

hours at the following address: Environmental Protection Agency, Region 5, 77 West Jackson Boulevard (AR-18J), Chicago, Illinois 60604. To arrange inspection of these documents, call Laura L. David at (312) 886-0661.

**FOR FURTHER INFORMATION CONTACT:**

Laura L. David, Environmental Protection Agency, Region 5, 77 W. Jackson Boulevard (AR-18J), Chicago, Illinois 60604, (312) 886-0661. The EAB decision is available at: <http://www.epa.gov/eab/orders/minergy.pdf>

**SUPPLEMENTARY INFORMATION:** On June 5, 2000, the MDEQ received an application from Minergy for a permit to install a glass aggregate facility that would utilize municipal wastewater solids (MWWS) in a cyclone furnace located at 7819 West Jefferson Avenue, Detroit, Michigan.

The proposed facility is a major source under federal air construction permit regulations, due to the potential significant emissions of nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter (PM), particulate matter less than 10-microns in diameter (PM-10), volatile organic compounds (VOCs), and lead (Pb). The facility has the following major sources of emissions: a 550 MMBtu/hr glass furnace and a 249 MMBtu/hr natural gas fired boiler. The roadways and the MWWS silos are additional sources of PM.

Pursuant to 40 CFR 52.21(j), Minergy was required to conduct a Best Available Control Technology (BACT) analysis for pollutants regulated under the Act. Under Michigan regulations, it was also required to determine Best Available Control Technology for Toxics (T-BACT) for each toxic air contaminant (TACs) and hazardous air pollutant (HAPs).

The following technologies will be employed as air quality control equipment: fabric filters to control PM/PM-10 and trace metals; fuel controls by using a coal flux at minimum available sulfur concentration (0.32 percent) and a dry scrubbing process; a selective non-catalytic reduction system using urea/ammonia upon an optimization study to control NO<sub>x</sub> and ammonia emissions; ultra-low-NO<sub>x</sub> burners in the stand-by boiler, for controlling the NO<sub>x</sub> emissions; an overfire air system and good combustion practice to control CO emissions; high temperature retention, exceeding 1700 degrees Fahrenheit for greater than 2 seconds residence time and good combustion practices, to control VOCs and also for the State of Michigan's T-BACT for toxics such as acrolein, acrylonitrile, formaldehyde, dioxin, and

furans; in addition to lime injection, carbon injection to reduce mercury emissions, dioxin and furans; and a vitrification process to minimize solid waste production, produce an inert product, and minimize metal emissions such as arsenic, beryllium and lead.

The combustion of natural gas, coal flux and municipal wastewater solids also has the potential to emit TACs and HAPs. Combustion techniques will be used to control the emission of TACs and HAPs and ensure the applicable screening levels are not exceeded. Each screening level is established to protect public health.

USEPA reviewed the permit application and the draft permit, and found their conditions in compliance with all federal regulations. State environmental officials reviewed Minergy's pollution estimates and evaluated the comments received during the public hearing held on June 28, 2001 and during the public comment period which ended on July 13, 2001. MDEQ approved the permit application request in September 20, 2001. As part of the approval, as a result of information submitted during the public participation process, a few new conditions were added to the permit issued.

MDEQ issues PSD permits under an EPA delegated program. Permits issued under a delegated program may be appealed to the EAB. The Minergy PSD permit was appealed by Saulius Simoliunas to the EAB on January 11, 2002 and by John Riehl of American Federation of State, County and Municipal Employees (AFSCME), Local 207, on January 14, 2002. Both petitioners questioned the adequacy of the permit's testing requirements related to emissions from the facility's cyclone furnace, and requested that special condition number 7 be modified to require the testing be done by an independent laboratory having proper certification, with the participation of citizens chosen by local non-governmental organizations.

On February 19, 2002, MDEQ filed a motion for Summary Disposition arguing that there was no regulatory or jurisdictional basis for imposing the conditions proposed by Petitioner, and requested that the Board decline review. On March 1, 2002, the EAB issued an order denying review of the permit.

The MDEQ issued the permit on September 20, 2001. The permit became effective on March 25, 2002.

Dated: March 10, 2003.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 03-6706 Filed 3-19-03; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7470-3]**

### **Good Neighbor Environmental Board Meeting**

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

**ACTION:** Notice of meeting.

**SUMMARY:** The next meeting of the Good Neighbor Environmental Board, a federal advisory committee that reports to the President and Congress on environmental and infrastructure projects along the U.S. border with Mexico, will take place in Deming, New Mexico, on April 9 and 10, 2003. It is open to the public.

**DATES:** On April 9, the meeting will begin at 8:30 a.m. (registration at 8 a.m.) and end at 5:30 p.m. On April 10, the Board will hold a routine business meeting from 8 a.m. until 12 noon (registration at 7:30 a.m.).

**ADDRESSES:** The meeting site is the Mimbres Valley Special Events Center, 2300 E. Pine St., Deming, New Mexico.

**FOR FURTHER INFORMATION CONTACT:**

Elaine M. Koerner, Designated Federal Officer of the Good Neighbor Environmental Board, U.S. Environmental Protection Agency Region 9 Office, 75 Hawthorne St., San Francisco, California 94105. Tel: (415) 972-3437; E-mail: [koerner.elaine@epa.gov](mailto:koerner.elaine@epa.gov).

**Meeting Access:** Individuals requiring special accommodation at this meeting, including wheelchair access to the conference room, should contact the Designated Federal Officer at least five business days prior to the meeting so that appropriate arrangements can be made.

**SUPPLEMENTARY INFORMATION:**

**Agenda:** On the morning of April 9, the first day of the meeting, guest speakers will discuss management techniques for groundwater, including the Mimbres Aquifer. The morning session will begin at 8:30 a.m. and conclude with a public comment session from 12-12:30 p.m. During the afternoon session, beginning at 2 p.m., guest speakers will discuss innovative environmental technology such as wind energy, solar stills, and water management technology. A second public comment session will be held

from 5–5:30 p.m., which will conclude the first day of the meeting. For both public comment sessions on April 9th, the Board invites comments on a wide range of issues, including the topic for its upcoming Seventh Report: links between children's health in the border region and the region's environmental infrastructure.

The second day of the meeting, April 10, will begin at 8 a.m. and conclude at 11:45 a.m. The format will be a routine business meeting, with agenda items including approval of minutes, planning for upcoming meetings, and status of reports.

**Public Attendance:** The public is welcome to attend all portions of the meeting. Members of the public who plan to file written statements and/or make brief (suggested 5-minute limit) oral statements at the public comment session are encouraged to contact the Designated Federal Officer for the Board prior to the meeting.

**Background:** The Good Neighbor Environmental Board meets three times each calendar year at different locations along the U.S.-Mexico border and also holds an annual strategic planning session. It was created by the Enterprise for the Americans Initiative Act of 1992. An Executive Order delegates implementing authority to the Administrator of EPA. The Board is responsible for providing advice to the President and the Congress on environmental and infrastructure issues and needs within the States contiguous to Mexico in order to improve the quality of life of persons residing on the United States side of the border. The statute calls for the Board to have representatives from U.S. Government agencies; the governments of the States of Arizona, California, New Mexico and Texas; and private organizations with expertise on environmental and infrastructure problems along the southwest border. The U.S. Environmental Protection Agency gives notice of this meeting of the Good Neighbor Environmental Board pursuant to the Federal Advisory Committee Act (Public Law 92–463).

**Oscar Carrillo,**

*Designated Federal Officer.*

[FR Doc. 03–6705 Filed 3–19–03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP–2003–0056; FRL–7296–5]

### Flufenacet; Notice of Filing Pesticide Petitions to Establish Tolerances for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of flufenacet in or on various food commodities.

**DATES:** Comments, identified by docket ID number OPP–2003–0056, must be received on or before April 21, 2003.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

#### FOR FURTHER INFORMATION CONTACT:

James A. Tompkins, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 305–5697; e-mail address: tompkins.jim@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

##### B. How Can I Get Copies of this Document and Other Related Information?

1. **Docket.** EPA has established an official public docket for this action under docket identification (ID) number OPP–2003–0056. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305–5805.

2. **Electronic access.** You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select “search,” then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket.