

jurisdiction to review Illinois EPA's permit decision because the permit issued to Carlton was issued under Illinois EPA's minor NSR program, rather than the Federal PSD program. On January 22, 2001, the EAB issued an order requesting EPA's Office of General Counsel (OGC) prepare an amicus brief on the issue of whether the EAB has jurisdiction over this matter. OGC subsequently filed an amicus brief advancing the view that the EAB is without jurisdiction in this case.

C. What Did the EAB Determine?

On February 28, 2001, the EAB denied the petition for review based on the grounds of lack of jurisdiction. The EAB stated that their jurisdiction is limited to permits issued under federal regulations and it does not extend to appeals of state-issued minor NSR permits in approved States.

Dated: September 24, 2002.

Bharat Mathur,

Acting Regional Administrator, Region 5.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7390-9]

Environmental Laboratory Advisory Board (ELAB) Meeting Date, and Agenda

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public meeting.

SUMMARY: The Environmental Protection Agency's Environmental Laboratory Advisory Board (ELAB) will hold an Open Forum on Tuesday, November 19, 2002 at 5-6 p.m. MST and an Open Meeting on Thursday, November 21, 2002 at 9 a.m.-12 p.m. MST at the La Fonda Hotel, 100 E. San Francisco Street, Santa Fe, New Mexico. The ELAB meetings will be held in conjunction with the NELAC Eighth Interim Meeting occurring in the same location the week of November 17. Members of the public are invited to attend both ELAB events. Items to be discussed include: (1) An update on implementation of the National Environmental Laboratory Accreditation Conference (NELAC) restructuring, (2) discussion of future ELAB recommendations to EPA, and (3) the hearing of public comments and views on the environmental laboratory accreditation. ELAB is soliciting input from the public on these and other issues related to the National

Environmental Laboratory Accreditation Program (NELAP) and the NELAC standards. Written comments on NELAP laboratory accreditation and the NELAC standards are encouraged and should be sent to Mr. Edward Kantor, DFO, U.S. EPA, P.O. Box 93478, Las Vegas NV 89193, or faxed to (702) 798-2261, or e-mailed to kantor.edward@epa.gov. or can be presented in person at the Open Forum, November 19, 2002. Members of the public are invited to raise issues or to make comments at the Open Forum, and time permitting, will be allowed to comment on discussions ensued from the ELAB Open Meeting.

Dated: September 30, 2002.

John G. Lyon,

Director, Environmental Sciences Division, National Environmental Research Laboratory.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7391-2]

Ross Metals, Inc., Superfund Site, Notice of Proposed De Minimis Settlement

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed de minimis settlement.

SUMMARY: Under section 122(g)(4) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the U.S. Environmental Protection Agency (EPA) has offered a de minimis settlement at the Ross Metals, Inc., Superfund Site (Site) located in Rossville, Tennessee, under an Administrative Order on Consent (AOC) to settle claims for past and future response costs at the Site. Twenty-nine (29) parties have returned signature pages accepting EPA's settlement offer. For thirty (30) days following the publication of this notice, EPA will receive written comments relating to the settlement. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency—Region 4, CERCLA Program Services Branch, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, (404) 562-8887.

Written comments may be submitted to Mr. Ray Strickland at the above

address within 30 days of the date of publication.

Dated: September 26, 2002.

Anita L. Davis,

Acting Chief, CERCLA Program Services Branch, Waste Management Division.

[FR Doc. 02-25419 Filed 10-4-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7391-1]

Public Water System Supervision Program Revision for the State of Colorado

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The State of Colorado has revised its Public Water System Supervision (PWSS) primacy program by adopting regulations for the Consumer Confidence Report Rule. Having determined that these revisions meet all pertinent requirements in the Safe Drinking Water Act, and EPA's implementing regulations, the EPA approves them.

Today's approval action does not extend to public water systems in Indian Country. Please see Supplementary Information, Item B.

DATES: Any member of the public is invited to submit written comments and/or request a public hearing on this determination by November 6, 2002. Please see Supplementary Information, Item C, for information on submitting comments and requesting a hearing. If no hearing is requested or granted, then this action shall become effective November 6, 2002. If a public hearing is requested and granted, then this determination shall not become effective until such time following the hearing as the Regional Administrator issues an order affirming or rescinding this action.

ADDRESSES: Written comments and requests for a public hearing should be addressed to: Robert E. Roberts, Regional Administrator, c/o Qian Zhang (8P-W-MS), U.S. EPA, Region 8, 999 18th Street, Suite 300, Denver, CO 80202-2466.

All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA, Region 8, Municipal Systems Unit, 999 18th Street (4th Floor), Denver, CO 80202-2466; (2) Colorado Department of Public Health and Environment (CDPHE), Drinking Water

Section, 4300 Cherry Creek Drive South, Denver, CO.

FOR FURTHER INFORMATION CONTACT:

Qian Zhang, Municipal Systems Unit, EPA, Region 8 (8P-W-MS), 999 18th Street, Suite 300, Denver, CO 80202-2466, 303-312-6267.

SUPPLEMENTARY INFORMATION: EPA approved Colorado's application for assuming primary enforcement authority for the PWSS program, pursuant to section 1413 of the Safe Drinking Water Act (SDWA), 42 U.S.C. 300g-2, and 40 CFR part 142 (see 48 FR 55173). CDPHE administers Colorado's PWSS program. The State of Colorado has revised its Public Water System Supervision (PWSS) primacy program by adopting regulations for the Consumer Confidence Report Rule that correspond to regulations for 40 CFR part 141, subpart O.

A. Why Are Revisions to State Programs Necessary?

States with primary PWSS enforcement authority must comply with the requirements of 40 CFR part 142 for maintaining primacy. They must adopt regulations that are at least as stringent as the National Primary Drinking Water Regulations (NPDWRs) at 40 CFR part 141. (40 CFR 142.10(a)). Changes to state programs may be necessary as federal primacy requirements change, as states must adopt all new and revised NPDWRs in order to retain primacy. (40 CFR 142.12(a)).

B. How Does Today's Action Affect Indian Country (18 U.S.C. 1151) in Colorado?

Colorado is not authorized to carry out its Public Water System Supervision program in Indian country. This includes, but is not limited to, lands within the exterior boundaries of the following Indian reservations located within the State of Colorado:

- a. Southern Ute Indian Reservation;
- b. Ute Mountain Ute Indian Reservation; and any other lands which are Indian country as defined in 18 U.S.C. 1151.

C. Requesting a Hearing and Submitting Written Comments.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request, or, if

the request is made on behalf of an organization or other entity, the signature of the responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the **Federal Register** and in newspapers of general circulation in the State of Colorado. A notice will also be sent to the person(s) requesting the hearing as well as to the State of Colorado. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. A final determination will be made upon review of the hearing record.

Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Please bring this notice to the attention of any persons known by you to have an interest in this determination.

Dated: September 26, 2002.

Robert E. Roberts,

Regional Administrator, Region 8.

[FR Doc. 02-25417 Filed 10-4-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7385-2]

Program Requirement Revisions related to the Public Water System Supervision Program for the States of Vermont, Connecticut, and New Hampshire, and the Commonwealth of Massachusetts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Notice is hereby given that the States of Vermont, Connecticut and New Hampshire, and the Commonwealth of Massachusetts, are in the process of revising their approved Public Water System Supervision Programs to meet the requirements of the Safe Drinking Water Act (SDWA).

EPA has determined that the Revised Public Water System Definition for the State of Vermont, as authorized under the Safe Drinking Water Act Amendments of 1996 and final rule provided on April 28, 1998 (63 FR 23362), and the Public Notification Rule

that corresponds to 40 CFR part 141, subpart Q, are no less stringent than the corresponding revised federal definitions. Therefore, EPA intends to approve these Public Water System Supervision Program requirements for Vermont.

The State of Connecticut has adopted drinking water regulations establishing Administrative Penalty Authority that applies to its Drinking Water Program. The State submitted documentation, along with certification from its State Attorney General's office, indicating that the Administrative Penalty Authority currently in effect meets the minimum requirements set forth in the 1996 SDWA Amendments. EPA has determined that the Administrative Penalty Authority currently in effect in Connecticut is no less stringent than corresponding federal requirements, as authorized under the Safe Drinking Water Act Amendments of 1996 and final rule provided on April 28, 1998 (63 FR 23362). Therefore, EPA intends to approve the Administrative Penalty Authority requirements for Connecticut.

The Commonwealth of Massachusetts has revised its Public Water System Supervision (PWSS) primacy program by adopting regulations for the Public Notification Rule that correspond to 40 CFR part 141, subpart Q. After review of the submitted documentation, EPA has determined that Massachusetts' Public Notification Rule is no less stringent than the corresponding federal regulation. Therefore, EPA intends to approve this Public Water System Supervision Program requirement for Massachusetts.

The State of New Hampshire has adopted drinking water regulations for Synthetic Organic Chemicals and Inorganic Chemicals (also known as Phase II, Phase IIB, and Phase V Drinking Water Regulations) promulgated by EPA on January 30, 1991 (56 FR 3526), July 1, 1991 (56 FR 30266) and July 17, 1992 (57 FR 31776) respectively. After additional review of the submitted documentation, EPA has determined that the state program revisions for its Phase II, Phase IIB, and Phase V Drinking Water Regulations are no less stringent than the corresponding federal regulations. Therefore, EPA intends to approve these Public Water System Supervision Program requirements for New Hampshire.

DATES: All interested parties may request a public hearing for any of the above EPA determinations. A request for a public hearing must be submitted within thirty (30) days of this **Federal Register** publication date to the Regional Administrator at the address