

**SUMMARY:** In this document, EPA is announcing that the motor vehicle emissions budgets (hereafter referred to as "budgets") contained in the submitted Rate of Progress (ROP) Plan for the Metropolitan Washington DC ozone nonattainment area (comprised of the District of Columbia and portions of the State of Maryland and Commonwealth of Virginia) are adequate for transportation conformity purposes. As a result of our finding, the budgets from the submitted ROP plan may be used for future conformity determinations in the Metropolitan Washington DC ozone nonattainment area.

**DATES:** These budgets are effective August 26, 1999.

**FOR FURTHER INFORMATION CONTACT:** Paul T. Wentworth, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA. 19103 at (215) 814-2183 or by e-mail at: wentworth.paul@epa.gov.

**SUPPLEMENTARY INFORMATION:**

Throughout this document wherever "we", "us", or "our" are used we mean EPA. The word "budgets" refers to the mobile source emission budget for volatile organic compounds (VOCs) and the mobile source emissions budget for nitrogen oxides (NO<sub>x</sub>). The word SIP in this document refers to the State Implementation Plan revision submitted to satisfy the rate-of-progress requirements for 1999, commonly referred to as the Post 96 ROP plan.

On May 20, 1999, we received the Post 96 ROP Plan for the Metropolitan Washington DC ozone nonattainment area. The May 20, 1999 submittal is a revision to the previous ROP plan submitted in 1997. There are two mobile source emission budgets found in this plan for the year 1999. The emissions budget for VOCs is 128.5 tons/day and the emissions budget for NO<sub>x</sub> is 196.4 tons/day. These two revised, adequate post-1996 budgets replace the adequate budgets in the previous rate-of-progress plan.

On March 2, 1999, the US District Court ruled that budgets contained in submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate. In accordance with that ruling, on June 2, 1999, we posted a notice on our web site at: <http://www.epa.gov/oms/traq> stating that we were taking comments on the adequacy of motor vehicle emissions budget found in the May 20, 1999 submitted revised plan. The comment period closed on July 15, 1999, and we received no comments.

Today's notice is simply an announcement of a finding that we have already made. On July 28, 1999, EPA

Region III sent letters to the Virginia Department of Environmental Quality, the Maryland Department of the Environment, and the Washington DC Environmental Regulation Administration stating that the motor vehicle emissions budgets found in Post 96 ROP plan submitted on May 20, 1999 for the Metropolitan Washington DC ozone nonattainment are adequate. The essential information in this notice will also be posted on EPA's conformity website: <http://www.epa.gov/oms/traq> (once there, click on the "Conformity" button, then look for "Adequacy Review of Submissions for Conformity").

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and EPA's review to determine if the SIP is approvable. Even if we find a budget adequate, the SIP could later be disapproved.

We have described our process for determining the adequacy of submitted SIP budgets in guidance memorandum dated May 14, 1999 and titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision". We have followed this guidance in making this adequacy determination for the budgets contained in the revised Post 96 ROP plan submitted on May 20, 1999 for the Metropolitan Washington DC ozone nonattainment area. You may obtain a copy of this guidance from EPA's conformity web site: <http://www.epa.gov/oms/traq> (once there, click on the "Conformity" button) or by calling the contact name listed in "For Further Information Contact" section of this document.

**Thomas Voltaggio,**

*Acting Regional Administrator, Region III.*

[FR Doc. 99-20705 Filed 8-10-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-100148; FRL-6095-1]

### Computer Based Systems, Incorporated; Transfer of Data

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This is a notice to certain persons who have submitted information to EPA in connection with pesticide information requirements imposed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA). Computer Based Systems, Incorporated (CBSI) has been awarded a contract to perform work for the EPA Office of Pesticide Programs and will be provided access to certain information submitted to EPA under FIFRA and the FFDCA. Some of this information may have been claimed to be confidential business information (CBI) by submitters. This information will be transferred to CBSI consistent with the requirements of 40 CFR 2.307(h)(3) and 2.308(i)(2), and will enable CBSI to fulfill the obligations of the contract.

**DATES:** CBSI will be given access to this information no sooner than August 16, 1999.

**FOR FURTHER INFORMATION CONTACT:** By mail: Richard Schmitt Acting Director, Information Resources Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 703, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 305-5484.

**SUPPLEMENTARY INFORMATION:** Under Contract No. 68-W-98-045, CBSI will provide technical support to EPA's Office of Pesticide Programs by abstracting and indexing incident reports received from pesticide chemical manufacturers and the public. Incident reports submitted by chemical manufacturers may include FIFRA CBI claims. This contract involves no subcontractors.

The Office Pesticide Programs has determined that the contract herein described involves work that is being conducted in connection with FIFRA, in that pesticide chemicals will be the subject of certain evaluations to be made under this contract. These evaluations may be used in subsequent regulatory decisions under FIFRA.

## I. IMPORTANT INFORMATION

### A. Does this apply to me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this notice, consult the person listed in the "FOR FURTHER INFORMATION CONTACT" section.

### B. How can I get additional information or copies of support documents?

1. *Electronically.* You may obtain electronic copies of this document and various support documents are available from the EPA Home Page at the **Federal Register**-Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/>).

2. *In person.* The official record for this notice, as well as the public version, has been established under docket control number [OPP-100148], (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of any electronic comments, which does not include any information claimed as CBI, is available for inspection in Room 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

## II. INTRODUCTION

Some of this information may be entitled to confidential treatment. The information has been submitted to EPA under sections 3, 4, 6, and 7 of FIFRA and under sections 408 and 409 of the FFDCA.

In accordance with the requirements of 40 CFR 2.307(h)(3), the contract with CBSI, prohibits use of the information for any purpose not specified in the contract; prohibits disclosure of the information to a third party without prior written approval from the Agency; and requires that each official and employee of the contractor sign an agreement to protect the information from unauthorized release and to handle it in accordance with the FIFRA Information Security Manual. In addition, CBSI is required to submit for EPA approval a security plan under which any CBI will be secured and protected against unauthorized release or compromise. No information will be provided to this contractor until the above requirements have been fully satisfied. Records of information

provided to this contractor will be maintained by the Project Officer for this contract in the EPA Office of Pesticide Programs.

All information supplied to CBSI by EPA for use in connection with this contract will be returned to EPA when CBSI has completed its work.

### List of Subjects

Environmental Protection, Transfer of data.

Dated: July 28, 1999.

### Richard D. Schmitt,

Acting Director, Information Resources and Services Division, Office of Pesticide Programs.

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-100147; FRL-6094-9]

### Eastern Research Group, Incorporated; Transfer of Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

**SUMMARY:** This is a notice to certain persons who have submitted information to EPA in connection with pesticide information requirements imposed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA). Eastern Research Group, Incorporated (ERG) has been awarded a contract to perform work for the EPA Office of Pollution Prevention and Toxics, and will be provided access to certain information submitted to EPA under FIFRA and the FFDCA. Some of this information may have been claimed to be confidential business information (CBI) by submitters. This information will be transferred to ERG consistent with the requirements of 40 CFR 2.307(h)(3) and 2.308(i)(2), and will enable ERG to fulfill the obligations of the contract.

**DATES:** ERG will be given access to this information no sooner than August 16, 1999.

**FOR FURTHER INFORMATION CONTACT:** By mail: Richard Schmitt, Information Resources Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 703, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, (703)

305-5484; e-mail: schmitt.richard@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Under Contract No. 68-W6-022 WA4-20, ERG will extract pesticide fate data required for the Endocrine Disruptor Priority Setting Database (Version 2) from a variety of sources located in the Office of Pesticide Programs. These sources include Reregistration Eligibility Decision reports available on the Internet, Environmental Fate and Effects Division files, antimicrobial pesticide files, Registration Division electronic files, and data for inert ingredients often used in pesticide products. ERG will enter extracted information into the Endocrine Disruptor Priority Setting Database (Version 2), and perform quality control/quality assurance on the information entered into the data base. This contract involves one subcontractor that will not have access to the FIFRA CBI subject to this notice.

The Office of Pollution Prevention and Toxics and the Office of Pesticide Programs have determined that the contract herein described involves work that is being conducted in connection with FIFRA, in that pesticide chemicals will be the subject of certain evaluations to be made under this contract. These evaluations may be used in subsequent regulatory decisions under FIFRA.

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2. *In person.* The official record for this notice, as well as the public version, has been established under docket control number [OPP-100147], (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of any electronic comments, which does not