

regulated under this subpart, and this information is being collected to assure compliance with 40 CFR part 60, subpart WW.

Owners or operators of the affected facilities described must make initial reports when a source becomes subject, conduct and report on a performance test, demonstrate and report on continuous monitor performance, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility. Semiannual reports of excess emissions are required. These notifications, reports, and records are essential in determining compliance; and are required, in general, of all sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least 2 years following the date of such measurements, maintenance reports, and records. The estimated total cost of this ICR will be \$370,767 over the next three years (including labor hours, operating & maintenance costs, and start up costs; \$123,589 × 3 years). All reports are sent to the delegated State or Local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office. 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 for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on January 1, 1999: no comments were received.

Burden Statement: The annual public reporting and record keeping burden for this collection of information is estimated to average 29 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of

information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Owners/Operators of the Beverage can Surface Coating Industry.

Estimated Number of Respondents: 24.

Frequency of Response: Initial, Quarterly, and Semiannual Reports.

Estimated Total Annual Hour Burden: 3,092 hours.

Estimated Total Annualized Capital, O&M Cost Burden: \$50,000

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 0663.07, and OMB Control No. 2060-0001 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Policy, Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460; and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: September 23, 1999.

Richard T. Westlund,

Acting Director, Regulatory Information Division.

[FR Doc. 99-25306 Filed 9-28-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6446-9]

National Drinking Water Advisory Council; Request for Nominations

AGENCY: Environmental Protection Agency.

ACTION: Request for nominations.

SUMMARY: The U.S. Environmental Protection Agency (EPA) invites all interested persons to nominate qualified individuals to serve a three-year term as members of the National Drinking Water Advisory Council. This Advisory Council was established to provide practical and independent advice, consultation and recommendations to the Agency on the activities, functions and policies related to the implementation of the Safe Drinking Water Act as amended. The Council consists of fifteen members, including a Chair. Five members represent the general public; five members represent

appropriate state and local agencies concerned with water hygiene and public water supply; and five members represent private organizations or groups demonstrating an active interest in the field of water hygiene and public water supply. On December 15 of each year, five members complete their appointment. Therefore, this notice solicits names to fill these five vacancies, with appointed terms ending on December 15, 2002.

Any interested person or organization may nominate qualified individuals for membership. Nominees should be identified by name, occupation, position, address and telephone number. To be considered, all nominations must include a current resume providing the nominee's background, experience and qualifications.

Persons selected for membership will receive compensation for travel and a nominal daily compensation while attending meetings. The Council holds two face to face meetings each year, generally in the Spring and Fall. Additionally, members could be asked to serve on one of the Council's working groups that are formed to assist the EPA in major program issue development. Working group meetings are held approximately four times a year, with two of the meetings conducted by conference call.

Nominations should be submitted to Charlene E. Shaw, Designated Federal Officer, National Drinking Water Advisory Council, U.S. Environmental Protection Agency, Office of Ground Water and Drinking Water (4601), 401 M Street, SW., Washington, DC 20460, no later than October 22, 1999. The Agency will not formally acknowledge or respond to nominations. E-Mail your questions to shaw.charlene@epamail.epa.gov or call 202/260-2285.

Dated: September 23, 1999.

Elizabeth Fellows,

Acting Director, Office of Ground Water and Drinking Water.

[FR Doc. 99-25309 Filed 9-28-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6447-3]

Notice of EPA Policy Regarding Certain Grants to Intertribal Consortia

AGENCY: Environmental Protection Agency.

ACTION: Notice of EPA policy regarding certain grants to intertribal consortia.

SUMMARY: In the absence of clear Congressional intent to the contrary and in accordance with the definition and requirements set forth, EPA interprets its statutory authorities to award grants to Indian tribes to include the authority to award grants to intertribal consortia under the following EPA grant programs for Indian tribes: Pesticides Program Implementation (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act); Pesticides Enforcement (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act); Superfund Cooperative Agreements (section 104(d) of the Comprehensive Environmental Response, Compensation, and Liability Act); Leaking Underground Storage Tanks (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999); Underground Storage Tank Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999); and Hazardous Waste Management Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999.)

EFFECTIVE DATE: The effective date for this policy is September 29, 1999.

FOR FURTHER INFORMATION CONTACT:

Charlene Dunn, phone (202) 260-9466, Outreach and Special Projects Staff, Office of Solid Waste and Emergency Response (Mail Code 5101), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC, 20460.

SUPPLEMENTARY INFORMATION: For information regarding applicability of this policy to the following EPA grant programs for Indian tribes: Superfund Cooperative Agreements (section 104(d) of the Comprehensive Environmental Response, Compensation, and Liability Act); Leaking Underground Storage Tanks (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2497-98 (1998)); Underground Storage Tank Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2499 (1998)); and Hazardous Waste Management Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2499 (1998)). Contact Caren Rothstein, phone (202) 260-0065, Office of

Program Management Operations, Office of Prevention, Pesticides and Toxic Substances (Mail Code 7101), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC, 20460, for information regarding applicability of this policy to the Pesticides Program Implementation grant programs for Indian tribes: (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act). Contact Jack Neylan, phone (202) 564-2385, Enforcement Planning, Targeting and Data Division, Office of Compliance, Office of Enforcement and Compliance Assistance (Mail Code 2222A), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC, 20460, for information regarding applicability of this policy to the Pesticides Enforcement grant programs for Indian tribes: (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act).

With this notice, EPA announces its policy regarding the award of financial assistance to intertribal consortia under the following EPA grant programs for Indian tribes: Pesticides Program Implementation (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act); Pesticides Enforcement (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act); Superfund Cooperative Agreements (section 104(d) of the Comprehensive Environmental Response, Compensation, and Liability Act); Leaking Underground Storage Tanks (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2497-98 (1998)); Underground Storage Tank Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2499 (1998)); and Hazardous Waste Management Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2499 (1998)). This policy is effective immediately for the listed grant programs.

In a recent proposed rulemaking governing the award of environmental program grants to tribes, EPA proposed awarding grants to intertribal consortia under the specific grant programs covered by that proposed rule, which will be promulgated as 40 CFR part 35, subpart B. 64 FR 40084 (July 23, 1999). This **Federal Register** notice sets forth EPA's policy regarding grants to

intertribal consortia for four grant programs (Underground Storage Tank, Pesticides Program Implementation, and Pesticides Enforcement grant programs) that are covered by the proposed rule for 40 CFR part 35, Subpart B, prior to promulgation of that rule. The Agency is implementing this policy at this time because EPA has received applications for assistance from intertribal consortia under these grant programs and EPA believes that entering into assistance agreements with intertribal consortia under these grant programs will further the goal of environmental protection in Indian country. This notice also sets forth EPA's policy regarding grants to intertribal consortia for Leaking Underground Storage Tank grants and Superfund Cooperative Agreements under CERCLA section 104(d), which are not covered by the proposed rule. The policy set forth in this notice is consistent with the treatment of intertribal consortia in the proposed rule.

EPA may change this policy as a result of comments received in response to the proposed rule. When it is promulgated, the final rule for 40 CFR part 35, subpart B will govern grants to intertribal consortia for grant programs covered by that rule. This **Federal Register** notice will remain effective for the Leaking Underground Storage Tank program and the Superfund Cooperative Agreements program, which will not be covered by 40 CFR part 35, subpart B, unless a subsequent **Federal Register** notice is issued. However, if EPA changes its treatment of consortia in grant programs covered by that rule, EPA will likely issue a subsequent **Federal Register** notice on grants to consortia for grant programs not covered by 40 CFR part 35, subpart B so as to treat grants to intertribal consortia consistently in all of the grant programs covered by this notice.

In the absence of clear Congressional intent to the contrary and in accordance with the definition and requirements set forth below, EPA interprets its statutory authorities to award grants to Indian tribes to include the authority to award grants to intertribal consortia. If tribes are eligible for a particular grant, EPA will also treat a group of individually eligible tribes (an intertribal consortium) as eligible for the grant. EPA believes this approach is a practical, reasonable and prudent way to help interested tribes strengthen environmental protection when limited funding is available to support tribal environmental programs. Tribes that form an intertribal consortium may be able to use their limited resources more efficiently and address environmental

issues more effectively than they could if each tribe developed and maintained separate environmental programs. Moreover, EPA believes that making grants for tribes available to intertribal consortia is consistent with President Clinton's Executive Order 13084, which encourages agencies to adopt "flexible policy approaches" and to respect the principle of Indian self-government and sovereignty.

An organization that characterizes itself as an intertribal consortium that does not meet the definition of intertribal consortium or the eligibility requirements in this notice may be eligible for some EPA grant programs, but not as an intertribal consortium. This is because some of EPA's grant programs are available to a broad range of recipients, such as public or non-profit private agencies, institutions, organizations, and individuals. Thus, an intertribal organization that does not meet the definition of intertribal consortium or the requirements of this notice nonetheless may be eligible for a grant as another type of organization, such as a non-profit agency. This notice is not intended to affect the eligibility status of intertribal consortia for grants in their capacity as other types of eligible organizations.

II. Policy

The following definition and statement of eligibility requirements for awarding grants to intertribal consortia applies to the following EPA grant programs for tribes: Pesticides Program Implementation (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act); Pesticides Enforcement (section 23(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act); Superfund Cooperative Agreements (section 104(d) of the Comprehensive Environmental Response, Compensation, and Liability Act); Leaking Underground Storage Tanks (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2497-98 (1998)); Underground Storage Tank Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2499 (1998)); and Hazardous Waste Management Programs (Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, Public Law 105-276, 112 Stat. 2461, 2499 (1998)).

Definition: The term *intertribal consortium* means a partnership between two or more Tribes that is authorized by the governing bodies of those Tribes to apply for and receive assistance under an EPA grant program. An intertribal consortium must have adequate documentation of the existence of the partnership and the authorization to apply for and receive assistance.

Eligibility Requirements for an Intertribal Consortium: An intertribal consortium is eligible to receive a grant from EPA under the statutes authorizing grants to Indian tribes listed in this notice only if the intertribal consortium demonstrates that all members of the consortium (1) meet the eligibility requirements for the grant and (2) authorize the consortium to apply for and receive assistance.

Dated: September 24, 1999.

Michael H. Shapiro,

Acting Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 99-25421 Filed 9-28-99; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6447-1]

Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act; in Re: Raymark Industries, Inc. Superfund Site; Stratford, CT

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed prospective purchaser agreement and request for public comment.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to enter into a prospective purchaser agreement to address claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* Notice is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve the liability under CERCLA of the purchaser who obtains title to the former Raymark Facility property located in Stratford, Connecticut through the judicial sale process and certain successors in interest for injunctive relief or for costs incurred or to be incurred by EPA in conducting response actions at the Raymark Industries, Inc. Superfund Site in Stratford, Connecticut.

DATES: Comments must be provided on or before October 29, 1999.

ADDRESSES: Comments should be addressed to the Docket Clerk, U.S.

Environmental Protection Agency, Region I, One Congress Street, Suite 1100, Mailcode RCG, Boston, Massachusetts 02214, and should refer to: Agreement and Covenant Not to Sue Re: Raymark Industries, Inc. Superfund Site, Stratford, Connecticut, U.S. EPA Docket No. CERCLA-1-99-0066.

FOR FURTHER INFORMATION CONTACT:

Robin Ruhlin, U.S. Environmental Protection Agency, One Congress Street, Suite 1100, Mailcode SES, Boston, Massachusetts 02214, (617) 918-1784.

SUPPLEMENTARY INFORMATION: In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* notice is hereby given of a proposed prospective purchaser agreement concerning the Raymark Industries, Inc. Superfund Site in Stratford, Connecticut. The settlement was approved by EPA Region I, and the Department of Justice subject to review by the public pursuant to this Notice. Each of the qualified bidders who wish to participate in the judicial sale of the former Raymark Facility property will be required to execute signature pages committing them to participate in the settlement in the event that they take title to the former Raymark Facility property. Except that, if a bidder has already entered into a covenant not to sue agreement with the United States for the former Raymark Facility property, it may, but is not required to execute and submit a copy of this settlement to EPA in order for its bid to be considered at the judicial sale. Under the proposed settlement, the settling party will pay to the Raymark Industries, Inc. Superfund Site Special Account \$10 million (ten million dollars) and will provide for the productive reuse of the property. In addition, all of the settling parties agree to abide by institutional controls and to provide access to the property. EPA believes the settlement is fair and in the public interest.

EPA is entering into this agreement under the authority of CERCLA Section 101 *et seq.* which provides EPA with authority to consider, compromise, and settle a claim under Sections 106 and 107 of CERCLA for costs incurred by the United States if the claim has not been referred to the U.S. Department of Justice for further action. The U.S. Department of Justice has also signed this agreement. EPA will receive written comments relating to this settlement for thirty (30) days from the date of publication of this Notice.

A copy of the proposed administrative settlement may be obtained in person or by mail from Constance Dewire, U.S.