Federal Register document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on April 27, 2001 (66 FR 21136); Two comment letters were received.

Burden Statement: The annual public reporting and record keeping burden for this collection of information is estimated to average 15–20 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Non-Federal-(Private Industry, State and Local Government).

Estimated Number of Respondents: Estimate 733 Total Actions/ Determinations.

Frequency of Response: Estimate Non-Federal perform approximately 733 straightforward & complex determinations per year (**Note:** only number of annual hours were given in comment letter, number and type of determinations not indicated; therefore, this number is subject to change if other detailed information becomes available).

Estimated Total Annual Hour Burden: 10,246.

Estimated Total Annualized Capital, O&M Cost Burden: None.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the addresses listed above. Please refer to EPA ICR No. 1637.05 and OMB Control No. 2060–0279 in any correspondence.

Dated: October 29, 2001.

Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 01–27838 Filed 11–5–01; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7098–4]

Request for Applications for Essential Use Exemptions to the Production and Import Phaseout of Ozone Depleting Substances under the Montreal Protocol for the years 2003 and 2004

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Through this notice, the Environmental Protection Agency (EPA) is requesting applications for essential use allowances for calendar years 2003 and 2004. Essential-use allowances provide exemptions to the production and import phaseout of ozone-depleting substances and must be authorized by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (the Protocol). The U.S. government will use the applications received in response to this notice as the basis for its nomination of essential use allowances at the Fourteenth Meeting of the Parties to the Protocol to be held in 2002.

DATES: Applications for essential use exemptions must be submitted to EPA no later than December 6, 2001 in order for the United States (U.S.) government to complete its review and to submit nominations to the United Nations Environment Programme (UNEP) and the Protocol Parties in a timely manner.

ADDRESSES: Send two copies of application materials to: Erin Birgfeld, Global Programs Division (6205J), Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. For applications sent via courier service, use the direct mailing address at 501 3rd Street, NW., Washington, DC 20001. Send one copy of the non-confidential application materials to: Air Docket A–93–39, 401 M Street, SW. (6102), Room M1500, Washington, DC 20460.

Confidentiality: Applications that are sent to the Air Docket should not contain confidential or proprietary information. Such confidential information should be submitted under separate cover and be clearly identified as ''trade secret,'' ''proprietary,'' or ''company confidential.'' Information covered by a claim of business confidentiality will be disclosed by EPA only to the extent, and by means of the procedures, set forth at 40 CFR part 2, subpart B (41 FR 36902). If no claim of confidentiality accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to the company (40 CFR 2.203).

FOR FURTHER INFORMATION CONTACT: Erin Birgfeld at the above address or at (202) 564–9079 telephone, (202) 565–2095 fax, or *birgfeld.erin@epa.gov*. General information may be obtained from the stratospheric protection website at *www.epa.gov/ozone*.

SUPPLEMENTARY INFORMATION:

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I. Background—The Essential Use Nomination Process

As described in previous **Federal Register** (FR) notices,[1] the Parties to the Protocol agreed during the Fourth Meeting in Copenhagen in 1992 on the criteria to be used for allowing ''essential use'' exemptions from the phaseout of production and importation of controlled substances. Decision IV/25 of the Fourth Meeting of the Parties details the specific criteria and review process for granting essential use exemptions.

Paragraph 1(a) of Decision IV/25 states that '' * * * a use of a controlled substance should qualify as ''essential'' only if: (i) it is necessary for the health, safety or is critical for the functioning of society (encompassing cultural and intellectual aspects); and (ii) there are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health''. In addition, the Parties agreed ''that production and consumption, if any, of a controlled substance, for essential uses should be permitted only if: (i) all economically feasible steps have been taken to minimize the essential use and any associated emission of the controlled substance; and (ii) the controlled substance is not available in sufficient quantity and quality from the existing stocks of banked or recycled controlled substances * * *'' Decision XII/2 taken at the twelfth meeting of the Parties states that any CFC MDI product approved after December 31, 2000 is non-essential unless the product meets the criteria in Decision IV/25 paragraph 1(a).

The first step in obtaining essential use allowances is for the user to

[1] 58 *FR* 29410, May 20, 1993; 59 *FR* 52544, October 18, 1994; 60 *FR* 54349, October 23, 1995; 61 *FR* 51110, 0 30, 1996, 62 *FR* 51655, October 2, 1997; 63 *FR* 42629, August 10, 1998; 64 *FR* 50083, September 15, 1999; and 65 *FR* 65377, November 1, 2000.

consider whether the use of the controlled substance meets the criteria of Decisions IV/25 and XII/2. The user should then notify EPA of the candidate use and provide information for U.S. government agencies and the Protocol Parties to evaluate that use according to the criteria under the Protocol. Upon receipt of the essential use exemption application, EPA reviews the information provided and works with other interested Federal agencies to determine whether it meets the essential use criteria and warrants being nominated by the United States for an exemption. In the case of multiple exemption requests for a single use such as for MDIs, EPA aggregates exemption requests received from individual entities into a single U.S. request. An important part of the EPA review of requests for CFCs for MDIs is to determine that the aggregate request for a particular future year adequately reflects the total market need for CFC MDIs and expected availability of CFC substitutes by that point in time. If the sum of individual requests does not account for such factors, the U.S. government may adjust the aggregate request to better reflect true market needs.

Nominations submitted to the Ozone Secretariat by the U.S. and other Parties are forwarded to the UNEP Technical and Economic Assessment Panel (TEAP) and its Technical Options Committees (TOCs), which review the submissions and make recommendations to the Parties for essential use exemptions. Those recommendations are then considered by the Parties at their annual meeting for final decision. If the Parties declare a specified use of a controlled substance as essential, and issue the necessary exemption from the production and consumption phaseout, EPA may propose regulatory changes to reflect the decisions by the Parties, but only to the extent such action is consistent with the Clean Air Act (CAA or Act). Applicants should be aware that essential use exemptions granted to the U.S. for the year 2002 under the Protocol were limited to chlorofluorocarbons (CFCs) for metered dose inhalers (MDIs) to treat asthma and chronic obstructive pulmonary disease, and methyl chloroform for use in manufacturing solid rocket motors.

The timing of this process is such that in any given year the Parties review nominations for essential use exemptions from the production and consumption phaseout intended for the following year and subsequent years. This means that, if nominated, applications submitted in response to today's notice for an exemption in 2003 and 2004 will be considered by the Parties in 2002 for final action.

The quantities of controlled ODSs that are requested in response to this notice, if approved by the Parties to the Montreal Protocol in 2002, will then be allocated as essential-use allowances (EUAs) to the specific U.S. companies through notice and comment rulemaking. EUAs for the year 2003 will be allocated to U.S. companies at the end of 2002, and EUAs for the year 2004 will be allocated at the end of 2003.

With Decision X/19 the Parties approved an unlimited, global essential use exemption for the production and consumption of high purity class I ODSs for essential laboratory and analytical uses through the year 2005. More recently, with Decision XI/15, the Parties eliminated three laboratory methods from the global exemption by declaring them to be non-essential beginning January 1, 2002. These methods are: testing of oil and grease and total petroleum hydrocarbons in water, testing of road-paving materials, and forensic finger printing. EPA will be proposing a regulation to implement Decision XI/15 in the near future.

II. Information Required for Essential Use Applications for Production or Importation of Class I Substances in 2003 and 2004

Through this notice, EPA requests applications for essential use exemptions for all class I substances, except methyl bromide, for calendar years 2003 and 2004. This is the last opportunity to submit new or revised applications for 2003. Companies will have an opportunity to submit supplemental or amended applications for 2004 next year. All requests for exemptions submitted to EPA must present information as prescribed in the updated version of the TEAP ''Handbook on Essential Use Nominations'' (Handbook) published in June 2001. The handbook is available electronically on the web at *www.teap.org,* or at *www.epa.gov/ozone.*

In brief, the TEAP Handbook states that applicants must present information on:

- role of use in society;
- alternatives to use;
- steps to minimize use;
- steps to minimize emissions;
- recycling and stockpiling;
- quantity of controlled substances requested; and
- approval date and indications (for MDIs)

In submitting request for EUAs, EPA requires that applicants requesting EUAs for multiple pharmaceutical companies (e.g., International Pharmaceutical Aerosol Consortium), make clear the amount of CFCs requested for each member company. Also, all essential use applications for CFCs must provide a breakdown of the quantity of CFCs necessary for each MDI product to be produced. This detailed information will allow EPA and FDA to make informed decisions on the amount of CFC to be nominated by the U.S. government for the years 2003 and 2004.

There are some companies that hold New Drug Applications for CFC MDIs but whose MDI products are manufactured by another company (the contract filler). Beginning with this application cycle, all NDA holders for CFC MDI products produced in the U.S. must submit a complete application for essential use allowances either on their own or in conjunction with their contract filler. In the case where a contract filler produces a portion of an NDA holder's CFC MDIs, the contract filler and the NDA holder must determine the total amount of CFCs necessary to produce the NDA holder's entire product line of CFC MDIs. The NDA holder should provide an estimate of how the CFCs would be split between the contract filler and the NDA holder in the allocation year. This estimate will be used only as a basis for determining the nomination amount, and may be adjusted prior to allocation of EUAs. Since the U.S. government cannot forward incomplete or inadequate nominations to the Ozone Secretariat, it is important for applicants to provide all information requested in the Handbook, including the information specified in the supplemental research and development form (page 45).

The accounting framework matrix in the Handbook titled ''Table IV: Reporting Accounting Framework for Essential Uses Other Than Laboratory and Analytical'' requests data for the year 2001 on the amount of ODS exempted for an essential use, the amount acquired by production, the amount acquired by import, the amount on hand at the start of the year, the amount available for use in 2001, the amount used for the essential use, the quantity contained in exported products, the amount destroyed, and the amount on hand at the end of 2001. Because the data necessary to complete Table IV will not be available until after January 1, 2002, companies should not include this chart with their EUA applications in response to this notice. EPA plans to send letters to each essential use applicant requesting the information in Table IV in the first 2 weeks of January 2002. Companies will have only fourteen days in which to respond since EPA must compile

companies' responses to complete the U.S. CFC Accounting Framework for submission to the Parties to the Montreal Protocol by the end of January.

EPA anticipates that the 2002 review by the Parties of MDI essential use requests will focus extensively on research efforts underway to develop alternatives to CFC MDIs, on education programs to inform patients and health care providers of the CFC phaseout and the transition to alternatives, and on steps taken to minimize CFC use and emissions including efforts to recapture or reprocess the controlled substance. Accordingly, applicants are strongly advised to present detailed information on these points, including the scope and cost of such efforts and the medical and patient organizations involved in the work.

Applicants should submit their exemption requests to EPA as noted in the Addresses section at the beginning of today's notice.

Dated: October 29, 2001.

Robert D. Brenner,

Acting Assistant Administrator, Office of Air and Radiation.

[FR Doc. 01–27839 Filed 11–5–01; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7099–6]

Request for Nominations of Members and Consultants, and Notice of Establishment; EPA National Advisory Committee for Environmental Policy and Technology (NACEPT) Superfund Subcommittee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency announces the establishment of the Superfund Subcommittee to be formed under the auspices of the EPA National Advisory Committee for Environmental Policy and Technology (NACEPT). EPA invites nominations for qualified candidates to be considered for appointment to the Subcommittee that will engage the public in an open dialogue about the future direction of the Superfund program. A critical aspect of the dialogue will be consideration of Superfund's relationship to other federal and state waste programs with an eye toward finding ways for all waste programs to work together in a more unified fashion.

DATES: EPA expects to make appointments by the end of the calendar year and will accept nomination submissions until close of business on December 6, 2001.

ADDRESSES: Nominations must be submitted in writing by mail, electronically or in person, and must include a resume describing the professional, educational and/or experiential qualifications of the nominee. Nominations should also include the nominee's current business or residential address, daytime telephone number, fax, and E-mail address. Send nominations to: Lois Gartner, Designated Federal Officer, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency (5103), 1200 Pennsylvania Avenue NW., Washington, DC 20460, fax 202–260–8929, E-mail *gartner.lois@epa.gov.*

FOR FURTHER INFORMATION CONTACT: Lois Gartner, Designated Federal Officer, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency (5103), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, telephone 202–260–0714, E-mail *gartner.lois@epa.gov*.

SUPPLEMENTARY INFORMATION: NACEPT is a federal advisory committee under the Federal Advisory Committee Act, Pub. L. 92463. NACEPT provides advice and recommendations to the Administrator and other EPA officials on a broad range of domestic and international environmental policy issues.

Under the NACEPT framework, EPA is undertaking an examination of fundamental issues related to the future of the Superfund program. These issues cover a broad spectrum of topics important to Superfund including, but not limited to: the role and scope of the National Priorities List (NPL); how to address contaminated sediment, mining, and other ''mega'' sites; the role of states in Superfund; non-NPL cleanups; and measuring program progress. An important piece of the Subcommittee's dialogue will entail looking at Superfund in the context of other federal and state waste programs. This component of the group's deliberations will focus on how the Nation's waste programs can work together in a more effective and unified fashion, so that citizens can be assured that federal, state, and local governments are working cooperatively to make sites safe for their intended uses. The Superfund Subcommittee will deliberate on these and other Superfund-related issues and make policy recommendations to the EPA Administrator and other EPA officials.

EPA is soliciting qualified candidates who want to be considered for appointment to the Superfund Subcommittee. Any interested person or organization may nominate qualified persons for membership to the Subcommittee. Nominees should be qualified by education, training, or experience to participate in and contribute to a dialogue about the future direction of the Superfund program.

To ensure the Subcommittee represents a full spectrum of stakeholder views regarding Superfund policies, EPA seeks representation of the following groups: public policy analysts, academia, community groups, environmental justice groups, environmental and public interest organizations, state government, local government, tribal governments, industry, and scientists/engineers (e.g., toxicologists, ecologists, risk assessors, etc.). The EPA Administrator determines the Subcommittee's composition. Members will serve approximately an eighteen-month term.

Dated: October 31, 2001.

Marianne Lamont Horinko,

Assistant Administrator for the Office of Solid Waste and Emergency Response.

[FR Doc. 01–27818 Filed 11–5–01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–7099–5]

Request for Statement of Qualifications (RFQ) and Preliminary Proposals for Training and Outreach Coordination Support to the Chesapeake Bay Program

The U.S. Environmental Protection Agency (EPA) is issuing a request for qualifications for organizations interested in assisting the Chesapeake Bay Program in its efforts to develop, coordinate and support a training and event planning component of the Chesapeake Bay Program partnership. Applicants must be a nonprofit organization, interstate agency, college or university. Note, this is a request for qualifications for the benefit of the Chesapeake Bay Program partnership and not for direct benefit to EPA. Funding will be provided to an organization under the authority of the Clean Water Act, section 117.

The RFQ is available at the following web-site: *http://www.epa.gov/r3chespk/.* You may also request a copy by calling Robert Shewack at 410–267–9856 or by E-mail at: *shewack.robert@epa.gov.* Statement of qualifications (an original