mediterranean fruit flies and other measures, to eradicate the outbreaks.

The pesticide use that takes place related to exotic fruit fly eradication is occurring under the authorities of FIFRA section 18. Because EPA is interested in engaging stakeholders affected by important programs undertaken under section 18, the Agency is invoking its discretionary authority under 40 CFR 166.24(a)(7) and, through the publication of this notice, is soliciting public comment with respect to the eradication scheme proposed by the Applicant.

This notice does not constitute a decision by EPA on the application itself. The regulations governing Section 18 cite that the Administrator may determine that it is appropriate to publish a notice of receipt of an application for a quarantine exemption request [40 CFR 166.24 (a)(7)]. Such notice provides for opportunity for public comment on the application.

DATES: Comments must be received on or before January 8, 1999.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-181065," should be submitted by mail to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Follow the instructions under **SUPPLEMENTARY INFORMATION**. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted in any comment concerning this notice may be claimed confidential 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. A copy of the comment that does not contain CBI must be provided by the

submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. The docket is available for public inspection at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Daniel J. Rosenblatt, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number and e-mail: Crystal Mall #2, Rm. 280, 1921 Jefferson Davis Highway, Arlington, VA, (703-308-9375); e-mail: rosenblatt.dan@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a federal or state agency from any provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a quarantine exemption for the use of malathion and diazinon to control non-indigenous subtropical fruit flies in Florida. Information in accordance with 40 CFR part 166 was submitted as part of this request.

The Applicant is responsible for operating quarantine programs in the United States to protect agriculture against the introduction and establishment of non-indigenous pest species. The establishment of a new exotic fruit fly species such as the Mediterranean fruit fly in the continental United States would be extremely costly for agricultural producers and related industries. The Applicant projects that the costs associated with the establishment of exotic fruit flies in the continental United States would be severe, dramatically curtailing interstate and international trade in numerous agricultural commodities, particularly citrus crops. In addition, the Applicant indicates that if nonindigenous exotic fruit flies become established such infestations will have significant negative biological and environmental consequences.

The Applicant maintains that exclusion and detection measures alone are not adequate to protect Florida from the introduction of nonindigenous and destructive fruit fly pests. Therefore, an emergency program capable of eradicating an outbreak once it is discovered is necessary. The Applicant's position is that the requested program is efficacious and,

simultaneously, protective of public health and environment. The request describes several alternative approaches that were considered that appear to be less suitable or developed as compared to the proposed approach. For example, physical control measures, such as fruit stripping, cultural control measures through the modification of agricultural practices, biological controls such as the introduction of predator species, and several other alternative pesticides were considered by the Applicant.

The pesticidal approaches proposed for use under this program will be dictated by the magnitude of the pest infestation. For example, in the outbreak discovered in Dade County Florida in April 1998, a small number of localized ground-based applications of malathion bait were used, along with limited treatments of diazinon soil drench and sterile Mediterranean fruit fly releases. In the eradication program undertaken against the infestation of Mediterranean fruit flies centered in Lake County Florida in April 1998, 1,315 flies were trapped. An outbreak of this intensity required the use of both aerial and ground treatments of malathion bait in a 35.5 square mile area. Sterile Mediterranean fruit flies were also released in connection with this outbreak.

Under the exemption application now under consideration, the Applicant requested the use of malathion and diazinon to eradicate nonindigenous subtropical fruit flies. Following the identification of a quarantined fruit fly, malathion would be applied along with a protein bait attractant (at a rate of 2.4 ounces/acre of malathion with 9.6 ounces of protein hydrolysate/acre) through ground or aerial application equipment. Applications are proposed at 5 to 21 day intervals until eradication is achieved, as determined by an absence of detections in baited traps. The total number of applications includes sufficient time to extend through two fruit fly life cycles beyond the last fly find. Fruit fly life cycles are temperature dependent, and could range from approximately 26 to 90 days. The applicant referenced the general conditions in Florida and estimates that six to eight applications are typically needed in order to cover two life cycles. Because of these uncertainties, it is difficult to anticipate the total amount of pesticide required for a given infestation or time period.

The diazinon would be applied through soil drench technique directly within the drip line of trees determined to have been hosts to the pests. The proposed application rate for diazinon is 1.8 ounces pesticide per 1,000 square

feet of soil surface within the drip line of host trees and to the soil around host nursery stock. A maximum of 10 pounds of diazinon was proposed.

A summary of the other major proposed measures and eradication program conditions include:

1. *Expansion of fruit fly detection and prevention activities.* The exotic fruit fly trapping and detection activities represent the initial defense against pest outbreaks. Given that fruit fly populations are capable of reproducing quickly, a comprehensive scouting and exclusion program is critical to preventing the establishment of these pests in the contiguous United States. In addition, prevention efforts are in line with the objective of risk reduction since it is likely that any eradication program that is undertaken would be smaller in scope if the outbreak is detected shortly after the introduction of the pest.

Given that background, the Applicant has indicated that more fruit fly traps will be placed in the field in the future. Further, the traps will be serviced by new personnel hired to expand the detection efforts in Florida. In addition, new or expanded exclusion measures will be used to increase the security of the Florida border from the accidental importation of contaminated produce. For example, screening tools such as canine detection teams and new x-ray equipment will be used in Florida ports.

2. *Sterile Insect Technique (SIT)* which involves the introduction of sterilized male flies into the infested area with the objective of fostering sterile flies to mate with feral female flies. The resultant eggs will be infertile. The Applicant is an advocate of SIT and believes it should be used when it is possible to over flood the wild population with sterile males. The Applicant also mentions that SIT can be used as a preventative measure and cited the ongoing release of SIT over Manatee County, Florida.

3. *Public notification and education* whereby residents in treated areas are to receive a minimum of 24 hours advance notice for a treatment planned around their homes. The notification measures include precautions that the public might take to protect their health, property, and pets. Further, the Applicant will establish a telephone hotline so that individuals in the treatment areas can obtain current information about the eradication program and report any suspected adverse effects connected with the treatments. The outreach program also includes special notification for individuals who are listed on state

public health registries as hypersensitive to chemical exposure.

4. *Ecological and environmental protections* will be established. These include consultations with FWS concerning endangered and threatened species, notice to beekeepers and the establishment of buffer areas to protect sensitive environmental resources.

This notice is a summary of the information submitted by the Applicant. This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 cite that the Administrator may determine that it is appropriate to publish a notice of receipt of an application for a quarantine exemption request 40 CFR 166.24 (a)(7). Such notice provides for opportunity for public comment on the application.

The official record for this notice, as well as the public version, has been established under docket number [OPP-181065] (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 official notice record is located at the 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 of encryption. Comments and data will also be accepted on disks in WordPerfect in 5/1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-181065]. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the U.S. Department of Agriculture.

List of Subjects

Environmental protection, Pesticides and pests, Emergency exemptions.

Dated: December 1, 1998.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 98-32680 Filed 12-8-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6198-7]

Agency Information Collection Activities OMB Responses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notices.

SUMMARY: This document announces the Office of Management and Budget's (OMB) responses to Agency clearance request, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et. Seq.). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers of EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15.

FOR FURTHER INFORMATION CONTACT: Call Sandy Farmer at (202) 260-2740, or E-mail at "farmer.sandy@epamail.epa.gov", and please refer to the appropriate EPA Information Collection Request (ICR) Number.

SUPPLEMENTARY INFORMATION:

OMB Responses to Agency Clearance Requests

OMB Approvals

EPA ICR No. 1153.06; HESHAP for Equipment Leaks (Fugitive Emission Sources); in 40 CFR Part 61, Subpart V; was approved 08/25/98; OMB No. 2060-0068; expires 08/31/2001.

EPA ICR No. 1125.02; NESHAP for Beryllium Rocket Motor Fuel Firing; in 40 CFR Part 63, Supart D; was approved 10/07/98; OMB No. 2060-0394; expires 10/31/2001.

EPA ICR No. 1446.06; PCBs; Notification and Manifesting of PCB Waste Activities and Records of PCB Storage and Disposal; in 40 CFR Part 761; was approved 10/07/98; OMB No. 2070-0112; expires 10/31/2001.

EPA ICR No. 0328.07; Spill Prevention Control Countermeasures (SPCC) Plans; in 40 CFR Part 112(3), Part 112(4), Part 112(5) and Part 112(7); was approved 10/08/98; OMB No. 2050-0021; expires 12/31/99.

EPA ICR No. 1855.02; Promulgation of Federal Implementation Plan for Arizon-Phoenix Moderate Area PM-10 (includes a Proposed Rule for Vacant Lots, Unpaved Parking Lots, and Unpaved Roads for the Phoenix Area); in 40 CFR Part 52; was approved 10/21/98; OMB No. 2060-0389; expires 10/31/2001.

EPA ICR No. 1708.02; 1999 Drinking Water Infrastructure Needs Survey; was approved 10/29/98; OMB No. 2040-0198; expires 10/31/2001.

EPA ICR No. 0270.39; Revisions to the Existing Variance and Exemptions Rule to Comply With the Safe Drinking Water Act; in 40 CFR Part 141 and 40 CFR Part 142; was approved 09/30/98; OMB No. 2040-0090; expires 09/30/2001.

EPA ICR No. 0959.10; Facility Groundwater Monitoring Requirements; in 40 CFR Part 264, Subpart F and 40 CFR Part 265, Subpart F; was approved 11/15/98; OMB No. 2050-0033; expires 11/30/2001.

EPA ICR No. 0270.40 (New Assigned No. is 1895.01); Final National Primary Drinking Water Regulations; Interim Enhanced Surface Water Treatment Rule; in 40 CFR Part 141; was approved 11/16/98; OMB No. 2040-0205; expires 11/30/2001.

EPA ICR No. 0270.41 (New Assigned No is 1896.01); Final National Primary Drinking Water Regulations; Stage 1 Disinfectants/Disinfection Byproducts Rule; in 40 CFR Part 141; was approved 11/16/98; OMB No. 2040-0204; expires 11/30/2001.

EPA ICR No. 1858.01; Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort; was approved 11/13/98; OMB No. 2060-0396; expires 06/30/2000.

Extensions of Expiration Dates

EPA ICR No. 1688.02; RCRA Expanded Public Participation; in 40 CFR Part 124 and Part 270; OMB No. 2050-0149; on 11/13/98 OMB extended the expiration date through 01/31/99.

EPA ICR No. 1755.02; Implementation of XL Projects-Regulatory Re-invention Pilot Projects; OMB No. 2010-0026; on 09/29/98 OMB extended the expiration date through 03/31/99.

Transfer Request

EPA ICR No. 1487.06; Cooperative Agreements and Superfund Contracts for Superfund Response Actions; in 40 CFR Part 35, Subpart O; on 11/10/98 OMB transferred this collection's OMB No. from 2010-0020 to OMB No. 2030-0038).

Dated: December 1, 1998.

Richard T. Westlund,

Acting Director, Regulatory Information Division.

[FR Doc. 98-32564 Filed 12-8-98; 8:45 am]

BILLING CODE 6560-50-M