

March 01, 1999, Contact: Lon Kelly (907) 474-2368.

Published FR 01-29-99—Due Date correction.

EIS No. 990024, Final EIS, GSA, VA, U.S. Patent and Trademark Office (PTO) Consolidation, Acquisition of 2.4 million Rentable Square Feet with a 20-year Lease Term, Three Possible Sites: Crystal City, Carlyle and Eisenhower Avenue, VA, Due: March 01, 1999, Contact: Carl Witners (202) 401-1025.

Published FR 1-29-99—Due Date correction.

EIS No. 990025, Draft EIS, UMC, AZ, Yuma Marine Corps Air Station (MCAS), To Improve Ordnance Handling and Storage, Construct a new Combat Aircraft Loading Area (CALA); New Station Ordnance Area and Relocation of MCAS Yuma, AZ, Due: March 15, 1999, Contact: Richard Samrah (520) 341-3163.

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EIS No. 990026, Draft EIS, AFS, ID, WA, Douglas-fir Beetle Project, Proposal To Harvest Tree, Regenerated Forest, Aquatic Restoration and Fuels Reduction, Idaho Panhandle National Forest, Coeur d'Alene River and Priest Lake Ranger District and Colville National Forest, Newport Ranger District, Kootenai, Shoshone and Bonner Counties, ID and Pend Orielle County, Wa, Due: March 16, 1999, Contact: David J. Wright (208) 664-2318.

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EIS No. 908468, Draft EIS, AFS, OR, Pelican Butte Ski Area Master Development Plan, Implementation, Winema National Forest, Klamath Ranger District, Klamath County, OR, Due: February 26, 1999, Contact: Edward Sheldal (202) 523-0163.

Published FR 11-20-98—Review period extended.

Dated: February 2, 1999.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6231-4]

Issuance of an Emergency Ocean Dumping Permit to the National Science Foundation for Disposal of an Ice Pier From Its Base at McMurdo Station, Antarctica

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of permit issuance.

SUMMARY: On February 1, 1999, EPA issued an emergency ocean dumping permit to the National Science Foundation (NSF) to transport an existing ice pier from its base at McMurdo Station, Antarctica, and dispose of it in the waters of McMurdo Sound. The emergency permit was issued to allow NSF to remove the existing pier and to build a new one. The existing pier poses a substantial and unacceptable safety hazard to human life. Minimal adverse environmental impact from the disposal of the ice pier is expected. EPA is publishing the emergency permit for the public's information.

DATES: The permit was effective on February 1, 1999.

ADDRESSES: Written correspondence may be sent to: Dave Redford, Acting Chief, Marine Pollution Control Branch, Oceans and Coastal Protection Division, (4504F), Environmental Protection Agency, 401 M Street SW, Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Dave Redford, Acting Chief, Marine Pollution Control Branch, 202/260-9179.

SUPPLEMENTARY INFORMATION: The EPA issued the emergency permit pursuant to its authority under the Marine Protection, Research, and Sanctuaries Act of 1972. The terms and conditions of the emergency permit follow.

Dated: February 1, 1999.

J. Charles Fox,

Assistant Administrator for Water.

U.S. Environmental Protection Agency, Marine Protection, Research, and Sanctuaries ACT (Ocean Dumping) Permit

Permit Type: Emergency.

Effective Date: February 1, 1999.

Expiration Date: March 1, 2000.

Applicant: National Science Foundation.

Transporter: U.S. Coast Guard.

I. Action

This is an emergency ocean dumping permit that allows the National Science

Foundation (NSF) to transport an existing ice pier from its base at McMurdo Station, Antarctica, and dispose of it in the waters of McMurdo Sound. The pier poses a substantial and unacceptable safety hazard to human life. Minimal adverse environmental impacts from the disposal of this ice pier are expected.

II. Background

The National Science Foundation currently operates three major bases in Antarctica: McMurdo Station on Ross Island, adjacent to McMurdo Sound; Palmer Station, near the western terminus of the Antarctic Peninsula; and Amundsen-Scott South Pole Station, at the geographic South Pole. McMurdo Station is the largest of the three stations, and is the primary logistics base for the United States Antarctic Program (USAP). To permit vessels to dock and unload at McMurdo Station, construction and use of an ice pier is necessary. This ice pier, which is approximately 800 feet long, 300 feet wide, and 22 feet thick, is constructed during the winter season by freezing successive layers of ice until the required thickness is achieved. Several times in the process long lengths of steel cable are frozen in the pier to provide torsional stability. Short lengths of steel pipe are implanted in the ice layers to allow the lengths of cable to be wrapped around the pipes. In the final stage of the process, lengths of wooden poles are implanted in the ice to provide support for lighting, power, and telephone service to buildings on the pier. When the construction of the ice segment of the pier is completed, a 6-8" layer of pumice is applied to the pier, to provide a non-slip surface.

In summary, the following types and approximate quantities of materials would normally be used in the construction of an ice pier at McMurdo Station:

1" steel cable: 21,000 feet

2" steel pipe: 650 feet

Wooden utility poles: Up to 6

Pumice: 5,000 cubic yards

At the end of each austral summer season, the ice pier is inspected, and as much as possible of the pumice surface is removed and stored for use the following season; small amounts of pumice surface will remain frozen in the pier and cannot be removed. If the pier has deteriorated to the point that it is not capable of being used the following season, the wooden poles are cut off just above the surface of the ice, the pumice is scraped off, all equipment, materials, and debris are removed, and the pier is physically

removed from McMurdo Station. NSF seeks authorization to tow the ice pier out to McMurdo Sound to float free amidst the ice pack, where it will mix with the sea ice, and eventually melt naturally. Transportation of the ice pier for ocean disposal in McMurdo Sound is dumping subject to the Marine Protection, Research, and Sanctuaries Act (MPRSA). MPRSA Sec. 101(a), 33 U.S.C. 1411(a).

Of potential environmental concern are any operational discharges, leaks, or spills that may have contaminated the surface of the pier over its lifetime. Examples of possible releases include aircraft fuel, gasoline, engine lubricating oils, hydraulic fluids, or ethylene glycol (antifreeze). Such releases could result in contamination of portions of the pier with compounds of concern to the marine environment. To assess this potential, the NSF has analyzed ice samples taken from the ice pier. Tests were done in two successive years for ethylene glycol, total extractable hydrocarbons, and total petroleum hydrocarbons (TPH). In over 40 analyses, there were only two cases where any contaminants were detected. In the first case, the sample collected beneath a 55-gallon fuel drum revealed leakage from the drum; in the second case, a single detection of TPH of unknown origin occurred. Subsequently, the NSF issued a directive that all locations where fuel drums were used or stored shall be underlain with a containment measure, such as large metal pans or impermeable liners, beneath the potential contaminant source. Drip pans were installed under all fuel drums providing heat to structures on the pier.

The NSF has a Spill Prevention, Control, and Countermeasures Plan for all the stations and bases under its jurisdiction in Antarctica. The Plan includes a specific section for McMurdo Station that addresses fuel storage and transfer systems, the annual unloading of drummed lubricants, solvents, and hazardous materials, and the loading of contaminated solvents and materials for removal from Antarctica. For example, if NSF personnel observe discoloration of the pumice layer, or a spill or leak, the affected pumice is removed along with any contaminated ice, and stored off the pier. In addition, there is considerable vehicular traffic on the ice pier during vessel offload operations, and the possibility of leaks from engine blocks cannot be totally excluded. However, the NSF has informed EPA that the vehicles are parked on the pier for only brief periods of time, ranging from minutes to less than an hour, and

that no vehicles are ever parked on the pier overnight.

As a result of the analyses described above and the protective measures that have been instituted by the NSF, EPA has concluded that no contaminants of concern in greater than trace amounts will be contained in the pier when it is disposed, and further, that the release of the ice pier into McMurdo Sound would cause only minimal adverse environmental impacts. The long lengths of cable and the shorter lengths of steel pipe will sink to the ocean floor during the melting process, and the short lengths of wooden poles will float in the ocean for several months before becoming waterlogged and eventually sinking to the ocean floor.

Although precise information is not available on the time required for melting and disintegration of an ice pier, NSF scientists have estimated that such processes will take place over several years. NSF believes that the ice pier will drift from the release point in McMurdo Sound, into the Antarctic Sea, and eventually into the Southern Ocean, where it will be subject to the currents of the Southern Ocean. However, since it is not known how long the ice pier will float before its eventual disintegration and melting, EPA believes it is important to know the direction of the pier's path, prior to its final disintegration. Satellite tracking of large, slowly moving, objects is a well-established technology, especially since estimates of course, speed, and location need only be made several times a month.

As a result, the NSF is directed, as a condition of this permit, to utilize a methodology to track the ice pier for a period of one year from the date of release of the pier. Such methodologies may include the use of satellite-tracked pingers placed on the ice pier, or any other methodology that will allow data to be collected on the course, speed, and location of the ice pier. The results of these tracking efforts are to be included in the reports that the NSF is required to submit to EPA. The NSF has informed EPA that disposal of the ice pier is expected to be completed by March 1, 1999; however, the term of the permit extends to March 1, 2000, because of the tracking and reporting requirements stipulated in this permit.

III. Justification for the Emergency Permit

The NSF initially raised the matter of a permit for the disposal of ice piers from McMurdo Station with EPA in late 1992. At that time, it was not clear that immediate action to issue the permit was necessary, and EPA's preferred

approach was to amend the ocean dumping regulations to add a new general permit at 40 CFR Part 229, authorizing the dumping of ice piers from the NSF base at McMurdo Station on a cycle of up to seven years. Work on the regulation had proceeded to the point that a general permit had been drafted in November 1998, and the internal Agency review process had begun. However, in late December 1998, the NSF determined that the pier had become unsafe for future operations, and that the unloading of vessels and deposition of heavy materials on the pier would pose a substantial and unacceptable hazard to human life. The pier has eroded from underneath, and has developed internal cracks that cannot be repaired. The NSF informed EPA that a permit to allow the dumping of the existing ice pier would be required by early February 1999.

At that point, completion of the process to grant a general permit to the NSF through rulemaking by early February was impossible, due to the time required for Agency review and approval of the proposed regulation, publication in the **Federal Register**, a public comment period, drafting of a final rule that takes into account the public comments, Agency review and approval, and publication of the final rule in the **Federal Register**. Issuance of this emergency permit allows for immediate disposal of the current deteriorating ice pier; work on the rule providing for a general permit for the NSF will continue.

Emergency permits are addressed in the ocean dumping regulations at 40 CFR 220.3(c), which provides:

1. A permit may be issued to dump materials where substances prohibited as other than trace contaminants are present in greater than trace amounts,

(a) After consultation with the Department of State, to determine if any of the signatories to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the London Convention of 1972) are likely to be affected by the emergency dumping; and

(b) When an emergency has been demonstrated to exist that requires such dumping. The emergency must pose an unacceptable risk relating to human health, and admit of no other feasible solution. As used in 40 CFR 220.3(c), "emergency" refers to situations requiring action with a marked degree of urgency, but is not limited to circumstances that require immediate action.

2. Emergency permits may be issued for other materials, except those prohibited by 40 CFR 227.5, without

consultation with the Department of State, when EPA determines that there exists an emergency requiring the dumping of such materials, which poses an unacceptable risk to human health and admits of no other feasible solution.

EPA has determined that continued use of the existing ice pier would pose an unacceptable risk to human health, and that disposal of the pier admits of no other feasible solution. To continue operations in Antarctica, the NSF must have a permit that will allow removal of the existing ice pier and its subsequent disposal at sea. NSF must have this permit by early February 1999, so that the U.S. Coast Guard icebreaker (the transporter) can tow the deteriorating pier out to McMurdo Sound before the harbor and the Sound freeze solid. There are no other disposal options, and there is no other method, other than towing by the icebreaker, to remove the pier from McMurdo Station. Failure to remove the existing pier and construct a new one presents a serious risk to human health and safety, and will jeopardize the USAP's ability to continue its research mission. Without a safe platform for offloading vessels, materials cannot be delivered to resupply the station; without the resupply of McMurdo Station, activities in Antarctica would have to be halted, resulting in a severe impact to NSF's scientific objectives, including a significant environmental research program.

Further, there are no materials present on, or in, the ice pier that are prohibited by either 40 CFR 227.5 or 40 CFR 227.6. Thus, the Agency has determined that all necessary conditions for issuance of an emergency permit, pursuant to 40 CFR 220.3(c), have been met, and further, EPA has concluded that this emergency dumping action will have minimal adverse environmental effects. EPA also believes that, because of the urgency of the situation, and the risk to human health discussed above, notice and public comment on this emergency permit are impracticable, unnecessary, and not in the public interest. Further, EPA believes that the public interest requires the issuance of an emergency permit as soon as possible.

With regard to notification of the State Department, 40 CFR 220.3(c) implements the provisions of Article V(2) of the London Convention 1972 (LC 72). That article allows the issuance of emergency permits as an exception to LC 72 Article IV(1)(a) and Annex I prohibitions against the dumping of certain substances. Consistent with LC 72 Article V(2), 40 CFR 220.3(c) is intended to assure that necessary consultation with the International

Maritime Organization and potentially affected states take place if the material to be dumped contains greater than trace contaminants of LC 72 Annex I substances. Because the ice pier to be dumped does not contain such materials, the consultation provisions of 40 CFR 220.3(c) are not relevant.

IV. Terms and Conditions of Permit

1. This permit authorizes the transportation and dumping into ocean waters of an ice pier, pursuant to the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 33 U.S.C. 1401 *et seq.*, ("MPRSA"), subject to the terms and conditions set forth herein. All transportation and dumping authorized herein shall at all times be undertaken in a manner consistent with this permit.

2. The applicant designated above is the permittee, and is responsible for compliance with this permit.

3. The permittee and the U.S. Coast Guard are authorized to transport the following ice pier for ocean disposal and to dump it into ocean waters, by releasing it into McMurdo Sound:

The ice pier is currently attached to the National Science Foundation base at McMurdo Station, Antarctica. This ice pier is approximately 800 feet long, 300 feet wide, and 22 feet thick, and is composed of frozen seawater. Enclosed in the pier are approximately: 21,000 feet of one-inch steel cable in several layers used for torsional stability of the pier; 650 feet of two-inch steel pipe used for securing the cable; and 6 stump ends of wooden poles, each approximately four feet long, used for light, power, and telephone connections to structures that have been removed from the pier.

4. The ice pier shall not be altered in its content from the above description by the addition of wastes from any other sources. The layer of pumice shall be removed from the surface of the pier to the extent feasible.

5. A methodology to track the ice pier released from McMurdo Station shall be established and utilized for a period of one year from the date of release of the ice pier. The permittee shall submit a full report on the tracking efforts required by this permit and the results of such tracking to the Oceans and Coastal Protection Division (OCPD), in the Office of Water in the U.S. Environmental Protection Agency (address below), within 30 days following the termination of the permit on March 1, 2000.

6. Transportation to, and dumping at, any location other than that authorized by this permit shall constitute a

violation of the MPRSA and of this permit.

7. Transportation and dumping of any materials not specifically identified, or in excess of that identified, in this permit shall constitute a violation of the MPRSA and this permit.

8. If any dumping or transporting is performed by an entity other than the identified applicant or transporter, all reports required hereunder shall be jointly executed by both the permittee and an officer of that entity.

9. Any dumping or transporting authorized by this permit by any entity other than the identified applicant or transporter shall not relieve the identified applicant from full responsibility for compliance with the terms of this permit, or the MPRSA, or both; nor shall the issuance of this permit relieve any other applicant or transporter from responsibility for compliance with the terms of this permit, or the MPRSA, or both.

10. The permittee shall submit a full report on the dumping activities authorized by this permit to OCPD within 30 days after the dumping. This report shall include:

A. A description (by latitude and longitude) of the precise location where the ice pier was released;

B. The name and title of the person in charge of the vessel that transported the ice pier and conducted the operation;

C. The time of the dumping activities, including departure from McMurdo Station, and release time and date.

11. The permittee shall immediately notify OCPD of any violation of any condition of this permit.

12. All reports and notifications to OCPD required under this permit shall be submitted to: Suzanne Schwartz, Acting Director, Oceans and Coastal Protection Division (4504F), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

13. The reporting requirements contained in this permit are in addition to any reporting requirements imposed by any other agency.

14. The transporter shall place a copy of this permit in a conspicuous place in the vessel used for the transportation and dumping operations authorized herein.

15. The terms used in this permit which are defined in Section 3 of the MPRSA shall have the same meaning herein.

16. This permit may be modified or revoked, in whole or in part, for causes including, but not limited to, the following:

A. Violation of any term or condition of the permit;

B. Misrepresentation, inaccuracy, or failure by the applicant to disclose all relevant facts;

C. A change in any condition or material fact upon which this permit is based that requires either a temporary or permanent reduction or elimination of the authorized transportation or dumping including, but not limited to, newly discovered scientific data relative to the granting of this permit;

D. A determination by EPA that the dumping has resulted, is resulting, or may result, in imminent and substantial harm to human health or welfare, or to the marine environment; and

E. Failure to notify appropriate EPA officials of dumping activities.

Signed by J. Charles Fox.

January 29, 1999.

[FR Doc. 99-2785 Filed 2-4-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6231-3]

Science Advisory Board; Notification of Three Public Meetings; February 24, February 25-26, and March 16, 1999

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given of the following three Federal Advisory Committee meetings: (a) The Science Advisory Board's (SAB) Environmental Engineering Committee (EEC), will meet Wednesday February 24, 1999; (b) the EEC's Wet Weather Flows and Urban Infrastructure Subcommittee will meet Thursday and Friday, February 25-26, 1999 (both meetings will be held in Room 3709 of the Mall at the U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460); and (c) the EEC's Statistical Consultation Subcommittee will meet Tuesday March 16, 1999 (in Conference room A on the eleventh floor of Crystal Gateway One, 1235 Jefferson Davis Highway, Arlington, VA). These meetings will begin no earlier than 8:00 am and adjourn no later than 6:30 pm Eastern Time and are open to the public. Due to limited space, seating will be on a first-come basis. For further information concerning this meeting, please contact the individuals listed below. Documents that are the subject of SAB reviews are normally available from the originating EPA office and are not available from the SAB Office.

1. Environmental Engineering Committee (EEC)

No reviews are being conducted on February 24. At this meeting the Committee expects to discuss a preliminary draft commentary on sources of particulate matter (PM_{2.5}). The Committee will discuss several potential future actions including: (a) Invited presentations on barriers to pollution prevention at the June meeting; (b) invited presentations on sediments; (c) the pros and cons of holding a quality colloquium; and (d) evolving opportunities for possible collaboration with other advisory groups. If the opportunity arises, there may also be briefings by and discussions with the Agency on various topics of mutual interest.

2. EEC's Wet Weather Flows and Urban Infrastructure Subcommittee

The Wet Weather Flows and Urban Infrastructure Subcommittee will meet February 25-26 to review the 1996 Risk Management Plan for Wet Weather Flows and the 1997 Urban Infrastructure Research Plan—Water and Wastewater Issues with special emphasis on the state of the science writeups, research questions, and research needs. The Subcommittee will evaluate both the scientific directions and scientific quality taking into account research others are doing and what the Office of Water's needs are. The Wet Weather Flows research areas are: (a) Characterization and problem assessment; (b) watershed management; (c) toxic substance impacts and control; (d) control technologies; and (e) infrastructure improvement. Copies of the materials to be reviewed can be obtained from Diana Meola, Branch Secretary, at TEL: (732) 321-6635, FAX: (732) 321-6640, e-mail:

<meola.diana@epa.gov> or Daniel Sullivan, P.E., Chief of the Urban Watershed Management Branch at TEL: (732) 321-6677, e-mail: <sullivan.daniel@epa.gov>. Copies of any hand-outs distributed at the meeting in the course of these briefings will be available subsequently through Ms. Mary Winston, address below.

3. EEC's Statistical Consultation Subcommittee

The purpose of the March 16 meeting is to provide a consultation for the Office of Solid Waste and Emergency Response on the advantages and disadvantages of various approaches for the development of cleanup goals at waste sites, emphasizing those of average or "not to exceed" concentrations.

A "Consultation" is the SAB's means of conferring—in public session—with the Agency on a technical matter before the Agency has begun substantive work on that issue. The goal is to leaven EPA's thinking on an issue by brainstorming a variety of approaches to the problem very early in the development process. There is no attempt or intent to express an SAB consensus or to generate an SAB report. The Board, via a brief letter simply notifies the Administrator that a Consultation has taken place. The Board hopes this consultation will be of help to OSWER when it later develops guidance for risk managers on the appropriate application of "risk-based" cleanup levels. Because this is a consultation, there are no review documents. However, for background purposes, some brief descriptive documents can be obtained from Janine Dinan at TEL: (703) 603-8824, FAX: (703) 603-9133, or via e-mail <dinan.janine@epa.gov>. Copies of any hand-outs distributed at the meeting in the course of these briefings will be available subsequently through Ms. Mary Winston, address below.

Members of the public desiring additional information about the meetings should contact Kathleen White Conway, Designated Federal Officer (DFO), Environmental Engineering Committee, Science Advisory Board (1400), Room 3702L, U.S. EPA, 401 M Street, SW, Washington, DC 20460; telephone/voice mail at (202) 260-2558; fax at (202) 260-7118; or via e-mail at: <conway.kathleen@epa.gov>. A copy of the draft Agenda is available from Ms. Mary Winston at TEL: (202) 260-2554; FAX: (202) 260-7118; or via e-Mail at: <winston.mary@epa.gov>.

Members of the public who wish to make a brief oral presentation at the February 24 meeting or the February 25-26 meeting must contact Ms. Conway in writing (by letter, fax or e-mail—see previously stated information) no later than 12 noon Eastern Time, Wednesday, February 17, 1999 in order to be included on the Agenda. Those wishing to do so at the March 16 meeting should contact Ms. Conway by 12 noon Eastern time Wednesday March 10. Public comments will be limited to ten minutes per speaker or organization. The request should identify the name of the individual making the presentation, the organization (if any) they will represent, any requirements for audio visual equipment (e.g., overhead projector, 35mm projector, chalkboard, etc), and at least 35 copies of an outline of the issues to be addressed or of the presentation itself.