

that is chartered or otherwise sanctioned by a state; State; Indian Tribe other than in Alaska; and Alaska Native Regional Corporation, Alaska Native Village Corporation, and Metlakatla Indian Community. In addition, Intertribal Consortia, other than those composed of ineligible Alaskan tribes, are eligible to apply for the brownfields job training grants.

For the purposes of determining a nonprofit organization's eligibility for the brownfields job training grant program, EPA will use the definition of nonprofit organizations contained in section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107. The term "nonprofit organization" means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization.

To ensure a fair selection process, evaluation panels consisting of EPA Regional and Headquarters staff and other federal agency representatives will assess how well the proposals meet the selection criteria outlined in the application booklet, Proposal Guidelines for Brownfields Job Training Grants (November 2002). Proposals will be evaluated and ranked by National Evaluation Panels. The evaluation panels will review the proposals carefully and assess each response based on how well it addresses the criteria, briefly outlined below. There are two different types of criteria—threshold criteria and ranking criteria. Applicants must meet the threshold criteria to be considered for an award of a grant. Responses to the evaluation criteria will be utilized to determine whether to make an award and the amount of funds to be awarded.

#### Job Training Grants

##### Threshold Criteria

- A. Location of Project
- B. Applicant Eligibility
- C. Proof of Non-Duplication of effort

##### Ranking Criteria

- A. Community Need (a maximum of 10 points may be received for this criterion)
- B. Institutional Capacity (a maximum of 15 points may be received for this criterion)
- C. Training Program Objectives and Plans (a maximum of 20 points may be received for this criterion)

D. Budget, Schedule and Leveraging (a maximum of 25 points may be received for this criterion)

E. Community Involvement and Partnerships (a maximum of 20 points may be received for this criterion)

F. Measures of Success (a maximum of 10 points may be received for this criterion)

Final selections will be made by EPA senior management after considering the ranking of Final Proposals by the National Evaluation Panels EPA decisions may take into account other statutory and policy considerations, such as urban and non-urban distribution and other geographic factors; compliance with the statutory petroleum funding allocation; designation as a Federal Empowerment Zone, Enterprise Community, or Renewal Community; population; and whether the applicant is a federally recognized Indian tribe. There is no guarantee of an award.

Dated: December 5, 2002.

**Sven Kaiser,**

*Acting Director, Office of Brownfields Cleanup and Redevelopment, Office of Solid Waste and Emergency Response.*

[FR Doc. 02-31677 Filed 12-16-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7423-2]

### Chesapeake Bay Program

The U.S. Environmental Protection Agency's Chesapeake Bay Program Office, on behalf of the partners of the Chesapeake Bay Program, announces an extension to the comment period for the Draft Chesapeake Bay Comprehensive Oyster Management Plan until January 15, 2003. The draft plan addresses both habitat restoration and oyster fishery management. It emphasizes biologically based, strategic decision making, enables an adaptive management approach, and provides for better coordination among key agencies, organizations, and institutions involved in oyster restoration in Maryland and Virginia waters of Chesapeake Bay and its tidal tributaries. The Chesapeake Bay oyster partners include the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the National Oceanic and Atmospheric Administration, the Maryland Department of Natural Resources, the Virginia Marine Resources Commission, the Maryland Oyster Recovery Partnership, the Virginia Oyster Heritage Program, the Chesapeake Bay

Foundation, the University of Maryland, and the Virginia Institute of Marine Science. Following receipt of comments, a final draft plan will be circulated to Chesapeake Bay Program signatory partners for approval. It is expected that the final plan will be adopted by the Chesapeake Executive Council in 2003. The draft plan is available on-line at the EPA Region III Web site <http://www.epa.gov/r3chespk/>, or at the Chesapeake Bay Program Web site <http://www.chesapeakebay.net> or by regular mail from the EPA Chesapeake Bay Program Office (Phone: 410-267-5700).

Comments should be postmarked no later than January 15, 2003. Comments can be sent either by email to [fritz.mike@epa.gov](mailto:fritz.mike@epa.gov) or by regular mail to Michael Fritz, U.S. EPA, 410 Severn Avenue, Suite 109, Annapolis, MD 21403. Further information about the Chesapeake Bay Program and oysters and other living resources in the bay is available at <http://www.chesapeakebay.net>.

**Diana Esher,**

*Deputy Director, Chesapeake Bay Program Office.*

[FR Doc. 02-31670 Filed 12-16-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7423-1]

### Intent to Grant a Co-Exclusive Patent License

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

**ACTION:** Notice of intent to grant a co-exclusive patent license.

**SUMMARY:** Pursuant to 35 U.S.C. 207 and 37 CFR part 404, EPA hereby gives notice of its intent to grant a co-exclusive, royalty-bearing, revocable license to practice the invention described and claimed in the patents listed below, all corresponding patents issued throughout the world, and all reexamined patents and reissued patents granted in connection with such patents, to Sensors, Inc., Saline, Michigan and to Horiba Instruments, Inc., Irvine, California, including its parent, subsidiaries, affiliates and companies controlled by Horiba. The patents are:

U.S. Patent No. 6,148,656, entitled "Real-time On-road Vehicle Exhaust Gas Modular Flowmeter and Emissions Reporting System," issued November 21, 2000.

U.S. Patent No. 6,382,014, entitled "Real-time On-road Vehicle Exhaust Gas

Modular Flowmeter and Emissions Reporting System," issued May 7, 2002.

U.S. Patent No. 6,470,732, entitled "Real-time Exhaust Gas Modular Flowmeter and Emissions Reporting System for Mobile Apparatus," issued October 29, 2002.

The invention was announced as being available for licensing in the March 1, 1999 issue of the **Federal Register** (64 FR 9990) as U.S. Patent Application No. 09/226,920, filed January 5, 1999, and claiming priority from a provisional application filed January 5, 1998.

The proposed co-exclusive license will contain appropriate terms, limitations, and conditions to be negotiated in accordance with 35 U.S.C. 209 and 37 CFR 404.5 and 404.7 of the U.S. Government patent licensing regulations.

EPA will negotiate the final terms and conditions and grant the co-exclusive license, unless within 15 days from the date of this notice EPA receives, at the address below, written objections to the grant, together with supporting documentation. The documentation from objecting parties having an interest in practicing the above patents should include an application for an exclusive or nonexclusive license with the information set forth in 37 CFR 404.8. The EPA Patent Counsel and other EPA officials will review all written responses and then make recommendations on a final decision to the Director or Deputy Director of the Office of Transportation and Air Quality, who have been delegated the authority to issue patent licenses under EPA Delegation 1-55.

**DATES:** Comments on this notice must be received by EPA at the address listed below by January 2, 2003.

**FOR FURTHER INFORMATION CONTACT:** Alan Ehrlich, Patent Counsel, Office of General Counsel (Mail Code 2377A), Environmental Protection Agency, Washington, DC 20460, Telephone (202) 564-5457.

Dated: December 6, 2002.

**Marla E. Diamond,**  
*Associate General Counsel, Finance and Operations Law Office.*

[FR Doc. 02-31671 Filed 12-16-02; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7422-8]

**Clean Water Act Section 303(d): Availability of 12 Modified Total Maximum Daily Loads (TMDLs)**

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability for comment of the administrative record file for 12 modified TMDLs and the calculations for these TMDLs prepared by EPA Region 6 for waters listed in the Mermentau and Vermilion/Teche river basins, under section 303(d) of the Clean Water Act (CWA). These TMDLs were completed in response to the lawsuit styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.).

**DATES:** Comments must be submitted in writing to EPA on or before January 16, 2003.

**ADDRESSES:** Comments on the 12 modified TMDLs should be sent to Ellen Caldwell, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733. For further information, contact Ellen Caldwell at (214) 665-7513. The administrative record file for these TMDLs are available for public inspection at this address as well. Documents from the administrative record file may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm), or obtained by calling or writing Ms. Caldwell at the above address. Please contact Ms. Caldwell to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Ellen Caldwell at (214) 665-7513.

**SUPPLEMENTARY INFORMATION:** In 1996, two Louisiana environmental groups, the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA), styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Among other claims, plaintiffs alleged that EPA failed to establish Louisiana TMDLs in a timely manner. EPA originally established these TMDLs pursuant to a consent decree entered in this lawsuit. EPA is now modifying these TMDLs.

**EPA Seeks Comments on 12 Modified TMDLs**

By this notice EPA is seeking comment on the following 12 modified TMDLs for waters located within the Mermentau and Vermilion/Teche river basins:

Subsegment	Waterbody name	Pollutant
050102 .....	Bayou Joe Marcel .....	Pathogen indicators.
060204 .....	Bayou Courtableau—Origin to West Atchafalaya Borrow Pit Canal.	Pathogen indicators.
060212 .....	Chatlin Lake Canal and Bayou Dulac .....	Pathogen indicators.
060701 .....	Tete Bayou .....	Pathogen indicators.
060703 .....	Bayou Portage .....	Pathogen indicators.
060901 .....	Bayou Petite Anse .....	Pathogen indicators.
060909 .....	Lake Peigneur .....	Pathogen indicators.
060911 .....	Dugas Canal .....	Pathogen indicators.
060204 .....	Bayou Courtableau—Origin to West Atchafalaya Borrow Pit Canal.	Sulfates.
050201 .....	Bayou Plaquemine Brule—Headwaters to Bayou Des Cannes.	TDS.
050501 .....	Bayou Queue de Tortue—Headwaters to Mermentau River.	TDS.
060208 .....	Bayou Boeuf—Headwaters to Bayou Courtableau .....	TDS.

EPA previously requested the public to provide EPA with any significant data or information that might impact the original 12 TMDLs in Federal Register

Notices: Volume 65, Number 173, pages 54032-54034 (September 6, 2000) and Volume 65, Number 196, page 60189 (October 10, 2000).

EPA now requests that the public provide any water quality related data and information that may be relevant to the calculations for these 12 modified