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### **XI. Submission to Congress and the Comptroller General**

Under the Agency's current interpretation of the definition of a "rule," grant solicitations such as this which are competitively awarded on the basis of selection criteria, are considered rules for the purpose of the Congressional Review Act (CRA). The CRA, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

### **List of Subjects**

Environmental protection, Grant administration, Grants, Pollution prevention.

Dated: January 19, 2001.

**William H. Sanders,**

*Director, Office of Pollution Prevention and Toxics.*

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**BILLING CODE 6560-50-S**

### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6938-6]

#### **Notice of Proposed Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act of 1986**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of reopening of Public Comment period.

**SUMMARY:** This notice informs the public that the period for submission of

comments in relation to the above-referenced Prospective Purchaser Agreement is hereby extended for an additional 30 days from the date of publication of this Notice. In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601-9675, as amended ("CERCLA"), the proposed agreement will allow reuse of an abandoned industrial facility associated with the Metcoa Radiation Superfund Site ("Site") in Pulaski, Lawrence County, Pennsylvania, and will resolve certain potential EPA claims under Section 107 of CERCLA, 42 U.S.C. 9607, against the Purchaser.

**ADDRESSES:** Comments should be submitted to Suzanne Canning, Regional Docket Clerk (3RC00), U.S. Environmental Protection Agency, Region III, 1650, Arch Street, Philadelphia, PA 19103, or by e-mail to [canning.suzanne@epa.gov](mailto:canning.suzanne@epa.gov), and should refer to the "Metcoa Radiation Superfund Site Prospective Purchaser Agreement" and "EPA Docket No. CERC-PPA-2000-0008." The proposed agreement and additional background information relating to it may be examined and/or copied at the above EPA office. A copy of the proposed agreement may be obtained by mail from Suzanne Canning at the above address.

**SUPPLEMENTARY INFORMATION:** The Environmental Protection Agency published in the **Federal Register** of December 13, 2000 (65 FR 77876), a Notice of Prospective Purchaser Agreement in relation to the Metcoa Radiation Superfund Site. In the public interest, the Environmental Protection Agency has reopened and extended to the Public Comment period in relation to this agreement for an additional thirty (30) days from the date of publication of this Notice.

#### **FOR FURTHER INFORMATION CONTACT:**

Humane L. Zia (3RC41), Assistant Regional Counsel, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103; phone: (215) 814-3454.

Dated: January 19, 2001.

**Bradley M. Campbell,**

*Regional Administrator, U.S. Environmental Protection Agency, Region III.*

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### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6935-6]

#### **Underground Injection Control Program: Substantial Modification to an Existing State-Administered Underground Injection Control Program**

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

**ACTION:** Notice; request for public comment on a substantial modification to the Wyoming 1422 underground injection control program.

**SUMMARY:** The Safe Drinking Water Act (SDWA) establishes the Underground Injection Control (UIC) Program, which is designed to protect present and future underground sources of drinking water (USDWs) and to prevent underground injection through wells that may endanger these drinking water sources. The SDWA provides for states to apply for and receive approval from the Environmental Protection Agency (EPA) to administer their own UIC programs, if the State regulations and statutes meet EPA's minimum requirements as specified in 40 CFR parts 144, 145, and 146 or the "protective" standard specified in section 1425 of the SDWA for oil and gas related wells. One of these requirements specified in 40 CFR 144.7 is the identification of USDWs. If an aquifer meets the definition of a USDW as stated in 40 CFR 144.3, injection into it through a Class I, II, or III injection well can occur only if the aquifer is exempted. Exemption from classification as a USDW can take place only if it is exempted from the classification as a USDW according to the criteria in 40 CFR 146.4. Therefore, injection through a Class I, II, or III injection well into any aquifer that meets the classification as a USDW requires a demonstration that the aquifer is not currently serving a drinking water system and is not expected to do so in the future. Certain exemptions are considered substantial program revisions. Once the State program receives final approval, subsequent modifications to the programs can be requested by the State and accomplished through the specifications under 40 CFR 145.32. Upon receiving a request for modification of a State program, EPA determines if the requested modification is "substantial" or "non-substantial." A request for an Aquifer Exemption is one type of program modification that can be requested by the State. An Aquifer Exemption request often accompanies a Draft Permit for an injection well that