

discuss other current issues in the mobile source program including a NAS/NRC study to evaluate the MOBILE model.

Members of the public requesting further technical information should contact:

Mr. Philip A. Lorang, Designated Federal Officer, Assessment and Modeling Division, U.S. EPA, 2000 Traverwood Drive, Ann Arbor, MI 48105, Ph: 734/214-4374, Fax: 734/214-4321, email: lorang.phil@epa.gov

Mr. John T. White, Alternate Designated Federal Officer, Assessment and Modeling Division, U.S. EPA, 2000 Traverwood Drive, Ann Arbor, MI 48105, Ph: 734/214-4353, Fax: 734/214-4321, email: white.johnt@epa.gov

Background information can also be obtained by visiting the subcommittee's website at:

<http://transaq.ce.gatech.edu/epatac/index.htm>

Subcommittee members and interested parties requesting administrative information should contact:

Ms. Jennifer Criss, FACA Management Officer, Assessment and Modeling Division, U.S. EPA, 2000, Traverwood Drive, Ann Arbor, MI 48105, FACA Help Line: 734/214-4518, Ph: 734/214-4329, Fax: 734/214-4821, email: criss.jennifer@epa.gov

Written comments of any length (with at least 20 copies provided) should be sent to the subcommittee no later than January 6, 1999.

The Mobile Sources Technical Review Subcommittee expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

Margo T. Oge,

Director, Office of Mobile Sources.

[FR Doc. 98-34294 Filed 12-24-98; 8:45 am]

BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6210-6]

Benchmark Dose Software

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of and request for public comment on beta test version of Benchmark Dose Software (version 1.1b).

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing the availability of, and requests public comment on, the beta test version of

Benchmark Dose Software (BMDS) (version 1.1b). The BMDS system is being developed as a tool to facilitate the application of a benchmark dose (BMD) method to EPA risk assessments of hazardous pollutants. The EPA Risk Assessment Forum has written guidelines for the use of the BMD approach in the assessment of noncancer health risk (U.S. Environmental Protection Agency, 1995, EPA/630/R-94/007) and the EPA Benchmark Dose Workgroup is in the process of drafting technical guidance for the application of the BMD approach in cancer and noncancer dose-response assessments. The use of BMD methods involves fitting mathematical models to dose-response data and using the results to select a BMD that is associated with a predetermined benchmark response (BMR), such as a 10% increase in the incidence of a particular health effect. The EPA BMDS facilitates these operations by providing an easy-to-use interface to run up to sixteen (16) different models that are appropriate for the analysis of dichotomous (quantal) data (nine models: Gamma, Logistic, Log-Logistic, Multistage, Probit, Log-Probit, Quantal-Linear, Quantal-Quadratic, and Weibull), continuous data (four models: Linear, Polynomial, Power, and Hybrid) and nested developmental toxicology data (three models: NLogistic, NCTR, and Rai & Van Ryzin). Results from these models include goodness-of-fit information, the BMD, and the estimate of the lower-bound confidence limit (the BMDL) on the BMD. Model results are presented in textual and graphical output files which can be printed or saved and incorporated into other documents.

In May-June 1997, a prior beta test version of the BMDS (version 1.0b) was reviewed by risk assessors and statisticians from within EPA and from outside organizations. Comments received as a result of that review were considered in preparing this latest beta test release (version 1.1b) for public comment.

DATES: Comments on this software will be accepted until March 31, 1999.

ADDRESSES: Comments should be in writing and mailed to the Project Manager for Benchmark Dose Software Development, National Center for Environmental Assessment—RTP Office (MD-52), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711 or sent by e-mail to bmbs.ncea@epa.gov by March 31, 1999. To obtain a copy of the beta test version of Benchmark Dose Software (version 1.1b), direct your internet browser to <http://www.epa.gov/ncea/bmbs.htm>.

You will be instructed on how to download a self-extracting compressed file (approximately eight megabytes in size) containing the entire BMDS program. Windows 95 or Windows 98 and at least sixteen megabytes of RAM are required to run this version of the BMDS.

Accessing a copy of the BMDS program via the internet is highly recommended as the BMDS web site will be the official and most current source of updates and notifications. However, those for whom internet access is impractical may obtain a copy of the program via e-mail or CD-Rom by contacting Ms. Diane H. Ray, National Center for Environmental Assessment—RTP Office (MD-52), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone: 919-541-3637; facsimile: 919-541-1818; e-mail: ray.diane@epa.gov.

FOR FURTHER INFORMATION CONTACT: Dr. Jeffrey S. Gift, National Center for Environmental Assessment—RTP Office (MD-52), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone: 919-541-4828; facsimile: 919-541-1818; E-mail: gift.jeff@epa.gov.

Dated: November 23, 1998.

William H. Farland,

Director, National Center for Environmental Assessment.

[FR Doc. 98-34300 Filed 12-24-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[PB-402404-DC; FRL-6042-9]

Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; District of Columbia's Authorization Application

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for comments and opportunity for public hearing.

SUMMARY: On August 17, 1998, the District of Columbia submitted an application for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for lead-based paint activities in target housing and child-occupied facilities under section 402 of the Toxic Substances Control Act (TSCA). This notice announces the receipt of the District of Columbia's application, provides a 45-day public comment period, and

provides an opportunity to request a public hearing on the application.

DATES: Comments on the authorization application must be received on or before February 11, 1999. Public hearing requests must be received on or before January 27, 1999.

ADDRESSES: Submit all written comments and/or requests for a public hearing identified by docket control number PB-402404-DC (in duplicate) to: Environmental Protection Agency, Region III, Waste and Chemicals Management Division, Toxics Programs and Enforcement Branch (3WC33), 1650 Arch St., Philadelphia, PA 19103-2029.

Comments, data, and requests for a public hearing may also be submitted electronically to: gerena.enid@epa.gov. Follow the instructions under Unit IV. of this document. No information claimed to be Confidential Business Information (CBI) should be submitted through e-mail.

FOR FURTHER INFORMATION CONTACT: Enid A. Gerena (3WC33), Waste and Chemicals Management Division, Environmental Protection Agency, Region III, 1650 Arch St., Philadelphia, PA 19103-2029, telephone: (215) 814-2067, e-mail address: gerena.enid@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On October 28, 1992, the Housing and Community Development Act of 1992, Pub. L. 102-550, became law. Title X of that statute was the Residential Lead-Based Paint Hazard Reduction Act of 1992. That Act amended TSCA (15 U.S.C. 2601 *et seq.*) by adding Title IV (15 U.S.C. 2681-2692), entitled "Lead Exposure Reduction."

Section 402 of TSCA authorizes and directs EPA to promulgate final regulations governing lead-based paint activities in target housing, public and commercial buildings, bridges, and other structures. Those regulations are to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that individuals engaged in these activities are certified and follow documented work practice standards. Under section 404 of TSCA, a State may seek authorization from EPA to administer and enforce its own lead-based paint activities program.

On August 29, 1996 (61 FR 45777) (FRL-5389-9), EPA promulgated final TSCA section 402/404 regulations governing lead-based paint activities in target housing and child-occupied facilities (a subset of public buildings). Those regulations are codified at 40 CFR part 745 and allow both States and

Indian Tribes to apply for program authorization. Pursuant to section 404(h) of TSCA, EPA is to establish the Federal program in any State or Tribal Nation without its own authorized program in place by August 31, 1998.

States and Tribes that choose to apply for program authorization must submit a complete application to the appropriate Regional EPA office for review. Those applications will be reviewed by EPA within 180 days of receipt of the complete application. To receive EPA approval, a State or Tribe must demonstrate that its program is at least as protective of human health and the environment as the Federal program, and provides for adequate enforcement (section 404(b) of TSCA, 15 U.S.C. 2684(b)). EPA's regulations (40 CFR part 745, subpart Q) provide the detailed requirements a State or Tribal program must meet in order to obtain EPA approval.

A State may choose to certify that its lead-based paint activities program meets the requirements for EPA approval by submitting a letter signed by the Governor (Mayor in the case of the District of Columbia) or Attorney General stating that the program meets the requirements of section 404(b) of TSCA. Upon submission of such certification letter, the program is deemed authorized. This authorization becomes ineffective, however, if EPA disapproves the application.

Pursuant to section 404(b) of TSCA, EPA provides notice and an opportunity for a public hearing on a State or Tribal program application before authorizing the program. Therefore, by this notice EPA is soliciting public comment on whether the District of Columbia's application meets the requirements for EPA approval. This notice also provides an opportunity to request a public hearing on the application. If a hearing is requested and granted, EPA will issue a **Federal Register** notice announcing the date, time, and place of the hearing. EPA's final decision on the application will be published in the **Federal Register**.

II. State Program Description Summary

The following summary of the District of Columbia's proposed program has been provided by the applicant:

The primary agency that is responsible for administering and enforcing the District Lead-Based Paint Activities Program is the Department of Health, Environmental Health Administration (DHEHA).

Proposed lead abatement control legislation was initially introduced to the District of Columbia City Council and referred to the Council's Committee

on Housing and Urban affairs on June 20, 1996. The Committee held a round table to receive comments from the public on the proposed regulations. At that hearing, several organizations that advocate promoting and implementing safe lead abatement practices testified in support of a lead abatement program in the District of Columbia. Some comments were incorporated into the revised bill, which was then approved by the Council, the Mayor, the District of Columbia Financial Recovery Authority, and, finally, the U.S. Congress. In October 1997, proposed regulations implementing the Act were published for public review and comment. No comments were received and the final regulations were published in the D.C. Register on January 2, 1998 (45 DCR 20). The District of Columbia's Title 20 DCMR Section 806 (Regulations) became effective January 2, 1998.

The DHEHA is seeking program authorization from EPA to administer and enforce the "District of Columbia Lead-Based Paint Abatement Control Act of 1996" in accordance with sections 402/404 of TSCA "Requirements for Lead-Based Paint Abatement in Target Housing and Child-Occupied Facilities." EPA designed this program to ensure that DHEHA properly trains and certifies individuals conducting lead-based paint inspections, risk assessments and abatements in target housing and child-occupied facilities in the District of Columbia, that training programs providing instruction in such activities are accredited and that these activities are conducted according to reliable, effective, and safe work practice standards.

The regulations established:

1. Procedures and requirements for the accreditation of lead-based paint training activities.

2. Procedures and requirements for the certification of individuals engaged in lead-based paint activities.

3. Work practice standards for the conduct of lead-based paint activities.

4. Requirements that all lead-based paint activities be conducted by appropriately certified contractors.

5. Development of the appropriate infrastructure or government capacity to carry out and enforce a State program effectively.

The overall objective of the District of Columbia's Lead-Based Paint Program is to ultimately establish a registry of lead safe houses and interface proactively with other District agencies and the community to eliminate lead-based paint hazards. With a pool of qualified technicians and lead abatement workers

who are trained and certified to remove lead in the environment in a safe manner, future generations will be assured of a cleaner environment and healthier lives.

III. Federal Overfiling

TSCA section 404(b) makes it unlawful for any person to violate, or fail, or refuse to comply with, any requirement of an approved State or Tribal program. Therefore, EPA reserves the right to exercise its enforcement authority under TSCA against a violation of, or a failure or refusal to comply with, any requirement of an authorized State or Tribal program.

IV. Public Record and Electronic Submissions

The official record for this action, as well as the public version, has been established under docket control number PB-402404-DC. Copies of this notice, the District of Columbia's authorization application, and all comments received on the application are available for inspection in the Region III office, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The docket is located at U.S. Environmental Protection Agency, Region III, Waste and Chemicals Management Division, Toxics Programs and Enforcement Branch, 1650 Arch St., Philadelphia, PA.

Electronic comments can be sent directly to EPA at:

gerena.enid@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 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number PB-402404-DC. Electronic comments on this document may be filed online at many Federal Depository Libraries. Information claimed as CBI should not be submitted electronically.

Commenters are encouraged to structure their comments so as not to contain information for which CBI claims would be made. However, any information claimed as CBI must be marked "confidential," "CBI," or with some other appropriate designation, and a commenter submitting such information must also prepare a nonconfidential version (in duplicate) that can be placed in the public record. Any information so marked will be handled in accordance with the procedures contained in 40 CFR part 2. Comments and information not claimed

as CBI at the time of submission will be placed in the public record.

V. Regulatory Assessment Requirements

A. Certain Acts and Executive Orders

EPA's actions on State or Tribal lead-based paint activities program applications are informal adjudications, not rules. Therefore, the requirements of the Regulatory Flexibility Act (RFA, 5 U.S.C. 601 *et seq.*), Executive Order 12866 (*Regulatory Planning and Review*, 58 FR 51735, October 4, 1993), and Executive Order 13045 (*Protection of Children from Environmental Health Risks and Safety Risks*, 62 FR 1985, April 23, 1997), do not apply to this action. This action does not contain any Federal mandates, and therefore is not subject to the requirements of the Unfunded Mandates Reform Act (2 U.S.C. 1531-1538). In addition, this action does not contain any information collection requirements and therefore does not require review or approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

B. Executive Order 12875

Under Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or Tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to OMB a description of the extent of EPA's prior consultation with representatives of affected State, local, and Tribal governments, the nature of their concerns, copies of any written communications from the governments and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local, and Tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant mandates."

Today's action does not create an unfunded Federal mandate on State, local, or Tribal governments. This action does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this action.

C. Executive Order 13084

Under Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute and that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the Tribal governments. If the mandate is unfunded, EPA must provide OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected Tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's action does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this action.

Authority: 15 U.S.C. 2682, 2684.

List of Subjects

Environmental protection, Hazardous substances, Lead, Reporting and recordkeeping requirements.

Dated: December 15, 1998.

W. Michael McCabe,

Regional Administrator, Region III.

[FR Doc. 98-34293 Filed 12-24-98; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Submitted to OMB for Review and Approval

December 19, 1998.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other