

42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement in the following consolidated cases: *Assoc. of Irrigated Residents, et al. v. U.S. EPA, et al.* No. 02–70160, *Medical Alliance for Healthy Air, et al. v. Whitman, et al.*, No. 02–70177, *Communities for a Better Environment v. U.S. EPA*, No. 02–70191 (9th Circuit). These cases concern the U.S. Environmental Protection Agency's (EPA) full approval of the part 70 operating permit programs in 34 air districts in the State of California, published at 66 FR 63503 (December 7, 2001). The proposed settlement agreement was signed by the last party on May 14, 2002.

**DATES:** Written comments on the proposed settlement agreement must be received by June 20, 2002.

**ADDRESSES:** Written comments should be sent to Carol S. Holmes, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. A copy of the proposed settlement agreement is available on EPA's Web Page at <http://www.epa.gov/region09/air>. You may also obtain a copy from Phyllis J. Cochran, (202) 564–7606.

**SUPPLEMENTARY INFORMATION:**

EPA granted full approval of the 34 California part 70 operating permit programs (also known as "title V" permit programs) on November 29, 2001. 66 FR 63503 (December 7, 2001). The following groups of petitioners filed a timely petition for review: (1) Association of Irrigated Residents (AIR) and Communities for Land, Air and Water (CLAW); (2) Natural Resources Defense Council (NRDC), Sierra Club, Medical Alliance for Healthy Air; and (3) Citizens for a Better Environment (CBE) and Our Children's Earth Foundation (OCEF). Petitioners challenged EPA's action due to California Health and Safety Code section 42310(e), which provides in relevant part that "a permit shall not be required for \* \* \* (e) any equipment used in agricultural operations in the growing of crops or the raising of fowl or animals \* \* \* ." (Petitioners CBE and OCEF made additional challenges to the Bay Area Air Quality Management District part 70 program that are not a part of this proposed settlement agreement.) The parties engaged in settlement discussions and entered the Ninth Circuit Mediation Program.

The proposed settlement agreement provides that EPA will send a Notice of Deficiency (NOD) for publication to the Office of the Federal Register by May 15, 2002. Such NOD will provide notice to

the State of California that the 34 local air districts covered by the December 2001 rule are not adequately administering or enforcing their part 70 programs because the districts lack adequate authority to issue permits to, and assure compliance by, all major agricultural sources required to have a permit under Title V of the Clean Air Act as a result of the exemption in section 42310 of the California Health and Safety Code. The proposed settlement agreement also provides that no later than July 19, 2002, the Regional Administrator of EPA Region 9 shall sign and forward to the Office of the Federal Register a Notice of Proposed Rulemaking ("NPRM") that will propose, pursuant to 40 CFR 70.10(b)(2)(i), to partially withdraw approval of those portions of the 34 part 70 programs that relate to major sources using equipment involved in the growing of crops or raising of fowl or animals that would be subject to Title V but for the state agricultural exemption ("state-exempt agricultural sources"). In such NPRM, the Regional Administrator also shall propose that EPA will implement a partial federal operating permits program under 40 CFR part 71 ("Part 71 program") for major state-exempt agricultural sources. A signed, final rule must be sent to the Office of the Federal Register no later than October 2, 2002. Finally, the proposed settlement agreement sets forth application deadlines for sources subject to the part 71 federal permit program in the event the final rule implements such a program, as well as the deadline for EPA to act on any such part 71 permit applications.

For a period of thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

Dated: May 14, 2002.

**Alan W. Eckert,**

*Associate General Counsel, Air and Radiation Law Office.*

[FR Doc. 02–12708 Filed 5–20–02; 8:45 am]

**BILLING CODE 6560–50–P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL–7213–8]**

### **Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation and Liability Act; Robesonia Mercury Spill Site**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i)(1) of CERCLA, 42 U.S.C. 9622(i)(1), notice is hereby given of a proposed administrative settlement concerning the Robesonia Mercury Spill Site, Robesonia, Berks County, Pennsylvania. The administrative settlement was signed by the United States Environmental Protection Agency, Region III's Acting Regional Administrator on May 6, 2002, and is subject to review by the public pursuant to this document.

The Environmental Protection Agency is proposing to enter into a settlement pursuant to section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (CERCLA), 42 U.S.C. 9622(h). The proposed settlement resolves EPA's claim for past response costs under section 107 of CERCLA, 42 U.S.C. 9607 against the UGI Corporation for response costs incurred at the Robesonia Mercury Spill Site, Robesonia, Berks County, Pennsylvania. The proposed settlement requires UGI Corporation to pay \$13,499.42 to the EPA Hazardous Substance Fund.

The UGI Corporation, as the Settling Party, has executed binding certifications of its consent to participate in this settlement. UGI Corporation has agreed to pay \$13,499.42 subject to the contingency that the Environmental Protection Agency may elect not to complete the settlement based on matters brought to its attention during the public comment period established by this document.

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement. EPA will consider all comments received and may withdraw or withhold consent to the

proposed settlement if such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. EPA's response to any written comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103.

**DATES:** Comments must be submitted on or before June 20, 2002.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, United States Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania, 19103, and should reference Robesonia Mercury Spill Site, Robesonia, Berks County, Pennsylvania, U.S. EPA Docket No. CERCLA 03-2002-0082. The proposed settlement agreement is available for public inspection at the United States Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania, 19103. A copy of the proposed settlement agreement can be obtained from Suzanne Canning, Regional Docket Clerk (3RCOO) Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania, 19103, telephone number (215) 814-2476.

**FOR FURTHER INFORMATION CONTACT:** Charles Hayden, Senior Assistant Regional Counsel, United States Environmental Protection Agency, Office of Enforcement, Compliance, and Environmental Justice (3EC00) 1650 Arch Street, Philadelphia, Pennsylvania, 19103, telephone number (215) 814-2668.

**James W. Newson,**  
Acting Regional Administrator, Region III.  
[FR Doc. 02-12710 Filed 5-20-02; 8:45 am]

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## COUNCIL ON ENVIRONMENTAL QUALITY

### Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information

**AGENCY:** Council on Environmental Quality, Executive Office of the President.

**ACTION:** Proposed Guidelines.

**SUMMARY:** This notice requests comment on proposed guidelines implementing Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2002 (Public Law 106-554; H.R. 5658). Section 515 directs the Office of Management and Budget

(OMB) to issue government-wide guidelines under sections 3504(d)(1) and 3516 of Title 44, and require each Federal agency to issue agency-specific guidelines, to ensure and maximize the quality, objectivity, utility, and integrity of information, including statistical information, disseminated by the agency and to establish administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with such guidelines. Each agency must also report periodically to the OMB director on the number, nature, and resolution of complaints received by the agency in regards to these requirements. The proposed guidelines published below would implement these requirements for the Council on Environmental Quality. They are intended to comply with both the statutory requirements noted above and the final guidelines published by OMB on February 22, 2002 (67 FR 36, at 8452).

**DATES:** Public comments must be submitted by July 1, 2002.

**ADDRESSES:** Please submit comments to Dinah Bear, General Counsel of the Council on Environmental Quality, 722 Jackson Place, NW., Washington, DC 20503. Comments can be emailed to [informationquality@ceq.eop.gov](mailto:informationquality@ceq.eop.gov).

#### FOR FURTHER INFORMATION CONTACT:

Dinah Bear, General Counsel, Council on Environmental Quality, 722 Jackson Place, NW., Washington, DC 20503. Telephone: (202) 395-7421.

**SUPPLEMENTARY INFORMATION:** The Council on Environmental Quality (CEQ) was established by Congress in 1969 through passage of the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, and is an agency within the Executive Office of the President (EOP). The Chairman of CEQ, who is appointed by the President with the advice and consent of the Senate, serves as the principal environmental policy adviser to the President. CEQ coordinates federal environmental efforts and works closely with agencies and other White House offices in the development of environmental policies and initiatives. CEQ also oversees federal agencies implementation of NEPA through promulgation of regulations implementing the procedural provisions of NEPA (40 CFR 1500-1508) and through interpretation of statutory requirements. CEQ also has a variety of other responsibilities under NEPA, the Environmental Quality Improvement Act of 1970 and other statutes.

Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554, hereinafter referred to as Section 515) directs the Office of Management and Budget to issue government-wide guidelines that "provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies." OMB has required agencies to publish draft guidelines no later than May 1, 2002. The Council on Environmental Quality's guidelines will be published in the **Federal Register** and posted on the agency's Web site at [www.whitehouse.gov/ceq](http://www.whitehouse.gov/ceq).

The following are CEQ's "Proposed Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Council on Environmental Quality":

#### A. CEQ Will Ensure That All Information It Disseminates to the Public Meets All Applicable Standards of Quality, Including Objectivity, Utility and Integrity. CEQ Hereby Adopts This Standard of Quality, as a Performance Goal, and Adopts the Following Procedures for the Incorporation of Information Quality Criteria Into CEQ Information Dissemination Activities

##### 1. Objectivity and Utility of Information

As defined in Section C, below, "objectivity" is a measure of whether disseminated information is "accurate, clear, complete, and unbiased;". "Utility" refers to the usefulness of the information to its intended audience. CEQ is committed to disseminating reliable and useful information. Before disseminating information, CEQ staff and officials will ensure that the information has been reviewed in an information quality review process that is proportional to the importance of the information. It is the primary responsibility of the professional staff person drafting information intended for dissemination, or supervising the preparation of such information, to use the most knowledgeable and reliable sources reasonably available to confirm the objectivity and utility of such information.

2. Much of the information CEQ disseminates consists of or is based on information submitted to CEQ by other Federal agencies. Prior to dissemination of such information, responsible CEQ staff will obtain a written statement from the agency submitting the information attesting that the