

mitigation measures contained in the FEIS.

ERP No. F-FHW-E40747-NC, Fayetteville Outer Loop Project, US 401 to I-95 at the existing US 13 Interchange, Funding and USCOE Section 10 and 404 Permit Issuance, City of Fayetteville, Cumberland County, NC.

Summary: EPA continued to have environmental concerns about the project's impact despite the deletion of the segment west of US 401. Eighty-two acres of wetlands would be lost by the 7-mile long project. Alternatives to the Eastern terminus were not addressed in the document, as EPA requested.

ERP No. F-FHW-E40758-NC, US-17/ Wilmington Bypass Transportation Improvement Program, Updated Information, TIP R-2633C, Construction from I-40 to US 421, Funding, NPDES and US Coast Guard and COE Section 10 and 404 Permits, New Hanover County, NC.

Summary: EPA continued to have environmental concerns about this segment of the proposed bypass, because of expected impacts to wetlands. EPA is pleased with the new Center Alternative, now preferred by NCDOT, because it minimizes several impacts. Other bypass segments, however, have significant issues yet to be resolved.

ERP No. F-FHW-E40760-NC, Sunset Beach Bridge No. 198 on Secondary Road NC-1172 Replacement, Over the Atlantic Intracoastal Waterway, Funding, COE Section 10 and 404 Permit, Brunswick County, NC.

Summary: EPA continued to have environmental preference to the mid-level bascule bridge alternative, our comments on the DEIS have been responded to satisfactorily.

ERP No. F-IBR-K39043-CA, American River Water Resources Investigation, Implementation, Placer, Suter, EL Dorado, Sacramento and San Joaquin Counties, CA.

Summary: EPA continued to express environmental objections to the Auburn Dam alternative, and noted that if the Auburn Dam proposal is carried forward as the preferred alternative without correcting its unacceptable impacts, it will be considered a candidate for referral to CEQ. EPA also noted that Reclamation has not identified a Federal role at this program level or a Federal preferred alternative. EPA urged Reclamation and other program sponsors to reject the Auburn Dam alternative and pursue "conjunctive use" solutions to water management in the study area.

EPA believed a balanced combination of demand management, water

reclamation, transfers, and new facilities can meet area water supply needs while preserving water quality and flows needed instream for aquatic resources.

Dated: March 17, 1998.

William D. Dickerson,
Director, NEPA Compliance Division, Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5984-5]

STEJ Grants Program Request for Applications Guidance FY 1998

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The purpose of this document is to solicit applications from eligible candidates under the State and Tribal Environmental Justice (STEJ) Grants Program, sponsored by the U.S. Environmental Protection Agency, Office of Environmental Justice.

For FY 1998, EPA expects to award a total of \$500,000 to states and tribes to demonstrate how to effectively address environmental justice issues. A maximum of \$100,000 will be awarded to each recipient, contingent upon the availability of funds. A total of five grants are expected to be awarded. The standard project and budget periods are for one year. The grantee can request that the project and budget periods be extended up to three years, with the total budget of \$100,000 provided during the first year. This guidance outlines the purpose, authorities, eligibility, and general procedures for application and award of the FY 1998 STEJ Grants.

The application must be postmarked no later than Friday, May 29, 1998.

Grants Program Overview

The State and Tribal Environmental Justice (STEJ) Grants Program was created to provide financial assistance to state and tribal environmental departments that are working to address environmental justice issues. With the increased interest in Title VI of the Civil Rights Act of 1964, EPA is seeking, through this assistance program, to support individual state's and tribe's efforts to effectively comply with Title VI in their environmental programs and/or establish an environmental justice program.

A. Program Goals

The STEJ Grants Program is intended to assist states and tribes in ultimately achieving the following environmental justice goals and objectives:

- Enhance the state or tribal government's effectiveness in complying with Title VI of the Civil Rights Act of 1964.
- Reduce or prevent disproportionately high and adverse human health or environmental effects on low-income communities and/or minority communities.
- Integrate environmental justice goals into a state's or tribe's policies, programs, and activities.
- Provide financial and technical resources to develop an enabling infrastructure at the state/local community level and tribal/tribal community level.
- Set up model programs to address enforcement and compliance issues in affected environmental justice (EJ) communities.
- Integrate measurable EJ goals within the annual Performance Partnership Agreements (PPAs) and Memorandums of Understandings (MOUs) between a state and EPA, or integrate measurable EJ goals within the Tribal Environmental Agreements (TEAs).
- Improve public participation in the decision-making processes (e.g. permitting processes, development of regulations and policies)

B. Background on Environmental Justice

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, or income with respect to the development, implementation, enforcement and compliance of environmental laws, regulations, and policies. Fair treatment means that no groups of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal programs and policies.

Environmental justice has focused attention on the need to ensure environmental protection for all, and to empower those most often disenfranchised from the decision-making process, the low-income and/or minority communities. On February 11, 1994, President Clinton issued Executive Order (EO) 12898, A Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations@ (Appendix A).

C. Background on Title VI

Title VI states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Presidential memorandum accompanying EO 12898 directs Federal agencies to ensure compliance with the nondiscrimination requirements of Title VI for all Federally-funded programs and activities that affect human health or the environment.

Title VI itself prohibits intentional discrimination. The Supreme Court has ruled, however, that Title VI authorizes Federal agencies, including EPA, to adopt implementing regulations that prohibit discriminatory *effects*. Frequently, discrimination results from policies and practices that are neutral on their face, but have the *effect* of discriminating. Facially-neutral policies or practices that result in discriminatory effects violate EPA's Title VI regulations unless it is shown that they are justified and that there is no less discriminatory alternative. (See Appendix B for additional information on Title VI).

Eligible Applicants and Activities

D. Who May Submit an Application?

Any state or tribal agency that manages, or is eligible to manage, an EPA program, which has an expressed interest in working with community-based grassroots organizations and other environmental justice stakeholders to address environmental justice concerns in communities. EPA requests that only one application be submitted from each state or tribe interested in receiving assistance. The project can be a partnership involving more than one state department, or if from a tribe, more than one tribal department. The degree of support provided by top government officials from either the state or tribe will be an important factor in the selection process.

E. May an Individual or Organization Apply?

No. Only a state or federally-recognized tribal government may apply. However, the applying states or tribes should work with community-based grassroots organizations when developing their proposals. Preference may be given to the states or tribes who involve community-based grassroots organizations in the development of their proposals.

F. What Types of Projects Are Eligible for Funding?

Funds are to be used for activities authorized by the appropriate statutory provisions listed in paragraph G below, to accomplish one or both of the following:

1. The development or enhancement of a program to work directly with communities to improve the state's or tribe's compliance with Title VI of the Civil Rights Act of 1964 in the development and implementation of environmental programs.

Example 1: Create a review team to analyze the state's or tribe's future conduct or action to help ensure its environmental programs have no discriminatory environmental or human health effects based on race, color, or national origin.

Example 2: Demonstrate how to establish an appropriate enforcement program for disproportionately affected communities; and create meaningful community participation opportunities throughout enforcement & compliance activities [e.g. from the time of initial Notice of Violations to final agency enforcement decisions.]

2. The development of a model state or tribal environmental justice executive order, strategic plan, and/or conduct studies, analyses, and training in the development of a state or tribal environmental justice program.

Preferences

Preference may be given to each state or tribe which include the following in their application:

- (1) A description of how environmental justice/community-based grassroots organizations were involved in the development of the proposal, and
- (2) Identification of the matching or cost sharing funds to be provided by the state or tribe for the project.

G. What are the Statutory Authorities for the Grants?

The State and Tribal Environmental Justice Grants are for multimedia environmental justice activities. For this reason, each project must include activities which are authorized by two or more of the following environmental statutes.

a. Clean Water Act, Section 104(b)(3): Conduct and promote the coordination of research, investigations, experiments, training, demonstration, surveys, and studies relating to the causes, extent, prevention, reduction, and elimination of water pollution.

b. Safe Drinking Water Act, Sections 1442(c)(3): Develop, expand, or carry out a program (that may combine training, education, and employment) for occupations relating to the public health aspects of providing safe drinking water.

c. Solid Waste Disposal Act, Section 8001(a): Conduct and promote the coordination of research, investigations, experiments, training, demonstrations, surveys, public education programs, and studies relating to solid waste management and hazardous waste management.

d. Clean Air Act, Section 103(b)(3): Conduct and promote the coordination and acceleration of research, investigations, experiments, demonstrations, surveys, and studies related to the causes, effects (including health and welfare effects), extent, prevention, and control of air pollution.

e. Toxic Substances Control Act, Section 10(a): Conduct research, development, and monitoring activities on toxic substances.

f. Federal Insecticide, Fungicide, and Rodenticide Act, Section 20(A): Conduct research on pesticides.

g. Comprehensive Environmental Response, Compensation, and Liability Act, Section 311(c): Conduct research related to the detection, assessment, and evaluation of the effects on, and risks to, human health from hazardous substances.

h. Marine Protection, Research, and Sanctuaries Act, Section 203: Conduct research, investigations, experiments, training, demonstrations, surveys, and studies relating to the minimizing or ending of ocean dumping of hazardous materials and the development of alternatives to ocean dumping.

H. What Regulations Apply to These Grants?

The STEJ Grants will be governed by 40 CFR part 31, Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Tribal Governments, and OMB Circular A-87. Note, in particular, that there are restrictions on the use of grant funds for lobbying and that grant funds may not be used for intervention in federal regulatory or adjudicatory proceedings.

Funding

I. Are Matching Funds Required?

Matching funds are not required, but are encouraged. EPA may give preference to those states or tribes which provide matching funds, since this would demonstrate a greater commitment.

Application Requirements

J. What Is Required for Applications?

In order to be considered for funding under this program, proposals must have the following:

1. Application for Federal Assistance (SF 424) the official form required for all federal grants that requests basic information about the grantee and the proposed project. The applicant must submit the original application, and three copies, signed by a person duly authorized.

2. Federal Standard Form (SF 424A) and budget detail, which reflects the total budget for the entire duration of the project. Budget figures/projections should support your work plan/narrative. The EPA portion of these grants will not exceed \$100,000, therefore your budget should reflect this upper limit on federal funds.

3. Signed "Certification Regarding Debarment, Suspension, and Other Responsibility Matters" form, and "Certification Regarding Lobbying" form, which can be found in Appendix C.

4. Narrative/work plan of the proposal. A narrative/work plan describes the applicant's proposed project. The pages of the work plan must be letter size 8½" x 11", with normal type size (12 cpi), and at least 1" margins. The narrative/work plan should be no more than five pages.

The narrative/work plan must describe how the proposed project will meet the Program Goals, as described in Section A, and whether one or both of the Eligible Projects, as defined in Section E, are being proposed. In addition, the work plan must describe how the project addresses issues related to at least two of environmental statutes listed in Section G. Lastly, the work plan must: (a) Discuss how the project will be evaluated, (b) discuss what will be the measures of success, and (c) describe how the project/program will be sustained.

5. A letter of commitment from the department head or government head (e.g. governor, president, chairperson, chief)

6. State and Tribal applicants should establish working relationships with local community-based organizations in developing their proposals.* A list of the organizations who participated in the development of the grant proposal, along with contact names and numbers, is required.

* Many community-based organizations across the nation have already begun implementing environmental justice programs at the local level, which states and tribes may want to use as examples to help build their environmental justice programs. By asking those who are most impacted by environmental injustices to participate in building the state's or tribe's environmental justice program, the states and tribes will be more likely to obtain broad support for the concept and the partnership it reflects.

K. When and Where Must Applications Be Submitted?

The applicant must submit one signed original application with the required attachments and three copies to the primary contact of the appropriate EPA regional office (see page 8 and Appendix D). The application must be postmarked no later than Friday, May 29, 1998.

Process for Awarding Grants

Proposals are to be developed by states or tribes (EPA encourages the involvement of community-based/grassroots organizations) and submitted to their respective EPA Regional Offices. The initial review will be conducted by each Region through a Regional panel, which will select the top proposals for submission to EPA Headquarters, for final review and selection. The grants will be processed for award and managed by the Regions. The plan is to fund the five best State and/or Tribal Environmental Justice project proposals. March 27–May 29—States and Tribes Develop Proposals and Submit to EPA Regions

June 1–June 26—EPA Regions Review Proposals and Provide

Recommendations to Headquarters

June 22–July 24—OEJ Headquarters

Convenes Review Panel, Receives

Recommendations, Completes

Selections and Submits Final

Selections to Grants Office

July 27–September 1—EPA Regional

Grants Management Offices Process

Applications and Award Grants

September 11—National Announcement

on Awards

Reporting

State and Tribal agencies that are awarded the State and Tribal Environmental Justice (STEJ) grants will be required to submit semi-annual reports, in accordance with 40 CFR 31.40 and 31.41, to the appropriate Regional Environmental Justice Coordinator and Project Officer. Reports will include, but not be limited to, information on:

- Funds expended
- Tasks accomplished
- Issues/problems encountered and method of resolution
- Results achieved

A final summary report is required by 40 CFR 31.40(b) at the end of the project period. This final report should include a discussion on the continuation and institutionalization of the state's and/or tribe's efforts to comply with Title VI and provide for environmental justice.

If you have any questions regarding the interpretation of this guidance,

please call your regional contact listed below, or Daniel Gogal, STEJ Grants Manager, Office of Environmental Justice, at (202) 564-2576 or 1-800-962-6215.

Regional Contact Names and Addresses

Region I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Primary Contact: Rhona Julien (617) 565-9454, USEPA Region 1 (RAA), John F. Kennedy Federal Building, Boston, MA 02203

Secondary Contact: Pat O'Leary (617) 565-3834

Region II—New Jersey, New York, Puerto Rico, U.S. Virgin Islands

Primary Contact: Melva Hayden (212) 637-5027, USEPA Region II, 290 Broadway, 26th Floor, New York, NY 10007

Secondary Contact: Natalie Loney (212) 637-3639

Region III—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

Primary Contact: Reginald Harris (215) 566-2988, USEPA Region III (3DA00), 841 Chestnut Building, Philadelphia, PA 19107

Secondary Contact: Mary Zielinski (215) 566-5415

Region IV—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Primary Contact: Connie Raines (404) 562-9671, USEPA Region IV, 61 Forsyth Street, Atlanta, GA 30303

Secondary Contact: Deborah Carter (404) 562-9668

Region V—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Primary Contact: Ethel Crisp (312) 353-1442, USEPA Region V, 77 West Jackson Boulevard (DR-7J), Chicago, IL 60604-3507

Secondary Contact: Karla Johnson (312) 886-5993

Region VI—Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Primary Contact: Shirley Augurson (214) 665-7401, USEPA Region VI (6E-N), 1445 Ross Avenue, 12th Floor, Dallas, TX 75202-2733

Region VII—Iowa, Kansas, Missouri, Nebraska

Primary Contact: Althea Moses (913) 551-7649 or 1-800-223-0425, USEPA Region VII, 726 Minnesota Avenue, Kansas City, KS 66101

Secondary Contact: Kim Olson (913) 551-7539

Region VIII—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Primary Contact: Marcella Devargas
(303) 312-6161, USEPA Region VIII
(8ENF-EJ), 999 18th Street, Suite
500, Denver, CO 80202-2466

Secondary Contact: Elisabeth Evans
(303) 312-6053

Region IX—Arizona, California, Hawaii, Nevada, American Samoa, Guam

Primary Contact: Katy Wilcoxon (415)
744-1565, USEPA Region IX (CMD-
6), 75 Hawthorne Street, San
Francisco, CA 94105

Secondary Contact: Willard Chin (415)
744-1204

Region X—Alaska, Idaho, Oregon, Washington

Primary Contact: Susan Morales (206)
553-8580, USEPA Region X (OI-
085), 1200 Sixth Avenue, Seattle,
WA 98101

Secondary Contact: Joyce Kelly (206)
553-4029

Robert J. Knox,

*Acting Director, Office of Environmental
Justice.*

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**ENVIRONMENTAL PROTECTION
AGENCY**

[FRL-5980-6]

**Proposed De Minimis Settlement
Under Section 122(g) of the
Comprehensive Environmental
Response, Compensation and Liability
Act of 1980 (CERCLA), as Amended,
Hayford Bridge Road Groundwater
Superfund Site, St. Charles County,
MO**

AGENCY: Environmental Protection
Agency.

ACTION: Notice; request for public
comment.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to enter into a de minimis administrative settlement to resolve claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. 9622(g). This settlement is intended to resolve the liability of the following parties for response costs incurred and to be incurred at the Hayford Bridge Road Groundwater Superfund Site, St. Charles County, Missouri: AlliedSignal, Inc.; United States Department of Energy; Borden, Inc.; Campbell Soup Company; Cargill, Incorporated; Cooper Industries;

Hoechst Celanese Corporation; Chemtech Industries, Inc.; The Dow Chemical Company; E.I. du Pont de Nemours & Company; Ford Motor Company; General Electric Company; Hager, C. & Sons Hinge Manufacturing Company, Inc.; Intalco Aluminum Corporation; Nilok Chemicals, Incorporated; PPG Industries, Inc.; Reichhold Chemicals, Inc.; Rohm Inc.; St. Claire Die Casting Company; Union Camp Corporation; and Westinghouse Electric Corporation. The proposed settlement consent order was signed by the Environmental Protection Agency (EPA) on September 23, 1997, and approved by the United States Department of Justice on February 25, 1998.

DATES: Written comments must be provided on or before April 20, 1998.

ADDRESSES: Comments should be addressed to Baerbel Schiller, Senior Counsel, Superfund Division, United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101 and should refer to: *In the matter of Hayford Bridge Road Groundwater Site*, EPA Docket No. VII-97-F-0017.

The proposed administrative consent order may be examined in person at the United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101. To request a copy of the administrative consent order, write to the address shown above and refer to the matter by name and docket number.

SUPPLEMENTARY INFORMATION: The proposed administrative settlement concerns the Hayford Bridge Road Groundwater Superfund Site which is located in the east central portion of Missouri just north of the City of St. Charles in St. Charles County, Missouri. The Findett Corporation has operated a recycling business at the Site since 1962. Between 1962 and 1973, about 80% of Findett's business involved the reclamation of heat transfer fluids, hydraulic fluids, solvents and catalysts. Through these reclamation processes, wastes containing polychlorinated biphenyls (PCBs) and volatile organic chemicals (VOCs) were disposed at the Site resulting in contamination of the soils and groundwater.

EPA conducted a Remedial Investigation and Feasibility Study ("RI/FS") at the Site and the RI/FS Report was completed in 1988. The decision by EPA on the remedial action to be implemented at the Site was embodied in a Record of Decision ("ROD"), executed on December 28, 1988. In May 1995, EPA issued an amendment to the 1988 ROD. In 1989,

EPA and the Findett Corporation signed a consent decree which obligated Findett to implement the ROD. Findett is currently implementing the groundwater remedy and is expected to commence soil bioremediation on its property in the near future. Between May 1997 and August 1997, the de minimis parties signed the administrative consent order, agreeing to reimburse EPA \$250,535 for a portion of the Agency's past and future response costs in exchange for the United States' covenant not to sue the parties pursuant to Sections 106 or 107 of CERCLA, 42 U.S.C. 9606 or 9607, subject to certain reservations of rights by the United States.

Dated: March 9, 1998.

Baerbel Schiller,

*Acting Director, Superfund Division, EPA
Region VII.*

[FR Doc. 98-7304 Filed 3-19-98; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL COMMUNICATIONS
COMMISSION**

[Report No. 2263]

**Petitions for Reconsideration and
Clarification of Action in Rulemaking
Proceeding**

March 16, 1998.

Petitions for reconsideration and clarification have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of these documents are available for viewing and copying in Room 239, 1919 M Street, N.W., Washington, D.C. or may be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800. Oppositions to these petitions must be filed April 6, 1998. See Section 1.4(b)(1) of the Commission's rule (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands (ET Docket No. 95-183, RM-8553).

Implementation of Section 309(j) of the Communications Act—Competitive Bidding, 37.0-38.6 and 38.6-40.0 GHz (PP Docket No. 93-253)

Number of Petitions Filed: 12.

Subject: Amendment of 73-202(b), Table of Allotments, FM Broadcast Station (Wellington, Texas) (MM Docket No. 97-104, RM-9048).

Number of Petitions Filed: 1.