Monday, October 19, 1998 from 9:00 a.m. to 5:00 p.m. EST, and Tuesday, October 20, 1998, from 9:00 a.m. to 1:00 p.m. EST. Check-in will begin at 8:30 a.m.

ADDRESSES: For more information and to register for the meeting, please e-mail Malani Shoenwetter, Resolve, Inc., at mshoenwetter@resolv.org, or call her at 202–965–6387 by no later than October 9, 1998. Members of the public who cannot attend the meeting in person may participate via conference call. Conference lines are limited and will be allocated on the basis of first-reserved, first served. The meeting will be held the Resolve, Inc., 1255 23rd Street, NW, Suite 275, Washington, DC 20037.

FOR FURTHER INFORMATION CONTACT: For general information on meeting logistics, please e-mail Malani Shoenwetter, Resolve, Inc., at mshoenwetter@resolv.org, or call her at 202–965–6387. For information on the activities related to developing the NPDWR for radon and other EPA activities under the Safe Drinking Water Act, contact the Safe Drinking Water Hotline at 1–800–426–4791 or visit EPA's Office of Ground Water web site at www.epa.gov/ogwdw. An executive summary of the NAS Report on Risk Assessment of Radon in Drinking Water can be accessed through www.epa.gov/ogwdw/radon/nas.html. For information on radon in indoor air, contact the National Safety Council's National Radon Hotline at 1–800–SOS–RADON.

SUPPLEMENTARY INFORMATION:

A. Background

On July 18, 1991 (56 FR 33050), EPA proposed a Maximum Contaminant Level Goal (MCLG) and National Primary Drinking Water Regulation (NPDWR) for radon and other radionuclides in public water supplies. EPA proposed to regulate radon at 300 pCi/L. Commenters on the 1991 proposed NPDWR for radon raised several concerns, including cost of implementation, especially for small systems, and the larger risk to public health from radon in indoor air from soil under buildings.

On August 6, 1996, amendments to the Safe Drinking Water Act (SDWA) were enacted, which established a new charter for the nation's public water systems, States, and EPA in protecting the safety of drinking water. The amendments [§ 1412(b)(13)] direct EPA to develop MCLG and NPDWR for radon. EPA is required to (1) withdraw the 1991 proposed MCLG and NPDWR for radon-222 (the proposed rule for radon was withdrawn on August 6, 1997; 62 FR 42221); (2) arrange for the National Academy of Sciences (NAS) to conduct an independent risk assessment for radon in drinking water and an independent assessment of risk reduction benefits from various mitigation measures to reduce radon in indoor air (the NAS report was released to the public on September 15, 1998); (3) publish a radon health risk reduction and cost analysis for possible radon Maximum Contaminant Levels (MCLs) for public comment by February, 1999; (4) propose an MCLG and NPDWR for radon by August, 1999; and (5) publish a final MCLG and NPDWR for radon by August, 2000.

If the MCL is ''more stringent than necessary to reduce the contribution to radon in indoor air from drinking water to a concentration that is equivalent to the national average concentration of radon in outdoor air,'' EPA is also required to promulgate an alternative MCL and publish guidelines for state multimedia mitigation programs to mitigate radon levels in indoor air. The alternative MCL would ''result in a contribution of radon from drinking water to radon levels in indoor air equivalent to the national average concentration of radon in outdoor air.'' States may develop and submit to EPA for approval a multimedia program to mitigate radon levels in indoor air. EPA shall approve State multimedia mitigation programs if they are expected to achieve equivalent or greater health risk reduction benefits than compliance with the MCL. If EPA approves a State multimedia mitigation program, public water supply systems within the State may comply with the alternative MCL. If EPA does not approve a State program, or the State does not propose a program, public water supply systems may propose multimedia mitigation programs to EPA, under the same procedures outlined for States.

B. Request for Stakeholder Involvement

EPA intends for the proposed NPDWR for radon to incorporate the best available science, treatment technologies, occurrence data, cost/benefit analyses, and stakeholder input on technical and implementation issues. EPA has evaluated comments on the 1991 proposed NPDWR for radon and will be considering those comments in developing the regulation.

The meeting will cover a broad range of issues including: (1) Technical updates on radon in drinking water rule development (treatment technologies, occurrence, analytical methods); (2) summary of the NAS report findings on radon in drinking water and implications of these findings for the overall radon rule development; (3) implications of the NAS findings for the multimedia mitigation program component of the rule; (4) update on the development of the multimedia mitigation program; and (5) stakeholder involvement processes.

EPA has announced this public meeting to present information to stakeholders and to hear their views on EPA's activities for developing a NPDWR for radon. The public is invited to provide comments on the issues listed above and other issues related to the radon in drinking water regulation during the October 19–20, 1998 meeting.

Dated: September 28, 1998.

Cynthia Dougherty,

Director, Office of Ground Water and Drinking Water, Environmental Protection Agency.

[FR Doc. 98–26458 Filed 10–1–98; 8:45 am]

BILLING CODE 6560–50–M

ENVIRONMENTAL PROTECTION AGENCY

[PB–402404–US/PB–402404–LS; FRL–6018–9]

Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Upper Sioux Community's and Lower Sioux Community's Authorization Application

AGENCY: Environmental Protection Agency (EPA).

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

SUMMARY: On April 14, 1998, both the Upper Sioux Community and Lower Sioux Community submitted applications 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 Upper Sioux Community's application and the Lower Sioux Community's application, and provides a 45–day public comment period and an opportunity to request a public hearing on each application.

DATES: Submit comments on the authorization application(s) on or before November 16, 1998. Public hearing requests must be submitted on or before October 19, 1998.

ADDRESSES: Submit (in duplicate) all written comments and/or requests for a public hearing identified by docket control number ''PB–402404–US'' for

Upper Sioux Community and ''PB–402404–LS for Lower Sioux Community to: Environmental Protection Agency, Region V, DT-8J, 77 West Jackson Blvd., Chicago, IL 60604, e-mail: avant.emma@epamail.epa.gov.

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

FOR FURTHER INFORMATION CONTACT: Emma Avant, Project Officer, Environmental Protection Agency, Region V, DT-8J, 77 West Jackson Blvd., Chicago, IL 60604, telephone: (312) 886–7899, e-mail: avant.emma@epamail.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. 26810-92), entitled ''Lead Exposure Reduction.''

Section 402 of TSCA authorizes and directs EPA to promulgate final regulations governing lead-based paint activities 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, 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 final program authorization, 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 *et seq.*). 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.

II. Tribal Program Description Summaries

A. Upper Sioux Community

The Upper Sioux Community Board of Trustees has adopted the ordinance entitled ''Upper Sioux Lead Ordinance'' in order to provide clear and specific guidance in the assessment, inspection, pre-renovation notification and abatement of lead-based paint activities on the Upper Sioux Reservation. Penalties for non-compliance are established. The ordinance targets all buildings located on the Upper Sioux Reservation.

The ordinance is designed to be at least as protective as the Federal law and provide for adequate enforcement of all provisions through a schedule of flexible remedies. This is accomplished through a combination of Tribal specific requirements (training accreditation) that are identical to the Federal regulations and through incorporation by reference of other required Federal elements (certification of individual, workplace standards and pre-renovation notification activities). Also incorporated by reference are the Federal definitions with the notable expansion of the definition of target housing to include all reservation buildings.

The ordinance contains enforcement and compliance requirements consisting of a schedule of flexible remedies and an appeals process. The Upper Sioux Lead Program and request for Federal delegation of authority is a natural application of Tribal sovereign power over environmental regulatory activities on Tribal lands for the health, welfare, and safety of Tribal community members.

The Upper Sioux Reservation consists of approximately 1,200 acres of land in southwestern Minnesota. Pre-1978 building stock is estimated to be approximately 8 structures, this from slightly over 40 structures on the reservation. The Tribal population consists of approximately 150 members on the Upper Sioux Reservation and the same number in the local off-reservation service area.

The Tribal Administrator's office (TA), working with the Office of the Environment (OE) has maintained a Lead Program since 1996. Receipt of EPA Lead Program funding has occurred in FY97 and FY98. The Tribe has conducted a series of lead-based paint regulatory activities prior to the adoption of the Upper Sioux Community Lead Program ordinance in April 1998. Several types of lead-based paint activities have been conducted to date. Two OE personnel attended inspector and risk assessor training courses. There has been the inspection and risk assessment of two pre-1978 structures. All activities were conducted in accordance with an inspection and risk assessment Quality Assurance Practices Plan (QAPP) approved by EPA Region V, July 9, 1997. Another activity has been the Tribal blood lead level testing program begun in 1998 in accordance with the blood lead level testing QAPP approved by EPA Region V, September 30, 1997. Approximately 15% of at risk Tribal members have been tested. No person has been determined to be at or above the blood lead action level although retesting was necessary in several instances. The OE (which is formed jointly with the Lower Sioux Indian Community) has been involved in one enforcement and compliance action at the Lower Sioux Reservation. In one building inspection and risk assessment instance, enforcement and compliance activity was necessary based upon the results of the inspection and risk assessment at a school building. The building was closed to further use pending abatement. This example is an indication of the capability and adequacy of the present Tribal ordinance since the Upper Sioux Community Lead Ordinance was developed through the OE which used its experience administering the Lower Sioux Lead Program to craft a workable ordinance for the Upper Sioux Community. The example is also indicative of the manner in which the Upper Sioux program administration would occur. The details of this situation are explained below.

In the sole enforcement and compliance situation, testing indicated that a school building had high lead dust levels which were likely to be a reoccurring problem. The occupants conducted abatement activities, although not to the extent recommended by the OE. Retesting of the building (post-abatement clearance) confirmed the initial testing results. Blood lead level testing for children using the building was conducted and although no actionable levels of blood lead were detected, the situation was deemed

dangerous enough to warrant further regulatory action. The building occupant (and community members) were sent an informational warning letter and the letter was posted. Upon continued use of the building by the occupant, it was necessary to post warning signs at all entrances and the building was closed to further use. It was determined that use could be resumed upon adequate abatement and post-abatement test clearance. The users of the building have decided not to proceed with abatement at this time.

This example will be referred to throughout the ''Program Analysis'' of the application as an example of the manner in which the Upper Sioux Community Lead Ordinance would be applied to a similar situation and as an indication that the approach used in the Upper Sioux Lead Program ordinance is appropriate for the Tribal community while at the same time meeting all Federal standards.

The Upper Sioux Lead Program is designed to meet the regulatory, health, welfare, and safety needs of the Tribal community while satisfying all Federal requirements for program delegation. This has been accomplished through a combination of direct incorporation of Federal law and adoption of tribally unique provisions in the Upper Sioux Lead Program ordinance. The result is a tribally responsive regulatory scheme that contains certain provisions more protective than the Federal law and in all respects is ''at least as protective'' as the Federal law. The ordinance specifically states that all provisions are ''intended to be . . . construed to be at least as protective as the federal'' law (Ordinance 4.B).

In a small community such as the Upper Sioux Tribal Community ''adequate enforcement capability'' can be provided by the flexible remedies written into the ordinance and the use of the existing TA, contracted security detail, OE and Tribal court system. Such structure has worked successfully in the enforcement example previously detailed.

Where any significant variance from the Federal regulations does occur in the Upper Sioux Community Lead Program Ordinance, it is specifically noted in the ''Program Analysis'' section of the application and the divergence is shown to make the Upper Sioux Lead Program either more protective or at least as protective as the Federal law.

B. Lower Sioux Community

The Lower Sioux Indian Community has adopted by Resolution Number 20-98, dated March 27, 1998, the ordinance entitled ''Lower Sioux Lead Program'' in order to provide clear and specific guidance in the assessment, inspection, pre-renovation notification, and abatement of lead-based paint activities on the Lower Sioux Reservation. Penalties for non-compliance are established. The ordinance targets all buildings located on the Lower Sioux Reservation.

The ordinance is designed to be at least as protective as the Federal law and provide for adequate enforcement of all provisions through a schedule of flexible remedies. This is accomplished through a combination of Tribal specific requirements (training accreditation) that are identical to the Federal regulations and through incorporation by reference of other required Federal elements (certification of individual, workplace standards, and pre-renovation notification activities). Also incorporated by reference are the Federal definitions with the notable expansion of the definition of target housing to include all reservation buildings.

The ordinance contains enforcement and compliance requirements consisting of a schedule of flexible remedies and an appeals process.

The Lower Sioux Lead Program and request for Federal delegation of authority is a natural application of Tribal sovereign power over environmental regulatory activities on Tribal lands for the health, welfare, and safety of Tribal community members.

The Lower Sioux Reservation consists of approximately 1,750 acres of land in southwestern Minnesota. Pre-1978 building stock is estimated to be approximately 15 structures, this from slightly over 100 structures on the reservation. The Tribal population consists of approximately 300 members on the Lower Sioux Reservation and the same number in the local off-reservation service area.

The Office of the Environment (OE) has maintained a Lead Program since 1996. Receipt of EPA Lead Program funding has occurred in FY97 and FY98. The Tribe has conducted a series of lead-based paint regulatory activities prior to the adoption of the Lower Sioux Lead Program ordinance in March 1998.

Several types of lead-based paint activities have been conducted to date. Two OE personnel attended inspector and risk assessor training courses. There has been the inspection and risk assessment of six pre-1978 structures. All activities were conducted in accordance with an inspection and risk assessment QAPP approved by EPA Region V, July 9, 1997. Another activity has been the Tribal blood lead level testing program begun in 1998 in accordance with the blood lead level testing QAPP approved by EPA Region V, September 30, 1997. Approximately 10% of at risk Tribal members have been tested. No person has been determined to be at or above the blood lead action level although retesting was necessary in several instances. The OE has also worked with off-reservation residing Tribal members on lead-based paint real estate notification issues under the State of Minnesota laws.

In one building inspection and risk assessment instance, enforcement and compliance activity was necessary based upon the results of the inspection and risk assessment at a school building. This example is an indication of the capability and adequacy of the present Tribal ordinance because all actions taken in the example are now codified within the Lower Sioux Lead Program Ordinance and are an indication that the ordinance is workable and meets the needs of the Community. The details of this situation are explained below.

In the sole enforcement and compliance situation, testing indicated that a school building had high lead dust levels which were likely to be a reoccurring problem. The occupants conducted abatement activities, although not to the extent recommended by the OE. Retesting of the building (post-abatement clearance) confirmed the initial testing results. Blood lead level testing for children using the building was conducted and although no actionable levels of blood lead were detected, the situation was deemed dangerous enough to warrant further regulatory action. The building occupant (and community members) were sent an informational warning letter and the letter was posted. Upon continued use of the building by the occupant, it was necessary to post warning signs at all entrances and the building was closed to further use. It was determined that use could be resumed upon adequate abatement and post abatement test clearance. The users of the building have decided not to proceed with abatement at this time.

This example will be referred to throughout the ''Program Analysis'' of the application as an example of Tribal capability to carry out the provisions of the Tribal ordinance, as an indication of the adequacy of the compliance and enforcement section of the Tribal ordinance and as an indication of the Tribal capacity to administer the Lower Sioux Lead Program as proposed.

The Lower Sioux Lead Program is designed to meet the regulatory, health, welfare and safety needs of the Tribal community while satisfying all Federal

requirement for program delegation. This has been accomplished through a combination of direct incorporation of Federal law and adoption of tribally unique provisions in the Lower Sioux Lead Program Ordinance. The result is a tribally responsive regulatory scheme that contains certain provisions more protective that the Federal law and in all respects is ''at least as protective'' as the Federal law. The ordinance specifically states that all provisions are ''intended to be . . . construed to be at least as protective as the federal'' law (Ordinance 4.B).

In a small community such as the Lower Sioux Tribal Community ''adequate enforcement capability'' can be provided by the flexible remedies written into the ordinance and the use of the existing environmental office, Tribal peace officer and Tribal court system. Such structure has worked successfully in the enforcement example previously detailed.

Where any significant variance from the Federal regulations does occur in the Lower Sioux Lead Program it is specifically noted in the ''Program Analysis'' section of the application and the divergence is shown to make the Lower Sioux Lead Program either more protective or at least as protective as the Federal law.

III. Federal Overfiling

TSCA section 404(b) 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 the docket control number ''PB–402404–US'' for Upper Sioux Community and ''PB–402404–LS'' for Lower Sioux Community. Copies of this notice, the Lower Sioux Indian Community's and Upper Sioux Community's authorization application, and all comments received on each application are available for inspection in the Region V office, from 8:30 a.m. to 5 p.m., Monday through Friday, excluding legal holidays. The application materials are available at: Toxics Program Section, Environmental Protection Agency, Region V, 8th Floor, 77 West Jackson Blvd., Chicago, IL.

Commenters are encouraged to structure their comments so as not to contain information for which Confidential Business Information (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.

Electronic comments can be sent directly to EPA at:

avant.emma@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 5.1/6.1, or ASCII file format. All comments and data in electronic form must be identified by the tracking number ''PB–402404–US'' for Upper Sioux Community and ''PB–402404–LS'' for Lower Sioux Community.'' Electronic comments on this document may be filed online at many Federal Depository Libraries.

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.*), the Congressional Review Act (5 U.S.C. 801 *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 Intergovernmental Partnerships'' (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 unfunded 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, 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 any 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: September 21, 1998.

David A. Ullrich,

Acting Regional Administrator, Region V.

[FR Doc. 98–26455 Filed 10–1–98; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6171–4]

Draft General NPDES Permit for Dischargers Within Three Nautical Miles of the Pribilof Islands, Alaska General NPDES Permit No. AK–G52–7000

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of draft General NPDES Permit, and notice of finding of no significant impact.

SUMMARY: The Director, Office of Water, EPA Region 10, is proposing to issue a general National Pollutant Discharge Elimination System (NPDES) permit no. AK–G52–7000 for seafood processors within three nautical miles of the Pribilof Islands, Alaska, and the city of St. Paul, Pribilof Islands, Alaska, pursuant to the provisions of the Clean Water Act (CWA), 33 U.S.C. 1251 *et seq.* The proposed general NPDES permit will authorize discharges from seafood processing facilities discharging through stationary outfalls on St. Paul and St. George Islands, from the city of St. Paul's wastewater treatment system, and from mobile seafood processing vessels discharging within the three nautical miles of the Pribilof Islands.

The seafood processing facilities and mobile vessels are engaged in the processing of fresh and frozen seafoods, including crab, halibut, and sea snails. Discharges authorized by the proposed permit include processing wastes, process disinfectants, sanitary wastewater and other wastewaters, including cooling water, boiler water, gray water, freshwater pressure relief water, refrigeration condensate, water used to transfer seafood to a facility, and live tank water. The proposed permit will authorize discharges to waters of the United States in and contiguous to the State of Alaska.

The proposed general NPDES permit for seafood processors discharging within the Pribilof Island coastal zone will not authorize discharges from the processing of fish mince, paste, fillets, or meal. The proposed permit will not authorize discharges of petroleum hydrocarbons, toxic pollutants, or other pollutants not specified in the permit.

The city of St. Paul collects domestic and sanitary wastes and wastewaters which are treated in a series of septic tanks before discharge into one of the stationary outfalls. The discharge from the city's system commingles with seafood wastes when processing is being done.

A draft NPDES permit, fact sheet, and other documents of the administrative record are available upon request.

PUBLIC NOTICE ISSUANCE DATE: October 2, 1998.

PUBLIC NOTICE EXPIRATION DATE: November 2, 1998.

PUBLIC COMMENTS: Interested persons may submit written comments on the draft general NPDES permit to the attention of Florence Carroll at the address below. All comments should include the name, address, and telephone number of the commenter and a concise statement of comment and the relevant facts upon which it is based. Comments of either support or concern which are directed at specific, cited permit requirements are appreciated. Comments must be submitted to EPA on or before the expiration date of the public notice.

After the expiration date of the public notice, the Director, Office of Water, EPA Region 10, will make a final determination with respect to issuance of the general permit. The tentative requirements contained in the draft general permit will become final upon issuance if no substantive comments are received during the public comment period.

Persons wishing to comment on State Certification of the proposed general NPDES permit should contact the State of Alaska, Alaska Department of Environmental Conservation (ADEC), Watershed Management Section, Attn: Robert Dolan, 555 Cordova Street, Anchorage, Alaska, 99501.

Persons wishing to comment on the State Determination of Consistency with the Alaska Coastal Management Program should contact the State of Alaska, Southcentral Regional Office, Office of Management and Budget, Division of Governmental Coordination, 3601 ''C'' Street, Suite 370, Anchorage, Alaska 99503–2798.

Persons wishing to comment on the EPA Finding of No Significant Impact (FNSI), based on the environmental assessment, should submit written comments within this 30 day period. All comments should include the name, address and telephone number of the commenter and a concise statement of the basis of any comment and the relevant facts upon which it is based. Comments should be submitted to Rick Seaborne, Environmental Protection Agency, Region 10, OW–136, 1200 Sixth Avenue, Seattle, Washington, 98101.

PUBLIC HEARING: No public hearings have been scheduled. Persons requesting a public hearing should submit their request to Florence Carroll at the address below. Notice of a public hearing will be published in the **Federal Register**. Notices will also be mailed to all interested persons receiving copies of the proposed permit.

ADMINISTRATIVE RECORD: The complete administrative record for the draft permit is available for public review at the EPA Region 10 Library, 10th Floor, at the address listed below. Copies of the draft general NPDES permit, fact sheet, the environmental assessment, the biological assessment, and the Pribilof Ocean Discharge Criteria Evaluation are available upon request from the Region 10 Public Environmental Resource Center at 1–800–424–4EPA (4372) (within Region 10 only) or (206) 553–1200 or by e-mail to ''philip.jeff@epamail.gov''.

ADDRESSES: Public comments should be sent to: Environmental Protection Agency Region 10, NPDES Compliance Unit (OW–133), 1200 Sixth Avenue, Seattle, Washington, 98101.

FOR FURTHER INFORMATION CONTACT: Florence Carroll, of EPA Region 10, at the address listed above or telephone (206) 553–1760 or e-mail ''carroll.florence@epamail.gov''.

REGULATORY FLEXIBILITY ACT: Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a Federal agency must prepare an initial regulatory flexibility analysis ''for any proposed rule'' for which the agency ''is required by section 553 of (the Administrative Procedure Act (APA)), or any other law, to publish general notice of proposed rulemaking.'' The RFA exempts from this requirement any rule that the issuing agency certifies ''will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' EPA has concluded that NPDES general permits are permits under the APA and thus not subject to APA rulemaking requirements or the RFA. Notwithstanding that general permits are not subject to the RFA, EPA has determined that this general permit, if issued, will not have