

early implementation of the rules protecting drinking water supplies from microbial contaminants; the recently-promulgated Ground Water Rule; revisions to the existing Total Coliform Rule; and implementation recommendations for the Contaminant Candidate List 3 will be presented. If time permits, the Council will also focus on continuing efforts to propose performance measures and indicators for the national drinking water protection program.

**DATES:** The Council meeting will be held on December 14, 2006, from 9 a.m. to 5:30 p.m. and December 15, 2006, from 8:30 a.m. to noon, Central Standard Time.

**ADDRESSES:** The meeting will be held at the Renaissance Worthington Hotel, which is located at 200 Main Street, Fort Worth, Texas 76102.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who would like to attend the meeting, present an oral statement, or submit a written statement, should contact Daniel Malloy, by e-mail at [malloy.daniel@epa.gov](mailto:malloy.daniel@epa.gov), by phone 202-564-1724, or by regular mail at the U.S. Environmental Protection Agency, Office of Ground Water and Drinking Water (MC 4601M), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** The meeting is open to the public. The Council encourages the public's input and will allocate one hour (4:30-5:30 p.m.) on December 14, 2006, for this purpose. Oral statements will be limited to five minutes. It is preferred that only one person present the statement on behalf of a group or organization. To ensure adequate time for public involvement, individuals or organizations interested in presenting an oral statement should notify Daniel Malloy by telephone at 202-564-1724 no later than December 1, 2006. Any person who wishes to file a written statement can do so before or after a Council meeting. Written statements received by December 1, 2006, will be distributed to all members of the Council before any final discussion or vote is completed. Any statements received December 2, 2006, or after the meeting will become part of the permanent meeting file and will be forwarded to the Council members for their information.

#### Special Accommodations

For information on access or services for individuals with disabilities, please contact Dan Malloy at 202-564-1724 or by e-mail at [malloy.daniel@epa.gov](mailto:malloy.daniel@epa.gov). To request accommodation of a disability,

please contact Dan Malloy, preferably at least 10 days prior to the meeting to give EPA as much time as possible to process your request.

Dated: November 16, 2006.

**Cynthia C. Dougherty,**

*Director, Office of Ground Water and Drinking Water.*

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**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

**[FRL-8245-1]**

#### **Draft Grant Guidelines for States Regarding: Inspection Provision and State Compliance Report on the Government Underground Storage Tanks Provision; Solid Waste Disposal Act, Subtitle I, as Amended by Title XV, Subtitle B of the Energy Policy Act of 2005**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of availability.

**SUMMARY:** By this notice, the Environmental Protection Agency (EPA), Office of Underground Storage Tanks (OUST) is advising the public of the future availability of draft grant guidelines for states regarding the inspection provision and state compliance report on the government underground storage tanks (USTs) provision. EPA is developing these two grant guidelines to help states comply with requirements for receiving funding under Subtitle I of the Solid Waste Disposal Act as established in Title XV, Subtitle B of the Energy Policy Act of 2005. EPA is asking the public to review and comment on the guidelines as they become available. EPA encourages interested stakeholders to regularly check EPA's Web site at: [http://www.epa.gov/oust/fedlaws/epact\\_05.htm#Drafts](http://www.epa.gov/oust/fedlaws/epact_05.htm#Drafts) where we will post the draft guidelines as they become available over the next several months. You also may send an e-mail to [OUST\\_Energy\\_Policy\\_Act\\_Email\\_List@epa.gov](mailto:OUST_Energy_Policy_Act_Email_List@epa.gov) requesting that we notify you when the drafts are posted on EPA's Web site. If you previously e-mailed a request to be included on this list, there is no need for you to do so again.

**DATES:** EPA anticipates the draft grant guidelines will become available between November 21, 2006 and March 31, 2007.

**ADDRESSES:** EPA will post the draft grant guidelines on our Web site at: [http://www.epa.gov/oust/fedlaws/epact\\_05.htm#Drafts](http://www.epa.gov/oust/fedlaws/epact_05.htm#Drafts) as they become available

over the next several months. You also may send an e-mail to [OUST\\_Energy\\_Policy\\_Act\\_Email\\_List@epa.gov](mailto:OUST_Energy_Policy_Act_Email_List@epa.gov) requesting that we notify you when the drafts are posted on EPA's Web site. If you previously e-mailed a request to be included on this list, there is no need for you to do so again. After the draft grant guidelines are posted on EPA's Web site, paper copies will be available from the National Service Center for Environmental Publications (NSCEP), EPA's publications distribution warehouse. You may request copies from NSCEP by calling 1-800-490-9198; writing to U.S. EPA/NSCEP, Box 42419, Cincinnati, OH 45242-0419; or faxing your request to NSCEP at 513-489-8695.

**FOR FURTHER INFORMATION CONTACT:** For draft grant guidelines regarding inspection provision: Tim Smith, EPA's Office of Underground Storage Tanks, at [smith.timr@epa.gov](mailto:smith.timr@epa.gov) or 703-603-7158. For draft grant guidelines regarding State compliance report on government USTs provision: Steven McNeely, EPA's Office of Underground Storage Tanks, at [mcneely.steven@epa.gov](mailto:mcneely.steven@epa.gov) or 703-603-7164.

**SUPPLEMENTARY INFORMATION:** On August 8, 2005, President Bush signed the Energy Policy Act of 2005. Title XV, Subtitle B of this act, entitled the Underground Storage Tank Compliance Act of 2005, contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the underground storage tank program. This is the first federal legislative change for the UST program since its inception over 20 years ago. The UST provisions of the law significantly affect federal and state UST programs; require major changes to the programs; and are aimed at further reducing UST releases to our environment. Some of the UST provisions of the Energy Policy Act were implemented by August 2006; other provisions will need to be implemented in subsequent years. See EPA's Web site at: [http://www.epa.gov/oust/fedlaws/epact\\_05.htm](http://www.epa.gov/oust/fedlaws/epact_05.htm) for more information about the UST provisions of the Energy Policy Act.

Among other things, the UST provisions of the Energy Policy Act require that states receiving funding under Subtitle I comply with certain requirements contained in the law. Following enactment of the new law, OUST worked, and is continuing to work, with its partners to develop grant guidelines which EPA regional tank programs will incorporate into States' grant agreements. The guidelines will provide states, which receive UST funds, with specific requirements based

on the UST provisions of the Energy Policy Act for their State UST programs.

To implement the law, OUST, EPA regions, and States are working closely with tribes, other Federal agencies, tank owners and operators, UST equipment industry, and other stakeholders to bring about the mandated changes affecting UST programs. Over the next several months, EPA expects to issue draft grant guidelines regarding the inspection provision and state compliance report on government USTs provision.

Once the guidelines are issued and become effective, EPA regions will incorporate the guidelines in grant agreements between EPA and States. States receiving funds from EPA for their UST programs must comply with the UST provisions of the Energy Policy Act and will be subject to action by EPA under 40 CFR 31.43 if they fail to comply with the guidelines.

The Agency is providing the public with an opportunity to comment on the two draft grant guidelines when they become available by following the process specified below. As provided in 5 U.S.C. 553(a)(2), the grant guidelines are exempt from the notice and comment rule-making procedures. Consequently, EPA will not establish a public docket for comments and may not issue separate responses to comments when we issue the final guidelines.

EPA encourages interested stakeholders to regularly check EPA's Web site at: [http://www.epa.gov/oust/fedlaws/epact\\_05.htm#Drafts](http://www.epa.gov/oust/fedlaws/epact_05.htm#Drafts) where we will post the draft guidelines as they become available over the next several months. You may also send an e-mail to [OUST\\_Energy\\_Policy\\_Act\\_Email\\_List@epa.gov](mailto:OUST_Energy_Policy_Act_Email_List@epa.gov) requesting that we notify you when the drafts are posted on EPA's Web site. If you previously e-mailed a request to be included on this list, there is no need for you to do so again. As each draft guideline is posted on EPA's Web site, we will accept comments on each for 30 days. EPA's Web site will provide information about document availability and specific public comment periods. You may submit comments by e-mail, facsimile, or mail as described on EPA's Web site. After the draft guidelines are posted on EPA's Web site, paper copies will be available from NSCEP, EPA's publications distribution warehouse upon request. You may request copies from NSCEP by calling 1-800-490-9198; writing to U.S. EPA/NSCEP, Box 42419, Cincinnati, OH 45242-0419; or faxing your request to NSCEP at 513-489-8695.

After considering public comments, EPA will issue final grant guidelines

which EPA regions will incorporate into states' grant agreements.

Dated: November 15, 2006.

**Susan Parker Bodine,**

*Assistant Administrator, Office of Solid Waste and Emergency Response.*

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## ENVIRONMENTAL PROTECTION AGENCY

[Docket# EPA-R04-SFUND-2006-0865; FRL-8243-4]

### Constitution Road Drum Site; Atlanta, Dekalb County, GA; Notice of Duplicated Settlement

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

**ACTION:** Notice of Duplicated Settlement—FRL-8237-5.

**SUMMARY:** On November 1, 2006 a duplication of the Constitution Road Drum Site settlement was published in the **Federal Register** under Docket # EPA-R04-SFUND-2006-0865' FRL-8237-5. EPA will not be accepting comments on this document. The correct listing is under EPA-R04-SFUND-2006-0865; FRL-8237-1. EPA will be accepting comments under the correct listing until December 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Paula V. Batchelor at 404/562-8887.

Dated: November 2, 2006.

**Greg Armstrong,**

*Acting Chief, Superfund Enforcement & Information Management Branch, Superfund Division.*

[FR Doc. E6-19644 Filed 11-20-06; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8244-4]

### Notice of Effective Date of the "Agreed Order on Consent and Covenant Not To Sue" and Availability of the "Administrative Record" for the Many Diversified Interests, Inc. Superfund Site Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; Effective Date of the "Agreed Order on Consent and Covenant Not to Sue," and availability of the "Administrative Record."

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive

Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of the effective date of the "Agreed Order on Consent and Covenant Not to Sue" (Final Agreed Order) with the purchaser (Clinton Gregg Investments, Ltd) of the property and the availability of the "Administrative Record" for Operable Unit 1 (On-Site Soils and Ground Water) of the Many Diversified Interests, Inc. (MDI) Superfund Site located in Houston, Texas. Under the Final Agreed Order, the purchaser agrees to perform cleanup work on an approximately 36-acre tract it is purchasing known as Operable Unit 1 of the MDI Superfund Site. The Final Agreed Order includes a covenant not to sue pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and Section 7003 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6973. The purchaser also agrees to implement institutional controls.

The Agency published a **Federal Register** Notice on June 1, 2006, which solicited public review and comment on the proposed Agreed Order. The public comment period ended on July 3, 2006. At the request of the public, the Agency held a public meeting on August 7, 2006, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973(d). The Agency considered all comments received in its decision to finalize and approve the Agreed Order and has prepared a "Responsiveness Summary" which is included in the Administrative Record for the Site.

**DATES:** The effective date of the Final Agreed Order is September 29, 2006.

**ADDRESSES:** The Administrative Record, which includes the Final Agreed Order and the Responsiveness Summary, and additional background information relating to the Final Agreed Order are available for public inspection at the Agency's office at 1445 Ross Avenue, Dallas, Texas 75202-2733, and the Site's information repository located at the Fifth Ward Multi-Service Center, 4014 Market Street, Houston TX 77020. A copy of the Final Agreed Order and Responsiveness Summary may be obtained from Rafael Casanova, 6SF-AP, U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202-2733, or by calling 214-665-7437, or by electronic mail at [casanova.rafael@epa.gov](mailto:casanova.rafael@epa.gov). Requests for information should reference the MDI Superfund Site, Houston, Texas, and EPA Docket Number 06-12-05, and should be addressed to Rafael Casanova at the address listed above.