water supply, natural resource enhancement, and flood protection.

ERP No. D–UAF–J11018–WY Rating EC2, F. E. Warren Air Force Base Deactivation and Dismantlement of the Peacekeeper Missile System, To Comply with the Strategic Arms Reduction Treaty (START), Laramie, Platte and Goshen Counties, WY.

Summary: EPA expressed environmental concerns regarding potential ground water and tank removal impacts.

ERP No. DA–NOA–E64016–FL Rating LO, Florida Keys National Sanctuary Comprehensive Management Plan, New Information Concerning the Establishment of the Tortugas Marine Reserves in Seven Fishery Management Plans in the Gulf of Mexico.

Summary: While EPA has no objection to the proposed action, it did suggest that environmental justice issues and ecological monitoring be further clarified.

ERP No. DS–UAF–G11031–TX Rating EC2, Programmatic EIS—Kelly Air Force Base (AFB), Disposal and Reuse, Implementation, San Antonio County, TX.

Summary: EPA expressed environmental concerns regarding noise related impacts. In addition, EPA requested clarification of the air impact analysis and attainment status designations. EPA requested that the additional information/data be incorporated in the final EIS.

Final EISs

ERP No. F–COE–G36151–TX, Programmatic EIS—Upper Trinity River Basin Feasibility Study, To Provide Flood Damage Reduction, Environmental Restoration, Water Quality Improvement and Recreational Enhancement, Trinity River, Dallas-Fort Worth Metroplex, Dallas, Denton and Tarrant Counties, TX.

Summary: The Final EIS responded fully to EPA's comments on the Draft Programmatic Statement.

ERP No. F–FAA–F51045–OH, Cleveland Hopkins International Airport, To Provide Capacity, Facilities, Highway Improvements and Enhancement to Safety, Funding, Cugahoga County, OH.

Summary: EPA's environmental concerns identified in the draft EIS have been adequately addressed in FEIS. Consequently, our Agency has no objections to project implementation.

ERP No. F–FHW–K40234–HI, Puainako Street Extension and Widening, Traffic Circulation Improvements, Funding, South Hilo, Hawaii County, HI.

Summary: EPA continues to express concern regarding cumulative impacts and potential non-point source water pollution issues. EPA supports the commitment to including a cumulative impact analysis of the project area in subsequent regional transportation EISs and the development of detailed non-point source pollution prevention plans.

ERP No. F–IBR–K39050–CA, PROGRAMMATIC—CALFED Bay-Delta Program, Long-Term Comprehensive Plan to Restore Ecosystem Health and Improve Water Management, Implementation, San Francisco Bay—Sacramento/San Joaquin River Bay-Delta, CA.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. FA–NOA–K91007–00, Pacific Coast Salmon Plan (1997) for Amendment 14, Fishery Management Plan, Comprehensive Updating, Exclusive Economic Zone (EEZ), Off the Coasts of WA, OR and CA.

Summary: No formal comment letter was sent to the preparing agency.

Dated: August 29, 2000.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 00–22553 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–5]

Regulatory Reinvention (XL) Pilot Projects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability of the Draft Project XL Final Project Agreement: Ortho-McNeil Pharmaceutical—Laboratory-Scale High-Temperature Catalytic Oxidation Process to Treat Low-Level Mixed Wastes.

SUMMARY: The Environmental Protection Agency (EPA) is requesting comments on a Draft Project XL Final Project Agreement (FPA) for the Ortho-McNeil Pharmaceutical, Inc. (hereafter ''OMP'') pharmaceutical research and development facility in Spring House, PA. The FPA is a voluntary agreement developed collaboratively by OMP, the Pennsylvania Department of Environmental Protection (PADEP), EPA and interested stakeholders. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the opportunity to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits.

As presented in the draft FPA, OMP proposes to determine whether dual regulatory oversight (*i.e.,* EPA's Resource Conservation and Recovery Act (RCRA) oversight and the Nuclear Regulatory Commission's (NRC's) Atomic Energy Act (AEA) oversight) is necessary to ensure protection of human health and the environment concerning the small volumes of low-level mixed wastes (*i.e.,* wastes that meet both the definition of a RCRA hazardous waste and the AEA definition of low-level radioactive waste) that are treated using a bench-scale high temperature catalytic oxidation process in the laboratory where they are generated. Specifically, OMP is seeking a waiver of all applicable RCRA requirements for the original mixed waste, as well as for the treatment residuals resulting from the catalytic oxidation of the original mixed waste. The original mixed waste and the treatment residuals will continue to be subject to NRC oversight as low-level radioactive wastes.

OMP generates small volumes of mixed wastes (typically less than 50 liters/year) as a result of radiolabeling undertaken to conduct research on a drug's bioabsorption and metabolism in the body. The low-level mixed wastes that are the focus of this XL project are comprised of an organic component (typically a solvent) and a radioactive component (typically tritium or carbon-14, depending on the drug being studied). Data gathered during a treatability study conducted by OMP since 1996 indicate that the high-temperature catalytic oxidation process effectively destroys the organic portion of the mixed waste, resulting in a low-level radioactive residual. When the sample uses tritium as the radioisotope tracer, tritiated water results from the treatment process. When the sample uses carbon-14 as the radioisotope tracer, the residual is a low-level radioactive carbon dioxide which is then converted to low-level radioactive potassium carbonate solution.

To implement this XL project, EPA and PADEP have agreed to provide the regulatory flexibility OMP seeks subject to applicable regulatory procedures. Specifically, in the near future, EPA will propose in a separate **Federal Register** notice a site-specific conditional exclusion from the definition of hazardous waste in 40 CFR 261.4(b) for the small volumes of mixed waste being generated by OMP. PADEP has also agreed to adopt the appropriate legal

implementing mechanism to allow for the XL project to proceed.

DATES: The period for submission of comments on the draft FPA ends on September 15, 2000.

ADDRESSES: All comments on the draft Final Project Agreement should be sent to: Charles Howland, U.S. EPA Region III (3OR00), 1650 Arch Street, Philadelphia, PA 19103–2029. Comments may also be faxed to Mr. Howland at (215) 814–2783. Comments may also be received via electronic mail sent to: *howland.charles@epa.gov.*

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the draft Final Project Agreement, contact: Charles Howland, U.S. EPA Region III (3OR00), 1650 Arch Street, Philadelphia, PA 19103–2029, or Mitch Kidwell, U.S. EPA (1802), 1200 Pennsylvania Ave., NW, Washington, DC 20460. The FPA and related documents are also available via the Internet at the following location: *http://www.epa.gov/ProjectXL.* Questions to EPA regarding the documents can be directed to Charles Howland at (215) 814–2645 or Mitch Kidwell at (202) 260–2515. For information on all other aspects of the XL Program, contact Christopher Knopes at the following address: Office of Policy, Economics and Innovation (1802), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460. Additional information on Project XL, including documents referenced in this notice, other EPA policy documents related to Project XL, regional XL contacts, application information, and descriptions of existing XL projects and proposals, is available via the Internet at *http://www.epa.gov/projectxl.*

Dated: August 28, 2000.

Elizabeth A. Shaw,

Director, Office of Environmental Policy Innovation.

[FR Doc. 00–22520 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–6]

Regulatory Reinvention (XL) Pilot Projects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability of the Project XL Draft Final Project Agreement: IBM East Fishkill Facility—F006 Sludge Recycling Project.

SUMMARY: EPA is requesting comments on a draft Project XL Final Project Agreement (FPA) for the International Business Machines Corporation's (hereafter ''IBM'') East Fishkill semiconductor manufacturing facility in Hopewell Junction, NY. The FPA is a voluntary agreement developed collaboratively by IBM, the New York State Department of Environmental Conservation (NYSDEC), EPA and interested stakeholders. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the opportunity to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits.

In the draft FPA, IBM proposes to determine whether the wastewater treatment sludge resulting, in part, from the treatment of wastewaters generated from electroplating operations at the facility and therefore designated F006 Hazardous Waste, should be subject to full regulatory controls pursuant to the Resource Conservation and Recovery Act (RCRA) when it is to be used as an ingredient to produce a product (cement) that is used in a manner constituting disposal (*i.e.*, placement on the land).

Under current RCRA regulations, a hazardous secondary material (*i.e.,* a term of art used to describe materials that are not virgin raw materials or products, and therefore may or may not be considered solid wastes, depending on how they are recycled) that is used as an ingredient to produce a product is excluded from the definition of solid waste (and thus, RCRA jurisdiction). However, this exclusion is not available if the product being produced is used in a manner constituting disposal. This XL project involves the use of the IBM wastewater treatment sludge as a substitute for ingredients normally used in the production of cement. Cement is a product that is presumed to be used in a manner constituting disposal. IBM believes the sludge that is the focus of this XL project does not require RCRA regulatory oversight to ensure that it is protective of human health and the environment, and that such oversight (and regulatory requirements for the proper permits and use of a hazardous waste manifest) effectively precludes such sludge from being recycled in a manner that is beneficial to the environment and society as a whole. EPA and the NYSDEC agree that IBM's sludge is comparable to the normal raw ingredients typically used to produce cement and believe this XL project is useful in exploring a potential approach to an overall strategy for addressing the appropriate management of a large-volume wastestream.

IBM has posed that EPA remove the wastewater treatment sludge from RCRA regulatory controls, and thus encourage (or at least not discourage) its recycling as an ingredient in cement manufacture. The draft FPA being noticed today as available in the RCRA docket presents a detailed description of the IBM East Fishkill facility, the XL project itself, and the intents and commitments on the part of signatories to the agreement. EPA expects to propose in a separate **Federal Register** notice a regulatory modification of the current regulations in the near future to allow for this XL project to be implemented (a regulatory change, subject to applicable regulatory procedures is required). NYSDEC also agrees to adopt an appropriate legal implementing mechanism to implement this XL project once EPA has promulgated its final rule that will implement the project.

Project XL was chosen as the vehicle for this project because IBM is asking EPA to reconsider a historical view of RCRA jurisdiction (*i.e.*, hazardous secondary materials that are recycled through use constituting disposal) and determine whether some identifiable subset of such hazardous secondary materials may protectively be removed from RCRA regulatory control when recycled as an ingredient in cement. This XL project may provide the Agency with a new approach for encouraging the environmentally sound recycling of a hazardous waste, and support a broader effort to address the proper management of a large-volume, but diverse wastestream (*i.e.*, F006) on a national level.

DATES: The period for submission of comments on the draft FPA ends on September 15, 2000.

ADDRESSES: All comments on the draft Final Project Agreement should be sent to: Sam Kerns, EPA Region II, 290 Broadway, New York, NY 10007–1866. Comments may also be faxed to Mr. Kerns at (212) 637–4949. Comments may also be received via electronic mail sent to: *kerns.sam@epa.gov.*

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the draft Final Project Agreement, contact: Sam Kerns, U.S. EPA Region II, 290 Broadway, New York, NY 10007–1866, or Mitch Kidwell, U.S. EPA (1802), 1200 Pennsylvania Ave., NW, Washington, DC 20460. The FPA and related documents are also available via the Internet at the following location: *http://www.epa.gov/ProjectXL.* Questions to EPA regarding the documents can be directed to Sam Kerns at (212) 637–