

**United States
Federal Reserve**

Friday
November 29, 1996

Part XXII

**Environmental
Protection Agency**

Semiannual Regulatory Agenda

ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL-5639-3]

Semiannual Regulatory Agenda

AGENCY: Environmental Protection Agency.

ACTION: Semiannual regulatory agenda.

SUMMARY: The regulatory agenda is a semiannual summary of current and projected rulemakings, reviews of existing regulations, and completed actions of the Environmental Protection Agency (EPA). By providing information about regulatory actions underway and those that we will issue in the coming year, we hope to encourage public participation in the regulatory process.

ADDRESSES: To be placed on the agenda mailing list, either write to USEPA/NCEPI at P.O. Box 42419, Cincinnati, Ohio 45242, or fax your request to (513) 489-8695. If you need confirmation that your request was received, you may call 1-800-490-9198.

If you have suggestions to improve this publication, comments on rules that substantially impact small entities, or need general information about the agenda, contact Angela Suber, Regulatory Development Branch (2136), EPA, 401 M Street SW., Washington, DC 20460, (202) 260-7205.

FOR FURTHER INFORMATION CONTACT: If you need substantive information about a particular entry, the name, address, and telephone number of the agency contact who is most familiar with the subject matter is listed for each action.

SUPPLEMENTARY INFORMATION:

Regulatory Priorities and Schedules

Last year's Government shutdown and reduced funding for EPA under continuing resolutions have delayed many of EPA's regulatory actions. Nevertheless, EPA continues to devote its best efforts toward full protection of human health and the environment and remains fully committed to reinventing our regulations to provide greater environmental protection at less cost. EPA's reinvention efforts are described more fully in its 1996 regulatory plan, which is published along with this document. EPA continues to make efforts to reduce paperwork burden, to develop common-sense regulatory

actions, and to delete or modify regulations currently in place. We will also give priority to initiatives that offer novel solutions to real environmental problems posed by an industry or locality when generally applicable mandates may prove ineffective or inefficient in a specific application.

How the Agenda Is Organized

For this edition of EPA's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the Federal Register. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

Each agenda entry includes the title, legal authority, CFR reference, legal deadline, abstract, and timetable. Each entry also indicates the categories of small entities and levels of government that may be affected by the rulemaking and whether the Agency plans to prepare a Regulatory Flexibility Analysis. In addition, we indicate whether an entry is part of the Reinventing Government effort. Lastly, the agenda includes an agency contact person for each entry.

The agenda is organized by statute and ordered numerically within each statute. Entries within each statute are divided into five categories: (1) Prerule, (2) proposed rule, (3) final rule, (4) long-term actions (i.e., actions under preparation that will not be published until after the 1-year horizon for this agenda), and (5) completed actions (i.e., regulations that EPA is deleting from the agenda because the Agency has completed, withdrawn, or postponed them indefinitely). Detailed information on each of these categories is presented below. A bullet (●) preceding an entry indicates that this is the first time an action is appearing in the agenda.

I. Prerulemakings

Prerulemaking actions are intended to determine whether to initiate rulemaking. Prerulemakings include anything that influences or leads to rulemaking, such as advance notices of proposed rulemaking, significant studies or analyses of the possible need for regulatory action, requests for public comment on the need for regulatory action, or important prerulemaking policy proposals.

II. Proposed and Final Rules

This section includes all substantial EPA regulations that are within a year of proposal or promulgation. The listings, however, generally exclude (a) specialized categories of actions (e.g., EPA approvals of State plans and other actions that do not apply nationally) and (b) routine actions (e.g., pesticide tolerances and minor amendments to existing rules).

We have listed all regulations and regulatory reviews except those considered minor, routine, or repetitive actions. There is no legal significance to the inadvertent omission of an item from the listing. The agenda shows dates for actions on each entry; these dates are estimates only and should not be construed as an absolute Agency commitment to act on or by the date shown. The Administrator of EPA will review the items contained in this agenda over the next 6 months. Entries in this agenda may be deleted, or new entries added as a result of that review.

We also seek to enhance public participation in development of proposed rules by potentially affected stakeholders. We therefore invite expressions of interest to be directed to the contact person listed for each rule.

III. Long-Term Actions

This section includes actions with publication dates beyond the next 12 months. We will continue to work with interested stakeholders to develop regulatory information to support these rulemakings.

IV. Completed Actions

This section contains actions that appeared in the previous agenda but which we are deleting because they are completed or are no longer under consideration for rulemaking. If an action appears in the completed section, it will not appear in future agendas, unless we decide to initiate action again, in which case it will appear as a new entry.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires that an agency prepare a Regulatory Flexibility Analysis for a rule unless the Agency certifies that the rule will not have a "significant economic impact on a substantial number of small entities" (i.e., small governments, small businesses, and small nonprofit organizations). A

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Regulatory Flexibility Analysis must identify the extent to which small entities are subject to the rule's requirements, as well as any significant alternatives to the rule which accomplish the objectives of applicable statutes and which minimize any significant economic impacts on small entities. In the agenda, we have identified those rules that are likely to have any impact at all on small entities by indicating the type(s) of small entities that may be affected by the rulemaking in the "Small Entities Affected" section. The agenda also indicates in the "Analysis" section whether we believe the impact will be sufficient to warrant a Regulatory Flexibility Analysis for a particular rule. We invite public comment regarding our assessment of those rulemakings that appear to be appropriate for Regulatory Flexibility Analysis. (See "Small Entities Index to the Environmental Protection Agency Agenda" at the end of this document. It lists the regulatory

actions we believe may have effects on small businesses, small governmental jurisdictions, or small organizations.)

Section 610 of the RFA requires that agencies review within 10 years of promulgation those regulations that have or will have a significant economic impact on a substantial number of small entities. A number of actions in this edition of the agenda are the result of EPA's line-by-line review of existing regulations, and several propose to analyze and, where appropriate, amend or withdraw regulatory requirements that we believe may impose undue burdens on small entities. We also invite you to identify any existing rules for future review that you believe to have a significant economic impact on a substantial number of small entities. Please provide your comments in the following format:

- Title
- Authorizing statute and Code of Federal Regulations citation

- Description of economic effects on small entities, especially on the commenting person or organization
- Recommendations for changes

When we complete our review of an existing rule, we will indicate in the agenda whether that rulemaking will be continued without change or will be amended or rescinded consistent with the stated objectives of applicable statutes to minimize any significant economic impact on a substantial number of small entities. Finally, this agenda also indicates in the "Priority" section whether a rulemaking may be considered "major" under the Small Business Regulatory Enforcement Fairness Act, which President Clinton signed into law on March 29, 1996.

Dated: October 25, 1996.

Rob Wolcott,

Acting Deputy Assistant Administrator, Office of Policy, Planning, and Evaluation.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3440	SAN No. 3630. Data Consolidated Initiative: Key Facilitator Information (Reg Plan Seq. No. 94)	2070-AD01

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3441	SAN No. 3932. Pesticides; Self-Certification (Reg Plan Seq. No. 100)	2070-AD00
3442	SAN No. 3892. Antimicrobial Pesticide Registration Reform	2070-AD14
3443	SAN No. 2687. Pesticide Data Requirements for Registration (Revision)	2070-AC12
3444	SAN No. 3731. Modifications to Pesticide Worker Protection Standard	2070-AC93
3445	SAN No. 3736. Pesticide Export Policy	2070-AD02
3446	SAN No. 3890. Tolerances for Pesticide Emergency Exemptions	2070-AD15

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3447	SAN No. 3154. Pesticide Tolerance Decisions Under the Delaney Clause	2070-AC55
3448	SAN No. 3739. Cross-Contamination of Pesticide Products	2070-AD03
3449	SAN No. 2684. Regulation of Plant-Produced Pesticides Under FIFRA and FFDC A	2070-AC02
3450	SAN No. 3135. Pesticide Flammability Labeling Requirements for Total Release Foggers	2070-AC60
3451	SAN No. 2371. Restricted Use Criteria for Pesticides in Groundwater	2070-AB60
3452	SAN No. 3222. Pesticides and Groundwater State Management Plan Regulation	2070-AC46
3453	SAN No. 2338. Reporting Requirements for Risk/Benefit Information (Revision)	2070-AB50
3454	SAN No. 2720. Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspende d Registration	2070-AC08

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Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3455	SAN No. 3733. Scope and Clarification of the WPS Exceptions Process	2070-AC96

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3456	SAN No. 2444. Pesticide Tolerances; Portion of Food Commodities To Be Analyzed for Pesticide Residues	2070-AC45
3457	SAN No. 3113. Endangered Species Protection Program	2070-AC42
3458	SAN No. 3735. The 10-Acre Limitation for Pesticide Small-Scale Field Testing	2070-AC99
3459	SAN No. 2351. Classification of Certain Pesticides for Restricted Use Due to Groundwater Concerns	2070-AC33
3460	SAN No. 1640. Worker Protection Standards; Pesticide Hazard Communication	2070-AC34
3461	SAN No. 3636. Pesticide Labeling Claims	2070-AC85
3462	SAN No. 3732. Exceptions to Pesticide Worker Protection Standard	2070-AC95
3463	SAN No. 2659. Pesticide Management and Disposal: Standards for Pesticide Containers and Containment	2070-AB95
3464	SAN No. 2639. Child-Resistant Packaging Regulations (Revision)	2070-AB96

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3465	SAN No. 3430. Pesticides: Tolerance Program Revisions	2070-AC74
3466	SAN No. 3734. Pesticides; Revision of Notification Procedure	2070-AC98
3467	SAN No. 3318. Exemption of Sterilant Pesticide Products From Regulation Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)	2070-AC58
3468	SAN No. 3320. Regulatory Relief for Low-Risk Pesticides	2070-AC67

Toxic Substances Control Act (TSCA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3469	SAN No. 3880. Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know (Reg Plan Seq. No. 95)	2070-AD09
3470	SAN No. 3877. Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know (Reg Plan Seq. No. 96)	2070-AD08

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Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3471	SAN No. 3301. TSCA Inventory Update Rule Amendments (Reg Plan Seq. No. 101)	2070-AC61
3472	SAN No. 3388. Deletion of Isopropyl Alcohol; Toxic Chemical Release Reporting; Community Right-To-Know	2070-AC77
3473	SAN No. 2847. Mandatory Pollution Prevention Reporting for Toxic Release Inventory (TRI)	2070-AC24
3474	SAN No. 3243. Lead Hazard Standards	2070-AC63
3475	SAN No. 3508. TSCA Requirements for the Disposal of Lead-Based Paint Abatement Waste	2070-AC72
3476	SAN No. 3243. Selected Rulemakings for Abating Lead Hazards (Reg Plan Seq. No. 102)	2070-AD06
3477	SAN No. 3894. TSCA Biotechnology Follow-up Rules	2070-AD13
3478	SAN No. 3494. Proposed Decisions on Test Rules	2070-AB07
3479	SAN No. 2563. ATSDR Substances Test Rule	2070-AB79
3480	SAN No. 2865. Multichemical Endpoint(s) Test Rule; Developmental and Reproductive Toxicity	2070-AC27
3481	SAN No. 2865. Multichemical Endpoint Test Rule; Chemical Fate and Environmental Effects	2070-AC36

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Toxic Substances Control Act (TSCA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3482	SAN No. 2245. Negotiated Consent Order and Test Rule Procedures	2070-AB30
3483	SAN No. 3148. Revised Asbestos Model Accreditation Plan	2070-AC51
3484	SAN No. 3881. Lead Fee Rule for Lead-Based Paint Activities Training and Certification	2070-AD11

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Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3485	SAN No. 3034. Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know (Reg Plan Seq. No. 117)	2070-AC71
3486	SAN No. 2425. Responses to Petitions Received To Add to or Delete Chemicals From the List of Toxic Chemicals Subject to Toxic Release Reporting Under EPCRA Section 313	2070-AC00
3487	SAN No. 3242. Lead-Based Paint Disclosure Requirements at Renovation of Target Housing	2070-AC65
3488	SAN No. 3755. CFR Regulatory Review Related Initiatives (Reg Plan Seq. No. 118)	2070-AC97
3489	SAN No. 3493. Final Decisions on Test Rules	2070-AB94
3490	SAN No. 1923. Follow-Up Rules on Existing Chemicals	2070-AA58
3491	SAN No. 1976. Follow-Up Rules on Non-5(e) New Chemical Substances	2070-AA59
3492	SAN No. 3495. Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders	2070-AB27
3493	SAN No. 2247. Generic Significant New Use Rule (SNUR) for Acrylate Compounds	2070-AB56
3494	SAN No. 2326. Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)	2070-AB61
3495	SAN No. 2150. Polychlorinated Biphenyls (PCBs): Applications for Exemptions From the Ban on Manufacturing, Processing, and Distribution	2070-AB20
3496	SAN No. 2878. Polychlorinated Biphenyls - PCBs - Disposal Amendments	2070-AC01
3497	SAN No. 2779. Use of Acrylamide for Grouting	2070-AC17
3498	SAN No. 3021. Polychlorinated Biphenyls (PCBs) Transformer Reclassification Rule	2070-AC39
3499	SAN No. 3860. Polychlorinated Biphenyls (PCBs) Disposal Amendments (Reg Plan Seq. No. 119)	2070-AD04
3500	SAN No. 2178. Section 8(a) Preliminary Assessment Information Rules	2070-AB08
3501	SAN No. 1139. Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
3502	SAN No. 3118. TSCA Section 8(e); Notice of Clarification and Solicitation of Public Comment	2070-AC80
3503	SAN No. 3559. Notice of TSCA Section 4 Reimbursement Period and TSCA Section 12(b) Export Notification Period Sunset Dates for TSCA Section 4 Substances	2070-AC84

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Toxic Substances Control Act (TSCA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3504	SAN No. 3007. Chemical List Expansion; Emergency Planning and Community Right-To-Know Act Section 313	2070-AC47
3505	SAN No. 3244. Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule	2070-AC64
3506	SAN No. 2249. Amendments to the Asbestos Worker Protection Rule	2070-AC66
3507	SAN No. 3480. Development of Guidance as Mandated by Executive Order 12873, Section 503 on Environmentally Preferable Products	2070-AC78
3508	SAN No. 3631. Evaluation of Products for Lead-Based Paint Activities	2070-AC88
3509	SAN No. 3504. Hazardous Air Pollutants Test Rule	2070-AC76
3510	SAN No. 3882. Test Rule for Certain Metals	2070-AD10
3511	SAN No. 3252. Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use	2070-AC21
3512	SAN No. 2146. Regulatory Investigation of Formaldehyde	2070-AB14
3513	SAN No. 2560. Procedures and Criteria for Termination of Polychlorinated Biphenyls (PCBs) Disposal Permits	2070-AB81
3514	SAN No. 2844. Regulatory Investigation of Dioxin in Pulp and Paper Mill Sludge	2070-AC05
3515	SAN No. 3047. Amendments to the Asbestos-Containing Materials in Schools Rule	2070-AC62

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Toxic Substances Control Act (TSCA)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3516	SAN No. 1923. Significant New Use Rules on National Program Chemicals; Asbestos, Lead, and Refractory Ceramic Fibers	2070-AC37
3517	SAN No. 3557. Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling	2070-AC83

Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3518	SAN No. 3662. Water Quality Standards Regulation—Revision	2040-AC56

Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3519	SAN No. 3925. Uniform National Discharge Standards for Armed Forces Vessels	2040-AC96
3520	SAN No. 3921. Proposed Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System	2040-AC97
3521	SAN No. 3504. Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California	2040-AC44
3522	SAN No. 3618. Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC54
3523	SAN No. 3788. Streamlining the State Sewage Sludge Management Regulations	2040-AC87
3524	SAN No. 3713. Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136 ..	2040-AC93
3525	SAN No. 3497. Amendments to Round I Final Sewage Sludge Use or Disposal Rule - Phase Two	2040-AC53
3526	SAN No. 3861. Streamlining National Pollutant Discharge Elimination System Requirements, Including General Pretreatment Requirements (Reg Plan Seq. No. 103)	2040-AC69
3527	SAN No. 3209. Effluent Guidelines and Standards for the Industrial Laundries Category	2040-AB97
3528	SAN No. 3204. Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category	2040-AB98
3529	SAN No. 3489. Effluent Guidelines and Standards for Landfills and Incinerators	2040-AC23
3530	SAN No. 3762. NPDES Streamlining Rule—Round II	2040-AC70
3531	SAN No. 3786. NPDES Streamlining Rule—Round III	2040-AC84
3532	SAN No. 3804. Streamlining 301(h) Waiver Renewal Requirements	2040-AC89
3533	SAN No. 3700. Streamlining Revisions to the Water Quality Planning and Management Regulations (Reg Plan Seq. No. 104)	2040-AC65
3534	SAN No. 3702. Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	2040-AC75
3535	SAN No. 3701. Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act ..	2040-AC76
3536	SAN No. 3767. Reformatting of Effluent Guidelines and Standards in 40 CFR Parts 405 through 471	2040-AC79
3537	SAN No. 3663. Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution	2040-AC58
3538	SAN No. 3714. Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136	2040-AC92
3539	SAN No. 3234. Revision of NPDES Industrial Permit Application Requirements and Form 2C—Wastewater Discharge Information	2040-AC26
3540	SAN No. 3785. Comprehensive NPDES Stormwater Phase II Regulations	2040-AC82
3541	SAN No. 3887. Proposed Revisions to the PCB Criteria for Human Health and Wildlife for the Water Quality Guidance for the Great Lakes System	2040-AC94

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Clean Water Act (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3542	SAN No. 3497 and SAN No. 3442 (RIN 2040-AC46) Amendments to Round I Final Sewage Sludge Use or Disposal Rule—Phase One	2040-AC29

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Clean Water Act (CWA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3543	SAN No. 1427. Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category	2040-AA13
3544	SAN No. 2712. Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category	2040-AB53
3545	SAN No. 2747. Effluent Guidelines and Standards for the Coastal Subcategory of the Oil and Gas Extraction Category	2040-AB72
3546	SAN No. 2805. Effluent Guidelines and Standards for the Centralized Waste Treatment Industry	2040-AB78
3547	SAN No. 2806. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phase I	2040-AB79
3548	SAN No. 3661. Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance	2040-AC55
3549	SAN No. 3625. Streamlined Procedures for Developing and Maintaining Approved Publicly-Owned Treatment Works Pretreatment Programs	2040-AC57
3550	SAN No. 3722. Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards	2040-AC74
3551	SAN No. 3766. Water Quality Standards for Pennsylvania	2040-AC78
3552	SAN No. 3617. Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC63
3553	SAN No. 3679. Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act	2040-AC64
3554	SAN No. 3155. Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act	2040-AC95
3555	SAN No. 3666. Clarification of the Application Requirements for States Wanting to Designate Drinking Water Intake Zones, Thereby Prohibiting the Discharge of Vessel Sewage Within Those Zones	2040-AC61
3556	SAN No. 2501. NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal	2040-AB39
3557	SAN No. 2820. Shore Protection Act, Section 4103(b) Regulations	2040-AB85

Clean Water Act (CWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3558	SAN No. 3448. Standards for the Use or Disposal of Sewage Sludge (Round II)	2040-AC25
3559	SAN No. 3496. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phase II	2040-AC30
3560	SAN No. 3444. Criteria and Standards Reflecting Best Technology Available (BTA) for Cooling Water Intake Structures Under Section 316(b) of the Clean Water Act	2040-AC34
3561	SAN No. 3833. Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category	2040-AC90
3562	SAN No. 2804. Clean Water Act Section 404 Program Definition of the Waters of the United States—Isolated Waters and Artificial Waters	2040-AB74
3563	SAN No. 3224. Comparison of Dredged Material to Reference Sediment	2040-AC14
3564	SAN No. 2737. Revisions to Ocean Dumping Regulations for Dredged Material	2040-AB62

Clean Water Act (CWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3565	SAN No. 3581. Leather Tanning and Finishing Effluent Guidelines—Pretreatment Standards for Existing and New Sources	2040-AC48
3566	SAN No. 3391. Effluent Guidelines and Standards for Pesticide Formulating, Packaging, and Repackaging	2040-AC21
3567	SAN No. 3727. Modification of Secondary Treatment Requirements for Discharges Into Marine Waters; Change to Eligibility for Different Averaging Period	2040-AC72
3568	SAN No. 3847. 1996 Effluent Guidelines Plan	2040-AC86
3569	SAN No. 3562. Amendments to Requirements for Authorized State Permit Programs Under Section 402 of the Clean Water Act	2040-AC43
3570	SAN No. 3783. Ocean Dumping Testing Requirements Clarification	2040-AC81

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Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3571	SAN No. 1727. Environmental Protection Standards for Low-Level Radioactive Waste	2060-AA04
3572	SAN No. 2073. Environmental Protection Agency Radiation Site Cleanup Regulation (Reg Plan Seq. No. 105) ...	2060-AB31

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Atomic Energy Act (AEA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3573	SAN No. 3602. Protective Action Guidance for Drinking Water	2060-AF39
3574	SAN No. 3321. Federal Radiation Protection Guidance for Exposure of the General Public	2060-AE61

Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3575	SAN No. 3862. Streamlining Revisions to the National Primary Drinking Water Regulations (Reg Plan Seq. No. 106)	2040-AC66
3576	SAN No. 3726. Analytical Methods for Regulated Drinking Water Contaminants	2040-AC77
3577	SAN No. 3784. Underground Injection Control Program Streamlining Rule	2040-AC83
3578	SAN No. 3761. Streamlining Drinking Water Monitoring Requirements	2040-AC73

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Safe Drinking Water Act (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3579	SAN No. 3440. National Primary Drinking Water Regulations for Lead and Copper	2040-AC27
3580	SAN No. 3563. Reformatting of Drinking Water Regulations	2040-AC41
3581	SAN No. 3803. Analytic Methods for Measuring Radionuclides in the Drinking Water Program	2040-AC88
3582	SAN No. 2778. Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act	2040-AB83

Safe Drinking Water Act (SDWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3583	SAN No. 2281. National Primary Drinking Water Regulations: Radionuclides	2040-AA94
3584	SAN No. 2340. National Primary Drinking Water Regulations: Groundwater Disinfection	2040-AA97
3585	SAN No. 2807. National Primary Drinking Water Regulations: Arsenic	2040-AB75
3586	SAN No. 2772. National Primary Drinking Water Regulations: Phase VIA—Disinfection By-Products Rule	2040-AB82
3587	SAN No. 3176. National Primary Drinking Water Regulations: Sulfate	2040-AC07
3588	SAN No. 3238. National Primary Drinking Water Standards for Aldicarb	2040-AC13
3589	SAN No. 3509. National Primary Drinking Water Regulations: Phase VI-B—Organic and Inorganic Contaminants	2040-AC22
3590	SAN No. 2304. National Primary Drinking Water Regulations: Enhanced Surface Water Treatment Rule	2040-AC91

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Safe Drinking Water Act (SDWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3591	SAN No. 3445. Drinking Water Microbial and Disinfection By-Product Monitoring Rule (Formerly Called the "Information Collection Disinfection By-Products Rule")	2040-AC24

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3592	SAN No. 3886. Review of Toxicity Characteristic Level for Silver Under the Resource Conservation Recovery Act (RCRA)	2050-AE37

Resource Conservation and Recovery Act (RCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3593	SAN No. 3805. Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste	2050-AE32
3594	SAN No. 2634. Revisions to the Oil Pollution Prevention Regulation	2050-AC62
3595	SAN No. 3546. Flexibility in Management Criteria for Small Municipal Solid Waste Landfills	2050-AE24
3596	SAN No. 3547. New and Revised Testing Methods Approved for RCRA Subtitle C, Hazardous Waste Testing Manual, SW-846, Third Edition, Update IV	2050-AE25
3597	SAN No. 3668. Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards	2050-AE28
3598	SAN No. 2872. Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General (Reg Plan Seq. No. 107)	2050-AD18
3599	SAN No. 3151. Chlorinated Aliphatics Listing Determination	2050-AD85
3600	SAN No. 2390. Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities (Reg Plan Seq. No. 108)	2050-AB80
3601	SAN No. 3856. Management of Cement Kiln Dust (CKD) (Reg Plan Seq. No. 109)	2050-AE34

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Resource Conservation and Recovery Act (RCRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3602	SAN No. 3328. Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste (Reg Plan Seq. No. 120)	2050-AE07
3603	SAN No. 3042. Hazardous Waste Management System: Post-Closure Requirements	2050-AD55
3604	SAN No. 3065. Listing Determination for Hazardous Wastes—Organobromines Chemical Industry	2050-AD79
3605	SAN No. 3134. Spent Solvents Listing Determination	2050-AD84
3606	SAN No. 3427. New and Revised Testing Methods Approved for RCRA Subtitle C, in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846), Third Edition, Update III	2050-AE14
3607	SAN No. 3179. RCRA Subtitle D Corporate Financial Test and Guarantee	2050-AD77
3608	SAN No. 3066 3068/3069 Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments	2050-AD80
3609	SAN No. 3064. Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes	2050-AD88
3610	SAN No. 3333. Revised Standards for Hazardous Waste Combustion Facilities (Reg Plan Seq. No. 121)	2050-AE01
3611	SAN No. 3366. Land Disposal Restrictions—Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues (Reg Plan Seq. No. 122)	2050-AE05
3612	SAN No. 2982. Requirements for Management of Hazardous Contaminated Media Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media (Reg Plan Seq. No. 123)	2050-AE22
3613	SAN No. 2647. RCRA Subtitle C Financial Test Criteria (Revision)	2050-AC71

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Resource Conservation and Recovery Act (RCRA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3614	SAN No. 3235. Military Munitions Rule: Hazardous Waste Identification and Management; Explosives Emergencies; Redefinition of "On-site"	2050-AD90
3615	SAN No. 2827. RCRA Subtitle C Indian Program Authorization	2050-AD07
3616	SAN No. 2761. Financial Test for Local Governments That Own/Operate Municipal Solid Waste Landfills	2050-AD04
3617	SAN No. 2751. RCRA Subtitle D Solid Waste Facilities; State/Tribal Permit Program—Determination of Adequacy	2050-AD03
3618	SAN No. 3545. Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials	2050-AE23

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Resource Conservation and Recovery Act (RCRA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3619	SAN No. 3888. Mercury Containing and Rechargeable Battery Management Act	2050-AE39
3620	SAN No. 3425. Facility Response Planning for Delegated Offshore Facilities	2050-AE18
3621	SAN No. 3428. Standards for the Management and Use of Slag Residues Derived from High Temperature Metals Recovery (HTMR) Treatment of KO61, KO62 and F006 Wastes	2050-AE15
3622	SAN No. 3189. Final Determination of the Applicability of the Toxicity Characteristic Rule to Underground Storage Tanks, Contaminated Media, and Debris	2050-AD69
3623	SAN No. 3201. Regulatory Determination on Remaining Wastes From the Combustion of Fossil Fuels	2050-AD91
3624	SAN No. 3237. Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps	2050-AD93
3625	SAN No. 3147. Hazardous Waste Manifest Regulation	2050-AE21
3626	SAN No. 3433. Underground Storage Tanks Containing Hazardous Substances - Financial Responsibility Requirements	2050-AC15

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3627	SAN No. 3416. Revisions to Criteria Applicable to Solid Waste Disposal Facilities That May Accept CESQG Hazardous Wastes Excluding Municipal Solid Waste Landfills	2050-AE11

Clean Air Act (CAA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3628	SAN No. 3873. Waste Isolation Pilot Plant (WIPP) Compliance Certification Rulemaking (Reg Plan Seq. No. 97)	2060-AG85
3629	SAN No. 3553. Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations (Reg Plan Seq. No. 98)	2060-AF34
3630	SAN No. 3795. Acid Rain Program: Elimination of Direct Sale Program and IPP Written Guarantee; and ANPRM to Modify Allowance Auction	2060-AG41
3631	SAN No. 3819. NSPS for Sewage Sludge Incinerators	2060-AG50
3632	SAN No. 3795. Acid Rain Program: SO2 Allowance Auction and Electronic Allowance Transfer	2060-AG75
3633	SAN No. 3552. Regional Haze Protection Rule	2060-AF32
3634	SAN No. 3645 and 3878 Control of Emissions of Air Pollution from Highway Heavy-Duty Engines and Nonroad Diesel Engines (Reg Plan Seq. No. 99)	2060-AF76
3635	SAN No. 3389. Fuels and Fuel Additives Waiver Application Criteria	2060-AE68

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3636	SAN No. 3898. 1998 Revision of Acid Rain Allowance Allocations	2060-AG86
3637	SAN No. 3900. Addition of Method 207 to Appendix M of 40 CFR Part 51 - Method for Measuring Isocyanates in Stationary Source Emissions,	2060-AG88
3638	SAN No. 3279. State Implementation Plans; Milestone Compliance Demonstration	2060-AG89
3639	SAN No. 3868. Federal Operating Permits Program in Indian Country	2060-AG90
3640	SAN No. 2909. Revisions to the New Source Review Regulations	2060-AD13
3641	SAN No. 2961. Locomotive Emission Standards	2060-AD33
3642	SAN No. 3263. Performance Warranty and Inspection/Maintenance Test Procedures	2060-AE20
3643	SAN No. 3262. Inspection/Maintenance Recall Requirements	2060-AE22
3644	SAN No. 3353. NAAQS: Ozone (Review) (Reg Plan Seq. No. 110)	2060-AE57
3645	SAN No. 3448. NAAQS: Particulate Matter (Review) (Reg Plan Seq. No. 111)	2060-AE66
3646	SAN No. 3407. Method 301: Field Validation of Pollution Measurement Methods for Various Media	2060-AF00
3647	SAN No. 3082. NESHAP: Ferroalloy Production	2060-AF29
3648	SAN No. 3569. Federal Implementation Plan To Control Emissions From Two Power Stations Located on Navajo Nation Lands	2060-AF42
3649	SAN No. 3570. Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act	2060-AF43
3650	SAN No. 3572. Acid Rain Program: Revisions to Applicability, Exemptions, Allocations, and Small Diesel Refineries	2060-AF45
3651	SAN No. 3573. Acid Rain Program: Deletion of Certain Units	2060-AF46
3652	SAN No. 3574. Acid Rain Program: Revisions to the Permits Regulations Under Title IV of the Clean Air Act To Make Technical Corrections	2060-AF47
3653	SAN No. 3576. Control of Air Pollution From Aircraft and Aircraft Engines; Emission Standards and Test Procedures	2060-AF50
3654	SAN No. 3637. Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2060-AF84
3655	SAN No. 3598. Amendment of Enhanced Inspection/Maintenance Performance Standard	2060-AG07
3656	SAN No. 3599. Fourier Transform Infrared Spectroscopy (FTIR) Extractive Test Method - Self-Validating Procedure and CEM Performance Specification	2060-AG08
3657	SAN No. 3743. Amendments to Part 60, Part 61, and Part 63	2060-AG21
3658	SAN No. 3650. Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead	2060-AG23
3659	SAN No. 3748. Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry (Reg Plan Seq. No. 112)	2060-AG28
3660	SAN No. 3750. Regulation Review/Burden Reduction	2060-AG30
3661	SAN No. 3845. Transitional Lock-In Procedures for Phase II Reformulated Gasoline (RFG) Program	2060-AG43
3662	SAN No. 3808. Acid Rain Program: Continuous Emission Monitoring Rule Revisions for Technical Issues	2060-AG46
3663	SAN No. 3810. Protection of Strat. Ozone: Reconsideration of Petition Criteria/Incorporation of 1995 Protocol Decisions	2060-AG48
3664	SAN No. 3812. Radiation Protection Standards for Scrap Metal	2060-AG51
3665	SAN No. 3832. Revision of PSI (Part 58 Appendix G)	2060-AG62
3666	SAN No. 3838. Revision to Definition of Volatile Organic Compounds (VOC) - Exclusion of Compounds	2060-AG70
3667	SAN No. 3901. Revised Permit Revision Procedures for the Federal Operating Permits Program	2060-AG92
3668	SAN No. 3913. Revision to the Light-duty Vehicle Emission Compliance Procedure	2060-AH05
3669	SAN No. 3912. Emission Regulations for 1978 and Later New Motorcycles—Proposed Changes to the Definition of Weight Limitations for Motorcycles	2060-AH06
3670	SAN No. 3568. Environmental Radiation Protection Standards for Yucca Mountain, Nevada (Reg Plan Seq. No. 113)	2060-AG14
3671	SAN No. 1002. NAAQS: Sulfur Dioxide (Review) (Reg Plan Seq. No. 114)	2060-AA61
3672	SAN No. 3470. Next Revision of Appendix W to 40 CFR Part 51	2060-AF01
3673	SAN No. 3105 Guidelines Integrated NESHAP and Effluent Guidelines: Pulp and Paper (Reg Plan Seq. No. 115)	2060-AD03
3674	SAN No. 3215. NESHAP: Mineral Wool Production Industry	2060-AE08
3675	SAN No. 3229. NESHAP: Oil and Natural Gas Production	2060-AE34
3676	SAN No. 3228. NESHAP for Formaldehyde-Based Resins (Polymers and Resins Group III)	2060-AE36
3677	SAN No. 3303. NESHAP: Phosphoric Acid Manufacturing	2060-AE40
3678	SAN No. 3345. NESHAP: Steel Pickling, HC1 Process	2060-AE41
3679	SAN No. 3304. NESHAP: Phosphate Fertilizers Production	2060-AE44
3680	SAN No. 3341. NESHAP—Cyanide Chemical Manufacturing	2060-AE45

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Clean Air Act (CAA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3681	SAN No. 3340. NESHAP: Primary Copper Smelting	2060-AE46
3682	SAN No. 3479. Amendments to Parts 51, 52, 63, 70 and 71 Regarding the Provisions for Determining Potential To Emit	2060-AE63
3683	SAN No. 3123. NESHAP: Wool Fiberglass Manufacturing Industry	2060-AE75
3684	SAN No. 3072. NESHAP: Primary Aluminum Plants	2060-AE76
3685	SAN No. 3078. NESHAP: Secondary Aluminum Industry	2060-AE77
3686	SAN No. 3079. NESHAP: Portland Cement Manufacturing	2060-AE78
3687	SAN No. 3326. NESHAP: Reinforced Plastic Composites Production	2060-AE79
3688	SAN No. 3408. NESHAP: Polyether Polyols Production	2060-AE81
3689	SAN No. 3451. NESHAP: Pharmaceuticals Production	2060-AE83
3690	SAN No. 3450. NESHAP: Pesticide Production (Production of Agricultural Chemicals)	2060-AE84
3691	SAN No. 3338. NESHAP: Flexible Polyurethane Foam Production	2060-AE86
3692	SAN No. 3467. NESHAP: Primary Lead Smelters	2060-AE97
3693	SAN No. 3378. NESHAP: Manufacturers of Acrylic/Modacrylic Fibers	2060-AF06
3694	SAN No. 3465. NESHAP: Polycarbonates Production	2060-AF09
3695	SAN No. 3377. Publicly Owned Treatment Works (POTW) NESHAP	2060-AF26
3696	SAN No. 3551. Amendments to Subpart A and B for 40 CFR 63	2060-AF31
3697	SAN No. 3829. Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities	2060-AG60
3698	SAN No. 3836. Technical Amendments to Aerospace NESHAP	2060-AG65
3699	SAN No. 3901. Generic MACT for Source Categories with Few Sources	2060-AG91
3700	SAN No. 3654. NESHAP: Hydrogen Fluoride Production	2060-AG94
3701	SAN No. 3193. NESHAP: Secondary Lead Smelter Amendment	2060-AH07
3702	SAN No. 2841. NESHAP: Chromium Electroplating Amendment	2060-AH08
3703	SAN No. 3029. Control Technology Guidelines (CTG)	2060-AD05
3704	SAN No. 3838. Reduction of Volatile Organic Compound (VOC) Emissions from Coatings Used in the Aerospace, Wood Furniture, and Shipbuilding Industries Under Clean Air Act Section 183(e)	2060-AG59
3705	SAN No. 3139. Amendment Concerning the Location of Selective Enforcement Audits of Foreign Manufactured Vehicles and Engines	2060-AD90
3706	SAN No. 3091. Specification of Substantially Similar Definition for Diesel Fuels	2060-AD77
3707	SAN No. 3844. Modifications to Standards for Reformulated and Conventional Gasoline	2060-AG76
3708	SAN No. 3842. Amendment Concerning Applicability of On Highway Heavy-Duty Certified Engines for Use in Nonroad Heavy-Duty Vehicles and Equipment	2060-AG78
3709	SAN No. 3361. Nonroad Spark-Ignition Engines At or Below 19 Kilowatts (25 Horsepower)(Phase 2) (Reg Plan Seq. No. 116)	2060-AE29
3710	SAN No. 3352. NSPS: Nitrogen Oxide Emissions From Fossil-Fuel Fired Steam Generating Units—Revision	2060-AE56
3711	SAN No. 3560. Amendment to the Refrigerant Recycling Rule To Include All Refrigerants	2060-AF37
3712	SAN No. 3673. Protection of Stratospheric Ozone: Reconsideration of Section 608 Sales Restriction	2060-AG20
3713	SAN No. 3640. Supplemental Rule To Require Certain Products Made With HCFCs To Bear Warning Label	2060-AF93
3714	SAN No. 3525. Update of the Acceptability List Under the Significance New Alternatives Policy (SNAP) Program	2060-AG12

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Clean Air Act (CAA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3715	SAN No. 2942. Compliance Assurance Monitoring Program (Previously Enhanced Monitoring Program) (Reg Plan Seq. No. 124)	2060-AD18
3716	SAN No. 3259. New Source Review (NSR) Reform (Reg Plan Seq. No. 125)	2060-AE11
3717	SAN No. 3146. NESHAPS Pertaining to Facilities Other Than Commercial Nuclear Power Reactors Licensed by the Nuclear Regulatory Commission (NRC) or by NRC Agreement States	2060-AE39
3718	SAN No. 3506. Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources	2060-AF02
3719	SAN No. 3412. Operating Permits: Revisions (Part 70) (Reg Plan Seq. No. 126)	2060-AF70
3720	SAN No. 2915. Methods for Measurement of Visible Emissions - Addition of Methods 203A, 203B, and 203C to Appendix M of Part 51	2060-AF83
3721	SAN No. 3638. Revision of EPA's Radiological Emergency Response Plan	2060-AF85

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Clean Air Act (CAA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3722	SAN No. 3643. Sales Volume Limit Provisions for Small-Volume Manufacture Certification for Clean Fuel and Conventional Vehicle Conversions and Related Provisions	2060-AF87
3723	SAN No. 3642. NESHAP for Perchloroethylene Dry Cleaning Facilities: Amendments	2060-AF90
3724	SAN No. 3740. Transportation Conformity Rule Amendments: Flexibility and Streamlining (Reg Plan Seq. No. 127)	2060-AG16
3725	SAN No. 3756. Protection of Stratospheric Ozone: Reconsideration of Ban on Fire Extinguishers Containing HCFCs	2060-AG19
3726	SAN No. 3744. Amendment to Standards of Performance for New Stationary Sources; Monitoring Requirements	2060-AG22
3727	SAN No. 3745. Revision to Definition of Volatile Organic Compounds - Exclusion of HFC 4310me and HCFC 225ca and cb	2060-AG24
3728	SAN No. 3811. Radionuclide Dose Methodology Update	2060-AG49
3729	SAN No. 3835. Amendment to the User Fees for Radon Proficiency Programs Rule	2060-AG64
3730	SAN No. 3911. Tier II (Phase II) Study to Assess Further Reductions in LOV and LDT Tailpipe Emission Standards	2060-AH04
3731	SAN No. 3087. Indian Tribes: Air Quality Planning and Management	2060-AF79
3732	SAN No. 1004. NAAQS: Nitrogen Dioxide (Review)	2060-AC06
3733	SAN No. 2719. Medical Waste Incinerators (MWI) (Reg Plan Seq. No. 128)	2060-AC62
3734	SAN No. 3753. Revision to NSPS: Nonmetallic Minerals Processing	2060-AG33
3735	SAN No. 2932. Guidance for the Implementation of Section 112(g)—Modifications	2060-AD06
3736	SAN No. 3469. NESHAP: Manufacture of Tetrahydrobenzaldehyde	2060-AE99
3737	SAN No. 2547. National Emission Standard for Radon Emissions From Phosphogypsum Stacks	2060-AF04
3738	SAN No. 3791. Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990	2060-AG42
3739	SAN No. 2965. Wood Furniture Manufacturing Operations NESHAP: Technical Corrections and Clarifications	2060-AG95
3740	SAN No. 2939. Regulations Governing Awards Under Section 113(f) of the Clean Air Act	2060-AD81
3741	SAN No. 2937. Field Citation Program	2060-AD82
3742	SAN No. 3604. Standards for Reformulated and Conventional Gasoline, Individual Baseline Fuel Adjustments	2060-AG80
3743	SAN No. 3610. Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program	2060-AG79
3744	SAN No. 3281. National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings	2060-AE35
3745	SAN No. 3351. VOC Regulation for Architectural Coatings (Reg Plan Seq. No. 129)	2060-AE55
3746	SAN No. 3658. National VOC Emission Standards for Consumer Products (Reg Plan Seq. No. 130)	2060-AF62
3747	SAN No. 3660. Open-Market Trading Guidance (Reg Plan Seq. No. 131)	2060-AF60
3748	SAN No. 3300. Revised Carbon Monoxide (CO) Standard for Class I and II Nonhandheld New Nonroad Phase I Small Spark-Ignited Engines	2060-AG81
3749	SAN No. 3646. National 49-State Low-Emission Vehicles Program (Reg Plan Seq. No. 132)	2060-AF75
3750	SAN No. 3323. Review of the Federal Test Procedure for Emissions From Motor Vehicles and Motor Vehicle Engines (Reg Plan Seq. No. 133)	2060-AE27
3751	SAN No. 3843. Revision to the Covered Areas Provision for Reformulated Gasoline	2060-AG77
3752	SAN No. 3789. Outer Continental Shelf Air Regulations Delegation Remand	2060-AG39
3753	SAN No. 3790. Outer Continental Shelf Air Regulations Offset Remand	2060-AG40
3754	SAN No. 2888. Acid Rain Nitrogen Oxides Control Regulation	2060-AD45
3755	SAN No. 3575. Acid Rain Phase II Nitrogen Oxides Reduction Program (Reg Plan Seq. No. 134)	2060-AF48
3756	SAN No. 3555. Amendment to the MVAC Rule To Include All Refrigerants	2060-AF35
3757	SAN No. 3556. Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608	2060-AF36
3758	SAN No. 3792. Hazardous Waste Treatment, Storage and Disposal Facilities (TSDF) and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers	2060-AG44

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Clean Air Act (CAA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3759	SAN No. 3899. NESHAP: Friction Products Manufacturing	2060-AG87
3760	SAN No. 3892. Antimicrobial Pesticide Registration Reform	2070-AD12
3761	SAN No. 3009 3357 Acid Rain Opt-In Regulations	2060-AD43

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Clean Air Act (CAA)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3762	SAN No. 3302. Consolidated Emission Reporting	2060-AE32
3763	SAN No. 3380. NSPS: Synthetic Organic Chemicals Manufacturing Industry - Wastewater	2060-AE94
3764	SAN No. 3549. NESHAP: Petroleum Refineries - FCC Units, Reformers and Sulfur Plants	2060-AF28
3765	SAN No. 3516. Radiation Waste Management Regulations	2060-AF41
3766	SAN No. 3649. Amendments to Method 24 (Water-Based Coatings)	2060-AF72
3767	SAN No. 3741. Service Information Availability	2060-AG13
3768	SAN No. 3820. NESHAP for Plywood and Particle Board Manufacturing	2060-AG52
3769	SAN No. 3814. Guidance for the Implementation of EPA's Radiation Protection Standards for the Management and Storage of Transuranic Radioactive Waste at the Waste Isolation Pilot Plant (WIPP)	2060-AG74
3770	SAN No. 3106. NSPS for Sulfur Dioxide (SO ₂) - Revision	2060-AD04
3771	SAN No. 3656. Internal Combustion Engine NESHAP/NSPS	2060-AG63
3772	SAN No. 3657. Combustion Turbine NESHAP/NSPS	2060-AG67
3773	SAN No. 3343. NESHAP—Iron Foundries and Steel Foundries	2060-AE43
3774	SAN No. 3346. NESHAP: Integrated Iron and Steel	2060-AE48
3775	SAN No. 3452. NESHAP: Miscellaneous Organic Chemical Production and Processes	2060-AE82
3776	SAN No. 3449. NESHAP: Chlorine Production	2060-AE85
3777	SAN No. 3548. NESHAP: Nylon 6 Production	2060-AF27
3778	SAN No. 3550. NESHAP: Baker's Yeast Manufacturing Industry	2060-AF30
3779	SAN No. 3746. National Emission Standard for Hazardous Air Pollutants for Paint Stripper Users	2060-AG26
3780	SAN No. 3747. NESHAP for Boat Manufacturing	2060-AG27
3781	SAN No. 3749. NESHAP for Tire Manufacturing	2060-AG29
3782	SAN No. 3752. NESHAP for Aerosol Can Production	2060-AG32
3783	SAN No. 3754. Petroleum Solvent Dry Cleaners MACT Standard	2060-AG34
3784	SAN No. 3821. NESHAP for Ethylene Processes	2060-AG53
3785	SAN No. 3823. Large Appliance Coatings Integrated Regulation	2060-AG54
3786	SAN No. 3655. Asphalt Roofing and Processing NESHAP	2060-AG66
3787	SAN No. 3652. NESHAP Chromium Refractories	2060-AG68
3788	SAN No. 3837. NESHAP for Industrial, Commercial and Institutional Boilers and Process Heaters	2060-AG69
3789	SAN No. 3651. NESHAP: Lime Manufacturing	2060-AG72
3790	SAN No. 3902. NESHAP: Semiconductor Production	2060-AG93
3791	SAN No. 3906. NESHAP: Metal Can (Surface Coating) Industry	2060-AG96
3792	SAN No. 3905. NESHAP: Metal Coil (Surface Coating) Industry	2060-AG97
3793	SAN No. 3909. NESHAP: Fabric Printing, Coating and Dyeing	2060-AG98
3794	SAN No. 3907. Automobile and Light-Duty Truck Manufacturing Integrated Rule Development	2060-AG99
3795	SAN No. 3908. Offset Lithographic Printing National VOC Rule	2060-AH00
3796	SAN No. 3924. NESHAP: Primary Magnesium Refining	2060-AH03
3797	SAN No. 3613. New Source Performance Standards (NSPS) and Emission Guidelines for Industrial and Commercial Waste Incinerators	2060-AF91
3798	SAN No. 3751. New Source Performance Standards and Emission Guidelines for Other Solid Waste Incinerators	2060-AG31
3799	SAN No. 3919. Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for non-Federal Class I Areas	2060-AH01
3800	SAN No. 3824. Metal Furniture Coatings Integrated Regulation	2060-AG55
3801	SAN No. 3904. Flatwood Paneling (Surface Coating) Integrated Rule	2060-AH02
3802	SAN No. 3825. Surface Coating of Miscellaneous Metal Parts and Products—Integrated	2060-AG56
3803	SAN No. 3826. Plastic Parts Coating Integrated Rule for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs)	2060-AG57
3804	SAN No. 3827. Integrated Rule for Paper, Film and Foil Coating and Coatings: MACT for NESHAP; and BAC for National VOC Rule	2060-AG58
3805	SAN No. 2940. Regulations Governing Prior Notice of Citizen Suits Brought Under Section 304 of the Clean Air Act	2060-AD80

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3806	SAN No. 3369. Federal Operating Permit Rules	2060-AD68
3807	SAN No. 3264. Inspection/Maintenance Program Requirements—Onboard Diagnostic Checks	2060-AE19

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Clean Air Act (CAA)—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3808	SAN No. 3538. Compliance Application Guidance for 40 CFR 194	2060-AG09
3809	SAN No. 3675. Determining Conformity of General Federal Actions to State or Federal Implementation Plans (for Attainment and Unclassifiable Areas)	2060-AG10
3810	SAN No. 3725. Revision to the Maximum Oxygen Standard for Reformulated Gasoline	2060-AG17
3811	SAN No. 3674. Amendments to the Final Rules NESHAP for Chromium Electroplating, NESHAP for Commercial Sterilization, NESHAP for Dry Cleaners, and NESHAP for Secondary Lead Smelters	2060-AG36
3812	SAN No. 3793. Regulation of Fuel and Fuel Additives: Controls Applicable to Gasoline Retailers and Wholesale Purchaser-Consumers; 10 Gallon per Minute Fuel Dispensing Limit Requirement	2060-AG45
3813	SAN No. 3831. Revision to Appendix W of 40 CFR Part 51	2060-AG71
3814	SAN No. 3446. Revisions to Part 35, Subpart A Section 105 Air Grant Regulations	2060-AF03
3815	SAN No. 2535. NSPS: Municipal Solid Waste Landfills	2060-AC42
3816	SAN No. 3373. Radionuclide Major Source Definition	2060-AD60
3817	SAN No. 3077. NESHAP: Printing/Publishing Industry	2060-AD95
3818	SAN No. 3166. NESHAP: Polymers and Resins, Group I	2060-AD96
3819	SAN No. 3159. NESHAP for Off-Site Waste and Recovery Operations	2060-AE05
3820	SAN No. 3187. NESHAP: Polymers and Resins, Group IV	2060-AE37
3821	SAN No. 3466. Delisting of Source Categories Under 112(c): Stainless and Non-Stainless Steel Manufacturing and Electric Arc Furnace (EAF) Operation, Wood Treatment, and Chromium Chemicals	2060-AF11
3822	SAN No. 3046. Decision on the Petition To Remove Caprolactam From the List of Hazardous Air Pollutants	2060-AF33
3823	SAN No. 3830. Revision to the Rule for Approval of State Programs and Delegation of Federal Authorities, and New Rule for Partial Delegation of Federal Authorities and Partial Approval of State	2060-AG61
3824	SAN No. 3841. Adjustment of Reid Vapor Pressure Lower Limit for Reformulated Gasoline Sold in the State of California	2060-AG82
3825	SAN No. 3659. Aerosol Spray Paints VOC Rule	2060-AF61
3826	SAN No. 2869. Revised Light-Duty Durability Procedures for Model Year 1999 and Later	2060-AE06
3827	SAN No. 3541. On-Board Diagnostics: Revision to Requirements for Storage of Engine Conditions Associated With Extinguishing a Malfunction Indicator Light	2060-AF20
3828	SAN No. 2637. Alternative Test Procedure for the Voluntary Aftermarket Part Certification Program	2060-AC50
3829	SAN No. 3597. Regulation of Fuel and Fuel Additives: Certification Requirements for Deposit Control Additives ..	2060-AG06
3830	SAN No. 3350. Emission Standards for Gasoline Spark-Ignition and Diesel Compression-Ignition Marine Engines	2060-AE54
3831	SAN No. 3809. Technical Amendment to Regulations Promulgated Under Section 608 of the Clean Air Act Amendments	2060-AG47

Superfund (CERCLA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3832	SAN No. 3885. Streamlining the Preauthorization Mixed Funding for Application and Implementation of Claims Against Superfund	2050-AE38
3833	SAN No. 3806. Grants for Technical Assistance Rule Reform - 40 CFR Part 35 Subpart M	2050-AE33
3834	SAN No. 3423. Reportable Quantity Adjustments for Carbamates	2050-AE12
3835	SAN No. 3439. National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules	2050-AD75
3836	SAN No. 3215. Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312	2050-AE17

Superfund (CERCLA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3837	SAN No. 3787. List of Regulated Substances and Thresholds for Accidental Release Prevention	2050-AE35
3838	SAN No. 3884. Revision of the Local Government Reimbursement Regulation	2050-AE36
3839	SAN No. 3054. Administrative Reporting Exemptions for Certain Radionuclide Releases	2050-AD46

EPA

Superfund (CERCLA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3840	SAN No. 2394. Reporting Exemptions for Federally-Permitted Releases of Hazardous Substances	2050-AB82
3841	SAN No. 3050. Deletion of Saccharin From the List of Hazardous Wastes Under RCRA and the List of Hazardous Substances Under CERCLA	2050-AD45
3842	SAN No. 3424. Reportable Quantity Adjustment for Radon-222	2050-AE20

Superfund (CERCLA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3843	SAN No. 2979. Risk Management Program for Chemical Accidental Release Prevention	2050-AD26
3844	SAN No. 3036. Amendments to the Extremely Hazardous Substances List Under Section 302 of the Emergency Planning and Community Right-To-Know Act	2050-AD50

General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3845	SAN No. 3765. Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Cost Recovery	2020-AA25
3846	SAN No. 3486. Rules of Practice for Enforcement Actions Not Governed by the Administrative Procedure Act	2020-AA23
3847	SAN No. 3580. Incorporation of Class Deviation Into EPAAR	2030-AA37
3848	SAN No. 3629. EPA Mentor-Protege Program	2030-AA40
3849	SAN No. 3876. Incrementally Funding Fixed Price Contracts	2030-AA50
3850	SAN No. 3874. Revision of EPA Acquisition Regulations for Quality Systems for Environmental Programs	2030-AA51
3851	SAN No. 3875. Notice to Clarify Existing Conflict of Interest Coverage Regarding Policy/Response Action Contractor Exclusions	2030-AA52
3852	SAN No. 3816. Agency Implementation of Federal Acquisition Streamlining Act (FASA) Changes to Truth in Negotiations Act (TINA)	2030-AA47
3853	SAN No. 3854. Value Engineering	2030-AA49
3854	SAN No. 2662. Amendments to Part 22 Consolidated Procedural Rules	2020-AA13
3855	SAN No. 3817. Governmentwide Implementation of Federal Acquisition Streamlining Act (FASA) and Changes to OMB Suspension and Debarment Common Rule	2030-AA48
3856	SAN No. 3807. Consolidation of Good Laboratory Practice Standards (GLPS) Regulations Currently Under TSCA and FIFRA Into One Rule	2020-AA26
3857	SAN No. 2725. FIFRA Books and Records of Pesticide Production and Distribution (Revision)	2070-AC07

General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3858	SAN No. 3923. Final Guidelines for Reproductive Toxicity Risk Assessment	2080-AA05
3859	SAN No. 3671. Guidelines for Carcinogen Risk Assessment	2080-AA06
3860	SAN No. 3670. Proposed Guidelines for Ecological Risk Assessment	2080-AA07
3861	SAN No. 3624. Guidelines for Neurotoxicity Risk Assessment	2080-AA08
3862	SAN No. 3240. Public Information and Confidentiality Regulations	2020-AA21
3863	SAN No. 3432. Pesticide Management and Disposal	2070-AC81
3864	SAN No. 3367. Amend Subpart H Supplemental Rules To Ensure 40 CFR Part 22 Rule Conforms to the New Federal Facility Compliance Act	2020-AA22

EPA

General—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3865	SAN No. 3815. Conforming Amendments to the EPAAR From the Federal Acquisition Streamlining Act	2030-AA46
3866	SAN No. 2512. Administrative Hearing Procedures for Class II Penalties Under CERCLA and Emergency Planning and Community Right-to-Know Act	2050-AC39

General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3867	SAN No. 2702. Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Cost Recovery	2050-AC98
3868	SAN No. 3578. Revision to Submission of Invoices Clause	2030-AA35
3869	SAN No. 3579. EPA Policies for Information Resources Management	2030-AA36
3870	SAN No. 3587. Merger of 40 CFR Parts 15 and 32 Into a Single Regulation	2030-AA38
3871	SAN No. 3255. Source Selection Procedures	2030-AA29

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3440. DATA CONSOLIDATED INITIATIVE: KEY FACILITATOR INFORMATION

Regulatory Plan: This entry is Seq. No. 94 in Part II of this issue of the Federal Register.

RIN: 2070-AD01

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3441. PESTICIDES; SELF-CERTIFICATION

Regulatory Plan: This entry is Seq. No. 100 in Part II of this issue of the Federal Register.

RIN: 2070-AD00

3442. ● ANTIMICROBIAL PESTICIDE REGISTRATION REFORM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(h)

CFR Citation: 40 CFR Not yet determined

Legal Deadline: NPRM, Statutory, May 1, 1997.

Abstract: This regulation will specify antimicrobial registration reforms that will reduce to the extent possible the review time for antimicrobial pesticides. The regulation will clarify

criteria for completeness of applications, and will specify or refer to a definition of the various classes of antimicrobial pesticide use patterns and the associated data and labeling requirements that would be consistent with the degree and type of risk presented by each class. EPA will evaluate the feasibility and cost-effectiveness of various registration process reforms, including registrant certification, third-party certification by laboratories and expansion of the current notification procedures.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3892.

Agency Contact: Walter C. Francis, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505C, Washington, DC 20460
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 Fax: 703 305-5786
 Email: francis.walter@epamail.epa.gov

RIN: 2070-AD14

3443. PESTICIDE DATA REQUIREMENTS FOR REGISTRATION (REVISION)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

EPA—FIFRA

Proposed Rule Stage

Legal Authority: 7 USC 136a; 7 USC 136w

CFR Citation: 40 CFR 158

Legal Deadline: None

Abstract: This amendment will update the existing data requirements (40 CFR 158) for evaluating the registerability of pesticide products. Reasons for the revisions include recent health and environmental concerns (e.g., groundwater contamination, worker exposure and neurotoxicity) advancements in testing technology, and new ecological risk testing approaches. The revisions will clarify all data requirements to reflect current practice. Procedural and explanatory sections of 40 CFR 158 will be amended to make them consistent with the revised data requirements and new use indexing implemented pursuant to 1988 FIFRA amendments.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2687.

Agency Contact: Amy Rispin, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501C, Washington, DC 20460
Phone: 703 305-5989
Email: rispin.amy@epamail.epa.gov

RIN: 2070-AC12

3444. MODIFICATIONS TO PESTICIDE WORKER PROTECTION STANDARD

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136w

CFR Citation: 40 CFR 170

Legal Deadline: None

Abstract: Since the issuance of the 1992 WPS and the January 1, 1995 implementation, farmworker groups have expressed an interest in enhancing specific protection measures, while grower groups, the National Association of State Departments of Agriculture and others have expressed an interest in addressing practical, operational concerns. The Agency received various requests and comments in the form of letters, petitions, and individual and

public meetings to address the concerns with the WPS. As a result, there may be a need to make further changes of a minor nature to the WPS rule. EPA will take such actions as rules, policy statements or other documents as appropriate. Currently planned actions are listed below:

Timetable:

Decontamination requirements

NPRM 09/29/95 (60 FR 50686)
Final Action 06/26/96 (61 FR 33207)

Glove requirements

NPRM 10/00/96

Language and size requirements for warning signs

NPRM 09/29/95 (60 FR 50682)
Final Action 06/26/96 (61 FR 33201)

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3731.

Agency Contact: Don Eckerman, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7506C), Washington, DC 20460
Phone: 703 305-7666
Fax: 703 308-2962

RIN: 2070-AC93

3445. PESTICIDE EXPORT POLICY

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136f/FIFRA 25; 7 USC 136o; 7 USC 136w

CFR Citation: 40 CFR 168; 40 CFR 169

Legal Deadline: None

Abstract: EPA is considering revisions to its pesticide export policy. EPA believes that certain modifications are necessary because (1) EPA's current policy has resulted in too many export notices on pesticides of little or no concern to other governments; (2) the increasing numbers of export notices undermines the effectiveness of the international Prior Informed Consent (PIC) procedures, an international information and exchange and chemical management program developed by the Food and Agriculture Organizations and the United National Environment Programme (UNEP); (3) the costs of implementing the existing program on the U.S. government, other

governments, and industry, should be reduced.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3736.

Agency Contact: Deborah J. Hartman, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501C, Washington, DC 20460
Phone: 703 305-7100
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RIN: 2070-AD02

3446. • TOLERANCES FOR PESTICIDE EMERGENCY EXEMPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346a

CFR Citation: 40 CFR Not yet determined

Legal Deadline: Final, Statutory, August 3, 1997.

Abstract: This regulation will set out policies and procedures under which EPA will establish food tolerances associated with the use of pesticides under emergency exemptions. Emergency exemptions are issued for temporary use of pesticides in States where emergency conditions exist. Under the Federal Food, Drug and Cosmetic Act, as amended by the Food Quality Protection Act, EPA must begin to establish time-limited tolerances for such pesticides if the use is likely to result in residues in food. EPA expects to describe the procedures to be used, the data that will be required, and the criteria for establishing tolerances.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	08/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 287 Agricultural Chemicals; 01 Agricultural Production-Crops

EPA—FIFRA

Proposed Rule Stage

Additional Information: SAN No. 3890. Office of Prevention, Pesticides and Toxic Substances, (7505W), Washington, DC20460
Agency Contact: Robert Forrest, Environmental Protection Agency, Phone: 703-308-8417
 Fax: 703-308-8369
 Email: Forrest.Robert@epamail.epa.gov
RIN: 2070-AD15

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3447. PESTICIDE TOLERANCE DECISIONS UNDER THE DELANEY CLAUSE

Priority: Other Significant
Legal Authority: 21 USC 346/FFDCA 408
CFR Citation: 40 CFR 185; 40 CFR 186; 40 CFR 180
Legal Deadline: Other, Judicial, September 30, 2009. arable. Court-ordered deadlines beginning September 1995.

Abstract: Under the Federal Food, Drug and Cosmetic Act (FFDCA), EPA has taken a number of actions to revoke processed and raw food tolerances for pesticide carcinogens because of the "Delaney Clause" (section 409). On August 3, 1996, the Food Quality Protection Act was enacted, which removed pesticides from the coverage of the Delaney Clause. The agency will be taking no further actions to revoke tolerances based upon the Delaney Clause, and will be withdrawing these actions previously announced which are not yet effective.

Timetable:

- Appendix I (Group A)**
 NPRM 07/01/94 (59 FR 33941)
 Final Action 03/22/96 (61 FR 11993)
- Appendix I (Group B/D)**
 NPRM 01/18/95 (60 FR 3602)
 Final Action 07/29/96 (61 FR 39528)
- Appendix I (Group C)**
 NPRM 09/15/95 (60 FR 49142)
 Final Action 03/00/97
- Appendix II (Group E)**
 NPRM 03/01/96 (61 FR 8174)

Small Entities Affected: Businesses
Government Levels Affected: Federal
Additional Information: SAN No. 3154.

Agency Contact: Jean M. Frane, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501C, Washington, DC 20460
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RIN: 2070-AC55

3448. CROSS-CONTAMINATION OF PESTICIDE PRODUCTS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 7 USC 136a
CFR Citation: 40 CFR 158.167
Legal Deadline: None

Abstract: EPA is evaluating its current policy on allowable limits on cross-contamination of pesticide products. EPA's current policy is that any amount of a pesticide active ingredient in another pesticide product must be reported to EPA as part of the registration process. This zero tolerance is a problem because cross-contamination is an inevitable outcome in the manufacture of chemicals. EPA is attempting to clarify situation in which the producer will be required to report cross-contamination. The expected output of this exercise will be clear guidance to the regulated community as to the levels of contamination that will be allowed for pesticides in other pesticide products. EPA is using a risk-based approach to determining acceptable levels of cross-contamination; the levels the Agency will establish should in most cases, protect users and the environment from adverse effects. The adverse effect that can occur at the lowest levels in most cases is phytotoxicity.

Timetable:
(PR Notice)
 Final Action 10/00/96

Small Entities Affected: Businesses
Government Levels Affected: State, Federal
Additional Information: SAN No. 3739.
Agency Contact: Jim Jones, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505W, Washington, DC 20460

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RIN: 2070-AD03

3449. REGULATION OF PLANT-PRODUCED PESTICIDES UNDER FIFRA AND FFDCA

Priority: Other Significant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 7 USC 136 et seq; 21 USC 346a et seq
CFR Citation: 40 CFR 152.20; 40 CFR 180; 40 CFR 174

Legal Deadline: None
Abstract: EPA will make clear that the substances that plants produce to protect themselves against pests and disease are pesticides under FIFRA. The Agency designates these substances along with the genetic material necessary to produce them, as plant-pesticides. The Agency will clarify that the focus of EPA's regulation will be on these substances rather than on the plants that produce the pesticidal substance. The Agency will define the categories of plant-pesticides that would be regulated and those that would be exempt under FIFRA and FFDCA. For those plant-pesticides that would be subject to Agency requirements, the Agency will outline the process by which these pesticides will be regulated and the information that would be needed in the Agency's review.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60496
Final Action	12/00/96	

Small Entities Affected: Businesses
Government Levels Affected: State, Federal

EPA—FIFRA

Final Rule Stage

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2684.

Agency Contact: Flora Chow, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7501W), Washington, DC 20460
Phone: 703 308-8290
Email: CHOW,FLORA

RIN: 2070-AC02

3450. PESTICIDE FLAMMABILITY LABELING REQUIREMENTS FOR TOTAL RELEASE FOGGERS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136/FIFRA 2; 7 USC 137/FIFRA 3

CFR Citation: 40 CFR 156.10

Legal Deadline: None

Abstract: This rule would require that pesticide total release foggers be labeled with additional flammability precautionary statements (including a graphic symbol) and more precise use directions. Total release foggers have been implicated in a number of fires and explosions because of their flammable propellants. The labeling of these products has been determined to be inadequate to mitigate this potential hazard.

Timetable:

Action	Date	FR Cite
NPRM	04/15/94	59 FR 18058
Final Action	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3135.

Agency Contact: Jim Downing, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505W, Washington, DC 20460
Phone: 703 308-8641
Email: Downing, Jim

RIN: 2070-AC60

3451. RESTRICTED USE CRITERIA FOR PESTICIDES IN GROUNDWATER

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a /FIFRA 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

Abstract: This rule amends the existing Restricted Use Classification (RUC) regulations to add criteria pertaining to pesticides' groundwater contamination potential. Restricted pesticides may only be used by trained and certified applicators. Once promulgated, criteria will serve as the basis for subsequent rule-making (RIN 2070-AC33) to actually classify selected pesticides.

Timetable:

Action	Date	FR Cite
NPRM	05/13/91	56 FR 22076
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2371.

Agency Contact: Christine Gillis, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501C, Washington, DC 20460
Phone: 703 305-5131
Email: GILLIS,CHRISTINE

RIN: 2070-AB60

3452. PESTICIDES AND GROUNDWATER STATE MANAGEMENT PLAN REGULATION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments.

Legal Authority: 7 USC 136/FIFRA 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

Abstract: The regulation will designate certain individual pesticides to be subject to EPA approved State Management Plans (SMPs) as a condition of legal sale and use. This regulation would establish SMPs as a new regulatory requirement for those pesticides; absent an EPA-approved state plan specifying risk-reduction measures, use of the chemical would be prohibited. The rule would also specify procedures and deadlines for development, approval and implementation of SMPs.

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33259
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3222.

Agency Contact: Arden Calvert, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7501C), Washington, DC 20460
Phone: 703 305-7099
Email: CALVERT,ARDEN

RIN: 2070-AC46

3453. REPORTING REQUIREMENTS FOR RISK/BENEFIT INFORMATION (REVISION)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136d/FIFRA6

CFR Citation: 40 CFR 153; 40 CFR 159

Legal Deadline: None

Abstract: Section 6(a)(2) of FIFRA requires pesticide registrants to report to EPA additional factual information regarding unreasonable adverse effects of their products. By statutory definition, unreasonable risk includes risk and benefit information. In 1992 EPA proposed to revise its 1979 enforcement policy on section 6(a)(2) by expanding upon the types of information which must be reported. This final rule includes modifications to the 1992 proposals made by EPA in response to comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
Final Action	08/23/78	43 FR 37611
Interpretive and Policy Rule		
Final Action	07/12/79	44 FR 40716
Enforcement Policy		
Final Action Codified	09/20/85	50 FR 38115
Interpretive Rule		
NPRM	09/24/92	57 FR 44290
Final Action	01/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2338.

EPA—FIFRA

Final Rule Stage

Agency Contact: James V. Roelofs, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7501C), Washington, DC 20460
 Phone: 703 305-7102
 Email: ROELOFS,JAMES V
RIN: 2070-AB50

3454. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

Priority: Other Significant
Legal Authority: 7 USC 136/FIFRA 6
CFR Citation: 40 CFR 168
Legal Deadline: None

Abstract: This policy will clarify the requirements of section 6(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The policy will provide procedures for certain persons who possess cancelled or suspended pesticides to notify the EPA and State and local officials of (1) such possessions; (2) the quantity possessed; and (3) the place the pesticide is stored.

Timetable:

Action	Date	FR Cite
NPRM	03/28/91	56 FR 13042
Final Action	03/00/97	

Small Entities Affected: Undetermined
Government Levels Affected: State, Federal

Additional Information: SAN No. 2720.

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2225-A), Washington, DC 20460
 Phone: 202 569-4162

RIN: 2070-AC08

3455. SCOPE AND CLARIFICATION OF THE WPS EXCEPTIONS PROCESS

Priority: Substantive, Nonsignificant
Legal Authority: 7 USC 136w
CFR Citation: 40 CFR 170
Legal Deadline: None

Abstract: The Scope and Clarification of the WPS Exceptions Process will involve an analysis of the existing

scope of the WPS exceptions process, an opportunity for public comment on the analysis, and consideration of whether the scope should be expanded. In addition, guidance will be issued to clarify the types of information needed for each individual exception request in order for the Agency to be able to make a risk/benefit decision.

Timetable:

Worker Protection Standard Exceptions Process

Action	Date	FR Cite
Scope and Clarification Document	01/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3733.

Agency Contact: Don Eckerman, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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RIN: 2070-AC96

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3456. PESTICIDE TOLERANCES; PORTION OF FOOD COMMODITIES TO BE ANALYZED FOR PESTICIDE RESIDUES

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 180
Timetable:

Action	Date	FR Cite
NPRM	09/29/93	58 FR 50888
Final Action	00/00/00	

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: Jean Frane
 Phone: 703 305-5944

RIN: 2070-AC45

Timetable:

Action	Date	FR Cite
Proposed Notice	07/03/89	54 FR 27984
Final Notice	00/00/00	

Small Entities Affected: Businesses
Government Levels Affected: State, Federal

Agency Contact: Larry Turner
 Phone: 703 305-5007
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RIN: 2070-AC42

3458. THE 10-ACRE LIMITATION FOR PESTICIDE SMALL-SCALE FIELD TESTING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 172

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None
Government Levels Affected: State, Tribal

Agency Contact: Jim Tompkins
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RIN: 2070-AC99

3459. CLASSIFICATION OF CERTAIN PESTICIDES FOR RESTRICTED USE DUE TO GROUNDWATER CONCERNS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 152.170

3457. ENDANGERED SPECIES PROTECTION PROGRAM

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: Not yet determined

EPA—FIFRA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	05/31/91	56 FR 22076
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Gillis
Phone: 703 305-5131

RIN: 2070-AC33

3460. WORKER PROTECTION STANDARDS; PESTICIDE HAZARD COMMUNICATION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 170

Timetable:

Action	Date	FR Cite
NPRM	08/21/92	57 FR 38167
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Agency Contact: Don Eckerman
Phone: 703 305-7666

RIN: 2070-AC34

3461. PESTICIDE LABELING CLAIMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 156.10

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Melissa L. Chun
Phone: 703 308-8318

RIN: 2070-AC85

3462. EXCEPTIONS TO PESTICIDE WORKER PROTECTION STANDARD

Priority: Routine and Frequent

CFR Citation: 40 CFR 170

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Don Eckerman
Phone: 703 305-7666
Fax: 703 308-2962
Email: eckerman.don@epamail.epa.gov

RIN: 2070-AC95

3463. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT

Priority: Other Significant

CFR Citation: 40 CFR 165; 40 CFR 156

Timetable:

Action	Date	FR Cite
NPRM (Container Design, Residue Removal, Bulk Containment)	02/11/94	59 FR 6712
Final Action	10/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Nancy Fitz
Phone: 703 305-7385
Email: FITZ,NANCY

RIN: 2070-AB95

3464. CHILD-RESISTANT PACKAGING REGULATIONS (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 157

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind L. Gross
Phone: 703 308-8354
Email: GROSS,ROSALIND L

RIN: 2070-AB96

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3465. PESTICIDES: TOLERANCE PROGRAM REVISIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 177; 40 CFR 180; 40 CFR 185; 40 CFR 186

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action.	10/22/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Christine Gillis
Phone: 703-305-7102
Email: gillis.christine@epamail.epa.gov

RIN: 2070-AC74

3466. PESTICIDES; REVISION OF NOTIFICATION PROCEDURE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 152.44; 40 CFR 152.46

Completed:

Reason	Date	FR Cite
Final Action	06/26/96	61 FR 33039

EPA—FIFRA

Completed Actions

Small Entities Affected: Businesses
Government Levels Affected: None
Agency Contact: Jeff Kempter
 Phone: 703 305-5448
 Fax: 703 305-6920
 Email: kempter.carlton@epamail.epa.gov
RIN: 2070-AC98

CFR Citation: 40 CFR 152.20

Completed:

Reason	Date	FR Cite
Withdrawn The Agency does not plan any further action.	10/22/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Michele E. Wingfield
 Phone: 703 305-6661

RIN: 2070-AC58

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 152

Completed:

Reason	Date	FR Cite
Final Action List of Other Pesticides and Criteria	03/06/96	61 FR 8876

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Brennis
 Phone: 703 305-7501
 Email: brennis.robert@epamail.epa.gov

RIN: 2070-AC67

3467. EXEMPTION OF STERILANT PESTICIDE PRODUCTS FROM REGULATION UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

3468. REGULATORY RELIEF FOR LOW-RISK PESTICIDES

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Toxic Substances Control Act (TSCA)

3469. ● REPORTING THRESHOLD AMENDMENT; TOXIC CHEMICALS RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Regulatory Plan: This entry is Seq. No. 95 in Part II of this issue of the Federal Register.

RIN: 2070-AD09

3470. ● DATA EXPANSION AMENDMENTS; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Regulatory Plan: This entry is Seq. No. 96 in Part II of this issue of the Federal Register.

RIN: 2070-AD08

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Toxic Substances Control Act (TSCA)

3471. TSCA INVENTORY UPDATE RULE AMENDMENTS

Regulatory Plan: This entry is Seq. No. 101 in Part II of this issue of the Federal Register.

RIN: 2070-AC61

Legal Authority: 40 USC 11013/EPCRA 313

CFR Citation: 40 CFR 372.65

Legal Deadline: None

Abstract: Isopropyl alcohol (IPA) itself does not meet the toxicity criteria for listing on the Toxic Release Inventory (TRI). It is the strong acid process itself which is associated with an increased cancer incidence. The proposed action would remove IPA from the list of chemicals for which reporting is required under the Emergency Planning and Community Right-to-Know Act (EPCRA) section 313. Because IPA is not manufactured by the strong-acid process and thus there are no releases of IPA reportable under section 313, deletion of IPA from the list would eliminate erroneous IPA reports.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3388.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 401 M Street SW. (7408), Washington, DC 20460
 Phone: 202 260-1024

RIN: 2070-AC77

3472. DELETION OF ISOPROPYL ALCOHOL; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

EPA—TSCA

Proposed Rule Stage

3473. MANDATORY POLLUTION PREVENTION REPORTING FOR TOXIC RELEASE INVENTORY (TRI)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 11013/Pollution Prevention Act of 1990

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: This proposed regulation would implement the Source Reduction and Recycling Report provision of the Pollution Prevention Act of 1990. Under this current data collection facilities that file EPA Form R must include information on the amounts of the chemical recycled, combusted for energy recovery, treated, and released both on-site and off-site for the reporting year, the prior year and the following two years. Facilities must also indicate changes in production from year to year and what source reduction activities were implemented. This proposed regulation would also redesign form R to make it easier and more logical to complete.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48475
Supplementary NPRM	09/00/97	
Finalization of Form R	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2847.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460

Phone: 202 260-1024

RIN: 2070-AC24

3474. LEAD HAZARD STANDARDS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2683

CFR Citation: 40 CFR 745

Legal Deadline: Final, Statutory, April 28, 1994.

Abstract: The Residential Lead-Based Paint Hazard Reduction Act of 1992 requires EPA to promulgate regulations which identify lead-based paint hazards, lead-contaminated soil, and lead-contaminated dust. EPA is to identify the paint conditions and lead levels in dust and soil that would result in adverse human health effects. On July 14, 1994, EPA issued guidance on this topic to provide information while a proposal is being developed.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	09/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3243.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460

Phone: 202 260-1777

Email: Cantor, Doreen

RIN: 2070-AC63

3475. TSCA REQUIREMENTS FOR THE DISPOSAL OF LEAD-BASED PAINT ABATEMENT WASTE

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2601 to 2671; 42 USC 6901 to 6992

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: Currently, waste derived from lead-based paint (LBP) abatements is managed under the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. Other Federal agencies (Department of Housing and Urban Development, Department of Health and Human Services) and several States and advocacy groups have expressed concern that the costs associated with the disposal of large volume architectural components (e.g., doors and windows) may interfere with abatement activities. EPA's Office of Prevention, Pesticides and Toxic

Substances and the Office of Solid Waste have initiated a joint rulemaking to address the disposal of these architectural components. This rulemaking would develop disposal standards for these components under the Toxic Substances Control Act (TSCA) Title IV, (the definition of abatement under TSCA Title IV, section 401(1)(B), includes disposal). The TSCA regulations would establish appropriate disposal standards for LBP architectural components and identify recycling and incineration activities that would be controlled or prohibited.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	03/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3508.

Agency Contact: Brion Cook, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460

Phone: 202 260-1878

Email: Cook, Brion

RIN: 2070-AC72

3476. SELECTED RULEMAKINGS FOR ABATING LEAD HAZARDS

Regulatory Plan: This entry is Seq. No. 102 in Part II of this issue of the Federal Register.

RIN: 2070-AD06

3477. • TSCA BIOTECHNOLOGY FOLLOW-UP RULES

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2604

CFR Citation: 40 CFR 720

Legal Deadline: None

EPA—TSCA

Proposed Rule Stage

Abstract: As a follow-up to the final Biotechnology rule under the Toxic Substances Control Act (TSCA), EPA plans to address the following possible revisions: 1) Intergeneric Scope of Oversight: OPPT currently defines new microorganisms which are subject to reporting under TSCA section 5 as those resulting from the deliberate combination of genetic material originally isolated from microorganisms classified in different taxonomic genera. Such microorganisms are referred to as intergeneric microorganisms. EPA recognizes that a regulatory approach based on taxonomy may have some limitations, and indicated in its 1994 proposed biotechnology regulations that it may reconsider its interpretation of —new— microorganism in a later rulemaking. The majority of commenters on the proposed rule expressed some level of support for the intergeneric scope of oversight, albeit while encouraging EPA to make some modifications. 2) Low Risk Alternative: In the 1994 proposed biotechnology rule, EPA solicited comment on an alternative approach to oversight of research and development activities conducted in the environment. Under this alternative, a researcher could certify that a microorganism intended to be used in an environmental field trial met certain low risk criteria. This alternative contained requirements for documentation and recordkeeping by a Technically Qualified Individual and certification by an authorized official. OPPT now plans to provide an opportunity to comment on new information which OPPT believes may support such an exemption. 3) Inventory Delisting Rule: In 1978, when EPA compiled its initial TSCA Inventory, 192 microorganisms were reported and are currently listed on the Inventory. EPA believes that most, if not all, of the 192 microorganisms would not be considered new under the new rule, since the listing appear to describe microorganisms which are not intergeneric. (Abstract Continues - see additional information)

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	08/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Sectors Affected: 147 Chemical and Fertilizer Mineral Mining; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products; 289 Miscellaneous Chemical Products

Additional Information: SAN No. 3894.

(Abstract Continued) In the 1994 proposed rule, EPA provided an opportunity for manufacturers and importers of any of the 192 microorganisms to inform EPA whether any of the microorganisms were intergeneric. EPA received no information during the public comment period concerning any of the 192 microorganisms. Accordingly, as stated in the proposed rule, EPA will publish a rule removing the 192 microorganisms from the TSCA Inventory, on the grounds that the microorganisms are not new and are consequently considered to be implicitly included on the Inventory without the need for an explicit listing.

Agency Contact: David Giamporcaro, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, SE., Washington, DC 20460

Phone: 202 260-6362

Email:

giamporcaro.david@epamail.epa.gov

RIN: 2070-AD13

3478. PROPOSED DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799

Legal Deadline: Other, Statutory. NPRM must be published within one year of ITC designation.

Abstract: EPA is proposing to require testing, or will obtain testing through negotiated enforceable consent agreements (ECAs) or publish a notice which provides the reasons for not doing so. These chemicals have been designated for priority testing consideration by the ITC, recommended for testing consideration (for which the 12-month statutory requirement does not apply), or they have been identified for testing consideration by other EPA program offices and through EPA review processes.

Timetable:

IRIS II Chemicals (ITC List 28)

NPRM 12/00/96

OSHA Chemicals with Insuf. Skin

Absorption Data (ITC List 32)

NPRM or ECA 12/00/96

OSHA Chemicals with No Skin Absorption

Data (ITC List 31)

NPRM or ECA 12/00/96

OSHA Chemicals with No Skin Absorption

Data (ITC List 35)

NPRM or ECA 12/00/96

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3494.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-8130

Email: kover.frank@epamail.epa.gov

RIN: 2070-AB07

3479. ATSDR SUBSTANCES TEST RULE

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603/TSCA 4; 42 USC 9604(i)/CERCLA 104(i)

CFR Citation: 40 CFR 795 to 799

Legal Deadline: None

Abstract: EPA is using its authority under TSCA section 4 to require health effects testing on 11 chemical substances to fulfill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP) and EPA pursuant to CERCLA section 104(i). ATSDR is charged with developing Toxicological Profiles for hazardous substances most commonly found at Superfund NPL sites and which pose a significant potential threat to health. This involves identifying data gaps and needs, and developing a testing program to meet identified needs. ATSDR's data needs were reviewed by NTP and EPA to avoid duplicative testing. Other Federal agencies were given an opportunity to indicate their interest in testing specific endpoints for chemicals on the list.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

EPA—TSCA

Proposed Rule Stage

Additional Information: SAN No. 2563.

Agency Contact: Frank Kover,
Environmental Protection Agency,
Office of Prevention, Pesticides and
Toxic Substances, (7405), Washington,
DC 20460
Phone: 202 260-8130
Email: KOVER,FRANK

RIN: 2070-AB79

3480. MULTICHEMICAL ENDPOINT(S) TEST RULE; DEVELOPMENTAL AND REPRODUCTIVE TOXICITY

Priority: Other Significant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799.5050

Legal Deadline: None

Abstract: A multi-chemical endpoint test rule will require the testing of many chemicals for a specific effect or endpoint, e.g., neurotoxicity. This type of rule is an alternative to single chemical rules which require testing of one chemical for many effects. The multi-chemical endpoint rule approach will obtain a significant amount of testing while conserving Agency resources. The multi-chemical rule for developmental and reproductive toxicity testing will require testing of twelve chemicals for developmental and/or reproductive effects; the multi-chemical rule neurotoxicity testing will obtain base set neurotoxicity testing of certain production solvents. These rules may be amended in the future to require the same testing for other chemicals. Also, future multi-chemical rules will require testing of additional endpoints and chemicals. The testing requirements for each chemical in a multi-chemical rule will be listed in a single table by chemical under section 799.5050. This table will be amended with each publication of a new multi-chemical rule.

Timetable:

Multi-Chemical Rule for Developmental and Reproductive Toxicity

NPRM 03/04/91 (56 FR 9092)
Reproposal 11/00/96

Multi-Chemical Rule for Neurotoxicity

Stay 06/27/94 (59 FR 33184)
ECA (for 7 Substances) 01/23/95 (60 FR 4515)
Final Revocation 01/23/95 (60 FR 4514)

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Additional Information: SAN No. 2865.

Agency Contact: Frank Kover,
Environmental Protection Agency,
Office of Prevention, Pesticides and
Toxic Substances, (7405), Washington,
DC 20460
Phone: 202 260-8130

RIN: 2070-AC27

3481. MULTICHEMICAL ENDPOINT TEST RULE; CHEMICAL FATE AND ENVIRONMENTAL EFFECTS

Priority: Other Significant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799.5055

Legal Deadline: None

Abstract: Multi-chemical endpoint test rules require the testing of many chemicals for a specific effect or endpoint, e.g., chemical fate and environmental effects (formerly identified in this Agenda as persistent bioaccumulators). They are an alternative to single chemical rules which require testing of one chemical for many effects. A multi-chemical endpoint rule for chemical fate and environmental effects will include chemicals that EPA expects will persist and bioaccumulate in the environment. In the past, chemicals such as dioxins, dichlorodiphenyltrichloroethane, and the polychlorinated biphenyls that persist (do not degrade), bioaccumulate (may enter the human food chain), and may be toxic have created widespread environmental concerns. EPA is evaluating chemicals on the Toxic Substances Control Act (TSCA) inventory for these characteristics and will identify chemicals for chemical fate and environmental effects testing for additional evaluation of their potential risks.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2865.

Agency Contact: Frank Kover,
Environmental Protection Agency,
Office of Prevention, Pesticides and
Toxic Substances, (7405), Washington,
DC 20460

Phone: 202 260-8130
Email: KOVER,FRANK

RIN: 2070-AC36

3482. NEGOTIATED CONSENT ORDER AND TEST RULE PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 790

Legal Deadline: None

Abstract: This action will amend the testing consent order and test rule development process to increase efficiency. The consent order process was adopted by the Agency in June 1986. Based on experience to date, the Agency needs to make changes in the process to reduce the resources required for consent order negotiation. This rule would propose appropriate procedural changes. Obsolete provisions will be eliminated for test rule development activities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/85	50 FR 20652
Interim Final Rule	06/30/86	51 FR 23706
Interim Final Rule (Technical Modification)	09/01/89	54 FR 36311
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2245.

Agency Contact: Frank Kover,
Environmental Protection Agency,
Office of Prevention, Pesticides and
Toxic Substances, (7405), Washington,
DC 20460
Phone: 202 260-8130
Email: KOVER,FRANK

RIN: 2070-AB30

3483. REVISED ASBESTOS MODEL ACCREDITATION PLAN

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

EPA—TSCA

Proposed Rule Stage

Legal Authority: 15 USC 2646/TSCA 6

CFR Citation: 40 CFR 763

Legal Deadline: Final, Statutory, November 28, 1992.

Abstract: The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) amended TSCA to require that EPA revise its asbestos model accreditation plan to extend training and accreditation requirements to include persons performing certain asbestos-related work in public and commercial buildings, to increase the minimum number of training hours required for accreditation purposes and to effect other changes necessary to implement the amendments. This action will increase regulatory costs for the owners and managers of public and commercial building, but will also reduce asbestos exposures in these buildings.

Timetable:

Action	Date	FR Cite
NPRM	05/13/92	57 FR 20438
Interim Final Rule	02/03/94	59 FR 5236
Notice	10/00/96	
NPRM	11/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3148.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460

Phone: 202 260-1777

Email: Cantor, Doreen

RIN: 2070-AC51

3484. • LEAD FEE RULE FOR LEAD-BASED PAINT ACTIVITIES TRAINING AND CERTIFICATION

Priority: Other Significant

Legal Authority: PL 102-550; TSCA 404; Title IV of TSCA

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: This rule is mandated by section 402(a) of the Toxic Substances Control Act (TSCA) for the purpose of implementing a fee schedule for lead-based paint activities that were addressed in the TSCA section 402 rule, 40 CFR Part 745 "Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities," which published on August 28, 1996. The fee schedule will establish a framework for states to process applications for training providers of lead-based paint training courses and for certification of workers engaged in lead-based paint activities in the five disciplines delineated in the section 402 rule.

The fee rule in concert with the section 402 rule is intended to ensure that individuals conducting lead-based paint inspections, risk assessments and abatement in target housing and child-occupied facilities are properly trained and certified, and that training programs providing instruction in such activities are accredited. This rule is also intended to ensure that these activities are conducted according to reliable, effective and safe work practice standards and to provide the availability of a trained and qualified workforce to identify and address lead-based paint hazards. By promoting the establishment of this workforce the Agency will help to ensure that individuals and firms conducting lead-based paint activities in target housing and child-occupied facilities will do so

in a way that safeguards the environment and protects the health of building occupants, especially children aged six years and younger.

Regarding the anticipated impact on small business, section 402(a) does not require or mandate the abatement of lead-based paint, nor require that any particular enterprise participate in the lead-based paint field. However, if firms choose to participate, compliance costs consist of two components that may impact small businesses: (1) accreditation and training costs for workers and supervisors, as well as certification fees that this rule will establish, and (2) incremental costs of work practice standards for abatement procedures. (Abstract continued - see additional information)

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis; RIA

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3881.

Agency Contact: Betty Weiner, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, SE., Washington, DC 20460

Phone: 202 260-2924

Fax: 202 260-1580

Email: weiner.betty@epamail.epa.gov

RIN: 2070-AD11

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Toxic Substances Control Act (TSCA)

3485. FACILITY COVERAGE AMENDMENT; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Regulatory Plan: This entry is Seq. No. 117 in Part II of this issue of the Federal Register.

RIN: 2070-AC71

3486. RESPONSES TO PETITIONS RECEIVED TO ADD TO OR DELETE CHEMICALS FROM THE LIST OF TOXIC CHEMICALS SUBJECT TO TOXIC RELEASE REPORTING UNDER EPCRA SECTION 313

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 11013/SARA (EPCRA) 313

CFR Citation: 40 CFR 372

Legal Deadline: Other, Statutory. Within 180 days of receipt of these petitions, the Agency must either initiate rulemaking or provide an explanation in the Federal Register for the denial.

Abstract: These actions grant or deny petitions received to add or delete chemicals from the list of toxic chemicals under Section 313 of the Emergency Planning and Community Right to Know Act, EPCRA. The actions cover individual chemicals or groups of chemicals for which petitions have been received.

Timetable:

Alloys--Chromium, Nickel, and Copper Alloys (modify)

Response 06/00/97

Barium Compounds (delete)

Response 01/00/97

Di(2-ethylhexyl) Adipate (DEHA) (delete)

Final Action 07/31/96 (61 FR 39891)

Diethylphthalate

NPRM 09/05/95 (60 FR 46076)

Final Action 07/27/96 (61 FR 39356)

Dioxin, Furans, PCBs (add)

Response 02/00/97

DBNPA (delete)

Response 06/00/97

Ethylene Glycol (delete)

Response 05/00/97

Hydrochloric Acid (modify)

NPRM 11/15/95 (60 FR 57382)

Final Action 07/25/96 (61 FR 38600)

Manganese in Slags (delete)

Response(denial) 08/24/95 (60 FR 44000)

Metallic Copper (modify)

Response 10/00/96

Phosphates and Phosphoric Acid

Response 00/00/00

Polymeric Diphenylmethane Diisocyanate

Response 10/00/96

Zinc Oxide

Response (denial) 09/12/95 (60 FR 47334)

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2425.

Note regarding the reinventing government effort: The following actions are not part of the reinventing government effort: Polymeric Diphenylmethane Diisocyanate, and Metallic Copper.

Other deadline: Within 180 days of receipt the Agency must either initiate rulemaking or explain why not in the Federal Register.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460

Phone: 202 260-1024

Email: hazen.susan@epamail.epa.gov

RIN: 2070-AC00

3487. LEAD-BASED PAINT DISCLOSURE REQUIREMENTS AT RENOVATION OF TARGET HOUSING

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-550, sec 406

CFR Citation: 40 CFR 745; 24 CFR 35

Legal Deadline: Final, Statutory, October 28, 1994.

Abstract: Section 406 of the Residential Lead-based Paint Hazard Reduction Act of 1992 requires EPA to develop two products: (1) a lead hazard information pamphlet, to be developed in consultation with HUD and CDC; and (2) an EPA regulation requiring renovators to provide the information pamphlet to clients before beginning work.

Timetable:

Action	Date	FR Cite
NPRM	03/02/94	59 FR 11108
Final Action	12/00/96	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3242.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460

Phone: 202 260-1777

Email: Cantor, Doreen

RIN: 2070-AC65

3488. CFR REGULATORY REVIEW RELATED INITIATIVES

Regulatory Plan: This entry is Seq. No. 118 in Part II of this issue of the Federal Register.

RIN: 2070-AC97

3489. FINAL DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: EPA is requiring testing via rules, or will obtain testing through enforceable consent agreements (ECAs) or publish a notice which provides the reasons for not doing so for chemicals listed herein. These chemicals have been designated for priority testing consideration by the ITC or recommended for testing consideration (for which the 12-month statutory requirement does not apply). The list also includes chemicals or categories of chemicals which have been identified for testing consideration by other EPA offices and through EPA review processes.

Timetable:

Alkyl (C 12-C 14) Glycidyl Ethers

Enforceable Consent Agreement (ECA)
03/22/96 (61 FR 11740)

Aryl Phosphates (ITC List 2)

ANPRM 12/29/83 (48 FR 57452)

NPRM 01/17/92 (57 FR 2138)

Final Action (ECA) 01/00/97

Brominated Flame Retardants

NPRM 06/25/91 (56 FR 29140)

Final Action (ECA) 06/00/97

DiBbasic Esters (CPSC)

Final Action (ECA) 02/00/97

Hexamethylene Diisocyanate (ITC List 22)

NPRM 05/17/89 (54 FR 21240)

Final Action 06/00/97

IRIS I Chemicals (ITC List 27)

Final Action 06/00/97

EPA—TSCA

Final Rule Stage

Mesityl Oxide

Withdrawal of Test Rule 06/27/96 (61 FR 33375)

Silicon-Based Glycidyl Ethers

Final Action (ECA) 02/00/97

TAME (OAR Request)

Final Action (ECA) 03/21/95 (60 FR 14910)

**White Phosphorus (ITC List 34) -
Withdrawal of Test Rule**

Final Action (ECA) 07/30/96 (61 FR 39832)

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3493.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-8130

Email: kover.frank@epamail.epa.gov

RIN: 2070-AB94

**3490. FOLLOW-UP RULES ON
EXISTING CHEMICALS**

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2604/TSCA 5; 15 USC 2607/TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA has established a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support planned or ongoing risk assessments on such chemicals. As these chemicals are identified, EPA will initiate rulemakings under the Toxic Substances Control Act (TSCA) sections 5 and/or 8 to require reporting of appropriate needed information by the manufacturers, importers and/or processors of these chemicals. Individual proposed or final rules will be published on at least the chemicals listed below.

Timetable:**Benzidene-based Chemical Substances**

NPRM 08/30/95 (60 FR 45119)
Final Action 10/00/96

Chloranil

NPRM 05/12/93 (58 FR 27980)
Final Action 02/00/97

**Heavy Metal-Based Pigments in Aerosol
Spray Paints**

NPRM 10/00/97

**2-Ethoxyethanol, 2-Methoxyethanol, & 2-
methoxyethanol Acetate**

NPRM 06/00/97

2,4-Pentanedione

NPRM 09/27/89 (54 FR 39548)
Final Action 12/00/96

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1923.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-8130

Email: kover.frank@epamail.epa.gov

RIN: 2070-AA58

**3491. FOLLOW-UP RULES ON NON-
5(E) NEW CHEMICAL SUBSTANCES**

Priority: Routine and Frequent

Legal Authority: 15 USC 2604/TSCA 5; 15 USC 2607/TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA has instituted a program to regulate the commercial development of new chemicals that have completed premanufacture notice (PMN) review, where activities described in the PMN did not present an unreasonable risk but uncontrolled manufacture, import, processing, distribution, use, or disposal outside the activities described in the PMN may present an unreasonable risk. EPA will issue Significant New Use Rules (SNURs) requiring 90-day notification to EPA from any manufacturer, importer, or processor who would engage in activities that are designated as significant new uses. Under the Expedited Follow-up Rule (EFUR) which became effective on October 12, 1989, EPA will identify such new chemicals and publish them in a batch SNUR 3-4 times per year. Chemicals that were subject to a proposed SNUR before the effective date of the EFUR or do not qualify under the EFUR, may be regulated individually by notice and comment rulemaking and are listed below.

Timetable:**Alkyl, Sulfonic Acid, Ammonium Salt (84-
1056)**

NPRM 06/11/86 (51 FR 21199)
Final Action 01/00/97

**Aluminum Cross-linked Sodium
Carboxymethylcellulose**

NPRM 06/11/93 (58 FR 32628)
Final Action 01/00/97

**Diphenyl-2,4,6-Trimethylbenzol Phosphine
Oxide (87-586)**

NPRM 02/02/88 (53 FR 2857)
Final Action 01/00/97

**1-Decanimine-N-Decyl-N-Methyl-N-Oxide
(86-566)**

NPRM 12/08/87 (52 FR 46496)
Final Action 01/00/97

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1976.

Agency Contact: James Alwood, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-1857

Email: alwood.james@epamail.epa.gov

RIN: 2070-AA59

**3492. CHEMICAL-SPECIFIC
SIGNIFICANT NEW USE RULES
(SNURS) TO EXTEND PROVISIONS OF
SECTION 5(E) ORDERS**

Priority: Routine and Frequent

Legal Authority: 15 USC 2604/TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None

Abstract: When the Agency determines that uncontrolled manufacture, import, processing, distribution, use or disposal of a premanufacture notification notice (PMN) substance may present an unreasonable risk, it may issue a section 5(e) consent order to limit these activities. However, such orders apply only to the PMN submitter. Once the new substance is entered on the Toxic Substances Control Act (TSCA) chemical inventory, others can manufacture, import or process the substance without controls. Therefore, EPA extends the controls to apply to others by designating manufacture, import or processing of the substances for uses without the specified controls as significant new uses. Under the Expedited Follow-Up Rule, which became effective on October 10, 1989 (54 FR 31314), EPA routinely publishes batch SNURs containing routine section 5(e) and non-5(e) SNURs. However, certain activities, such as modifications, withdrawals, revocations, and SNURs upon which comments are received in the direct final publication process, are subject to notice and comment rulemaking and are listed below.

Timetable:**Aromatic Amino Ether (P90-1840)**

NPRM 06/06/94 (59 FR 29255)
Final Action 12/00/96

EPA—TSCA

Final Rule Stage

Batch SNUR: 84-660/-704, 84-105/-106 & -107, 85-433

NPRM 05/27/93 (58 FR 30744)
Final Action 12/00/96

Polyalkylene Polyamine

NPRM 12/19/94 (59 FR 65248)
Final Action 11/00/96

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3495.

Agency Contact: James Alwood, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, Washington, DC 20460

Phone: 202 260-1857

Email: ALWOOD,JAMES

RIN: 2070-AB27

3493. GENERIC SIGNIFICANT NEW USE RULE (SNUR) FOR ACRYLATE COMPOUNDS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2694/TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None

Abstract: The generic acrylate significant new use rule may require any person who proposes to manufacture, import, or process an acrylate/methacrylate subject to the category definition contained within the proposed rule to notify EPA at least 90 days in advance of the initiation of manufacture or processing for a significant new use. The significant new use rule will apply to a subset of acrylates added to the inventory after the effective date of the rule. It will no longer be necessary to issue routine 5(e) orders or chemical specific SNURs for those acrylates covered by the rule.

Timetable:

Action	Date	FR Cite
NPRM	11/22/93	58 FR 61649
Final Action	10/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 2247.

Agency Contact: James Alwood, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-1857

Email: ALWOOD,JAMES

RIN: 2070-AB56

3494. RULEMAKING CONCERNING CERTAIN MICROBIAL PRODUCTS (BIOTECHNOLOGY) UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2604/TSCA 5

CFR Citation: 40 CFR 700; 40 CFR 720; 40 CFR 721

Legal Deadline: None

Abstract: EPA is promulgating a regulation under the Toxic Substances Control Act (TSCA) for the oversight of certain microbial products of biotechnology. The rule would be issued under the authority of Section 5 of TSCA, which generally requires that new chemical substances must be reviewed by EPA before they are introduced into commerce. The rule will contain mechanisms for exemption as well as actual exemptions, guidance on how the TSCA Inventory will be used, and EPA's approach to Research and Development with biotechnology microorganisms.

Timetable:

Action	Date	FR Cite
NPRM	09/01/94	59 FR 45526
Final Action	11/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2326.

Agency Contact: Paul Campanella, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-3725

Email:

campanella.paul@epamail.epa.gov

RIN: 2070-AB61

3495. POLYCHLORINATED BIPHENYLS (PCBS): APPLICATIONS FOR EXEMPTIONS FROM THE BAN ON MANUFACTURING, PROCESSING, AND DISTRIBUTION

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2605TSCA 6(e)(3)(B)

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: Section 6(e)(3)(B) of the Toxic Substances Control Act (TSCA) provides that the Administrator may grant, by rule, exemptions from the prohibitions on the manufacturing, processing, and distribution in commerce of PCBs upon finding: 1) that granting the exemption will not pose an unreasonable risk of injury to health or the environment; and 2) that good faith efforts have been made to develop a PCB substitute which does not pose an unreasonable risk of injury to health or the environment.

Timetable:

Action	Date	FR Cite
NPRM	12/06/94	59 FR 62875
Final Action	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2150.

Agency Contact: Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, Washington, DC 20460

Phone: 202 260-3933

Email: BANEY,TONY

RIN: 2070-AB20

3496. POLYCHLORINATED BIPHENYLS - PCBS - DISPOSAL AMENDMENTS

Priority: Economically Significant. Major under 5 USC 801.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605(e)(1)(A)/TSCA 6(e)

CFR Citation: 40 CFR 761

Legal Deadline: None

EPA—TSCA

Final Rule Stage

Abstract: After analyzing the comments received in response to an ANPRM issued in 1991, EPA issued a proposed rule on December 6, 1994 to address alternative disposal methods for newly identified scenarios such as large volume solids; mixed wastes such as PCB/radioactive wastes; and other issues, such as disposal of household wastes, small capacitors, and used paints. The notice also solicited comments on a modification to the disposal regulations which would allow for the recognition of PCB waste management activities under other Federal or State authorities and the transboundary movement of PCB wastes. Roughly 270 sets of comments were received in response to the NPRM, a final rule will be drafted promulgating more than 50 changes, additions and deletions to the current regulations. Finally, the rule incorporated a reproposal of the April 6, 1990 proposed rule (55 FR 12866), which intended to clarify questions on whether the analysis of PCBs is to be conducted on a dry weight basis.

Timetable:

Action	Date	FR Cite
ANPRM	06/10/91	56 FR 26738
NPRM	12/06/94	59 FR 62788
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2878.

Agency Contact: Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460

Phone: 202 260-3933
Email: BANEY,TONY

RIN: 2070-AC01

3497. USE OF ACRYLAMIDE FOR GROUTING

Priority: Other Significant

Legal Authority: 15 USC 2605/TSCA 6

CFR Citation: 40 CFR 764

Legal Deadline: None

Abstract: On October 2, 1991, EPA proposed a regulation of acrylamide and NMA grouts based on the unreasonable risk associated with their usage. EPA's rule would prohibit the

manufacture, distribution in commerce, and use of acrylamide grout. In February 1996, EPA reopened the record for 30 days to take additional comments, specifically to seek data on the durability of acrylamide and NMA grouts. The Agency is currently reviewing responses.

Timetable:

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863
Final Action	01/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2779.

Agency Contact: Robert C. McNally, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, Washington, DC 20460

Phone: 202 260-3945
Email: McNally, Robert

RIN: 2070-AC17

3498. POLYCHLORINATED BIPHENYLS (PCBS) TRANSFORMER RECLASSIFICATION RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605/TSCA 6(e)

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: This rule would relax the regulatory requirements for reclassifying PCB transformers to a lower regulatory status by modifying the current reclassification requirements of 50 degree centigrade temperature and 90-day testing. Results of a preliminary analysis indicate that many transformers never reach the required temperature, but still reduce PCB concentrations and that safety risks to employees and to the general public occur in mandating the continued adherence to the current regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/18/93	58 FR 60970
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3021.

Agency Contact: Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460

Phone: 202 260-3933
Email: baney.tony@epamail.epa.gov

RIN: 2070-AC39

3499. POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL AMENDMENTS

Regulatory Plan: This entry is Seq. No. 119 in Part II of this issue of the Federal Register.

RIN: 2070-AD04

3500. SECTION 8(A) PRELIMINARY ASSESSMENT INFORMATION RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607a/TSCA 8(a)

CFR Citation: 40 CFR 712

Legal Deadline: None

Abstract: These rules add chemicals to the list of chemicals and designated mixtures subject to the requirements of the Toxic Substances Control Act Section 8(a) Preliminary Assessment Information Rule (40 CFR part 712). These chemicals have been identified by the Office of Pollution Prevention and Toxics, other EPA offices, and other Federal agencies, as well as recommended for testing consideration by the Interagency Testing Committee. Manufacturers and importers are required to submit exposure-related data (EPA Form No. 7710-35) on the chemicals. These data will be used to monitor the levels of production, import and/or processing of these substances and the avenues of human and environmental exposure to these substances. These data will also support risk assessment and test rule decisions.

EPA—TSCA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action 35th ITC List	07/05/95	60 FR 34879
Final Action 37th ITC List	02/28/96	61 FR 7421
Final Action 38th ITC List	10/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2178.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8130

RIN: 2070-AB08

3501. SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607(d)/TSCA 8(d)

CFR Citation: 40 CFR 716

Legal Deadline: None

Abstract: These rules require manufacturers, importers and processors to submit unpublished health and safety data on chemicals added to the requirements of the Toxic Substances Control Act Section 8(d) Health and Safety Data Reporting Rule (40 CFR Part 716). These chemicals have been identified by the Office of Pollution Prevention and Toxics, other EPA offices, and other Federal agencies, as well as recommended for testing consideration by the Interagency Testing Committee.

Timetable:

Action	Date	FR Cite
Final Action 35th ITC List	07/05/95	60 FR 34879
Final Action 37th ITC List	02/28/96	61 FR 7421
Final Action 38th ITC List	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1139.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460

Phone: 202 260-8130

RIN: 2070-AB11

3502. TSCA SECTION 8(E); NOTICE OF CLARIFICATION AND SOLICITATION OF PUBLIC COMMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2607(e)/TSCA 8(e)

CFR Citation: None

Legal Deadline: None

Abstract: The TSCA section 8(e) Notice of Clarification and Solicitation of Public Comment would amend certain aspects of the 1978 TSCA section 8(e) Statement of Interpretation and Enforcement Policy (1978 Policy Statement). The 1978 Policy Statement describes the types of information that EPA considers reportable under section 8(e), the substantial risk reporting provision of TSCA, and describes the procedures for reporting such information to EPA. This clarification effort derives from a review of the existing section 8(e) guidance done in the context of questions raised by companies considering participating in the Section 8(e) Compliance Audit Program (CAP). As a result of this review, EPA determined that parts of the 1978 Policy Statement concerning the reportability of information on widespread and previously unsuspected distribution in environmental media and emergency incidents of environmental contamination needed some refinement. The subject Federal Register action solicited comment on refined reporting guidance concerning widespread and previously unsuspected distribution in environmental media and provides additional circumstances where information is not reportable because it is considered known to the Administrator; refined reporting guidance on emergency incidents of environmental contamination will be developed, as appropriate, by the Office of Solid Waste and Emergency Response. Finally, the notice solicited comments on changes to the section 8(e) reporting deadline, and reaffirmed the standards for claims of

confidentiality for information contained in a notice of substantial risk under section 8(e).

Timetable:

Action	Date	FR Cite
NPRM Final Action	07/13/93 12/00/96	58 FR 37735

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3118.

Agency Contact: Richard Hefter, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7402), Washington, DC 20460
Phone: 202 260-3470

RIN: 2070-AC80

3503. NOTICE OF TSCA SECTION 4 REIMBURSEMENT PERIOD AND TSCA SECTION 12(B) EXPORT NOTIFICATION PERIOD SUNSET DATES FOR TSCA SECTION 4 SUBSTANCES

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2603/TSCA 2; 15 USC 2611/TSCA 12

CFR Citation: 40 CFR 707; 40 CFR 790; 40 CFR 791; 40 CFR 799

Legal Deadline: None

Abstract: EPA is developing a list of substances that are or have been subject to TSCA section 4 testing actions which required testing under rules or Enforceable Consent Orders. EPA will identify sunset, or termination dates that will identify:

- (1) The end of section 4 reporting requirements (40 CFR 790)
- (2) The end of the reimbursement period under which persons subject to test rules are subject to an obligation to reimburse test sponsors (40 CFR 791)
- (3) The end of the period during which export notification requirements under TSCA section 12(b) are triggered.

Additionally, the notice will solicit comment on the method used by EPA to calculate the sunset dates for multi-chemical test rules.

EPA—TSCA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3559.

Agency Contact: Frank D. Kover,
Environmental Protection Agency,

Office of Prevention, Pesticides and
Toxic Substances, SE., Washington, DC
20460

Phone: 202 260-8130

RIN: 2070-AC84

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Toxic Substances Control Act (TSCA)**

Long-Term Actions

**3504. CHEMICAL LIST EXPANSION;
EMERGENCY PLANNING AND
COMMUNITY RIGHT-TO-KNOW ACT
SECTION 313**

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 372

Timetable:

Action	Date	FR Cite
NPRM	01/12/94	59 FR 1788
Final Rule	11/30/94	59 FR 61432
Final Action Deferred Chemicals	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State,
Federal

Agency Contact: Susan B. Hazen
Phone: 202 260-1024
Email: HAZEN,SUSAN B

RIN: 2070-AC47

**3505. LEAD-BASED PAINT ACTIVITIES
RULES; TRAINING, ACCREDITATION,
AND CERTIFICATION RULE AND
MODEL STATE PLAN RULE**

Priority: Economically Significant

CFR Citation: 40 CFR 745

Timetable:

Action	Date	FR Cite
NPRM	09/02/94	59 FR 45872
Final Action (1)	08/29/96	61 FR 45778
Final Action (2)	12/00/97	

Small Entities Affected: Businesses,
Governmental Jurisdictions,
Organizations

Government Levels Affected: State,
Local, Tribal, Federal

Agency Contact: Brion Cook
Phone: 202 260-1878

RIN: 2070-AC64

**3506. AMENDMENTS TO THE
ASBESTOS WORKER PROTECTION
RULE**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.

CFR Citation: 40 CFR 763

Timetable:

Action	Date	FR Cite
NPRM	11/01/94	59 FR 54746
NPRM (1)	11/01/94	59 FR 54746
NPRM (2)	11/00/97	

Small Entities Affected: Governmental
Jurisdictions

Government Levels Affected: State,
Local, Tribal

Agency Contact: Doreen Cantor
Phone: 202 260-1777
Email: Cantor, Doreen

RIN: 2070-AC66

**3507. DEVELOPMENT OF GUIDANCE
AS MANDATED BY EXECUTIVE
ORDER 12873, SECTION 503 ON
ENVIRONMENTALLY PREFERABLE
PRODUCTS**

Priority: Other Significant

CFR Citation: None

Timetable:

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50722
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-
related action for which there is a
statutory requirement. There is no
paperwork burden associated with this
action.

Agency Contact: Eun-Sook Goidel
Phone: 202 260-3296

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sook@epamail.epa.gov

RIN: 2070-AC78

**3508. EVALUATION OF PRODUCTS
FOR LEAD-BASED PAINT ACTIVITIES**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Unfunded Mandates: Undetermined

CFR Citation: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Small Entities Affected: Businesses,
Organizations

Government Levels Affected: Federal

Agency Contact: Doreen Cantor
Phone: 202 260-1777

RIN: 2070-AC88

**3509. HAZARDOUS AIR POLLUTANTS
TEST RULE**

Priority: Other Significant

CFR Citation: 40 CFR 789 to 795

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33178
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Reilly
Phone: 202 260-1105

Email: reilly.robert@epamail.epa.gov

RIN: 2070-AC76

**3510. • TEST RULE FOR CERTAIN
METALS**

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may
affect the private sector under
PL 104-4.

EPA—TSCA

Long-Term Actions

Legal Authority: 15 USC 2603; 2611; 2625

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: This action is expected to obtain data that EPA believes is necessary to more fully evaluate the risks of certain metals. The Agency of Toxic Substances and Disease Registry (ATSDR) identified the need for data in toxicological profiles for the metals including beryllium, chromium, manganese, mercury, nickel, and selenium. The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by SARA (42 USC 9604(I)), requires ATSDR: (1) jointly with the EPA, to develop and prioritize a list of hazardous substances found at National Priority List (NPL) sites; (2) prepare toxicological profiles for these substances; and (3) assure the initiation of a research program to address identified data needs associated with the substances.

The metals listed here, including cadmium, are also hazardous air pollutants (HAPs) under the Clean Air Act (CAA) section 112. EPA would therefore also use the data from this action to implement several provisions of section 112 of the CAA, including the determination of risks remaining after the application of technology based on the standards under section 112(d) of the CAA, estimation of the risks associated with accidental releases, and the determination whether or not substances should be removed from the CAA section (b)(1) list of HAPs (delisting).

Additional users of the data from this action include EPA's Office of Water, Hazardous Waste Program under the Resource Conservation and Recovery Act (RCRA), the Toxic Release Inventory (TRI), the Integrated Risk Information System (IRIS), Office of Pesticide Programs, the National Toxicology Program, the National Institute of Occupational Safety and Health (NIOSH), the Mine Safety and Health Administration (MSHA), and State and local environmental authorities. Because different "species" of metal can have dramatically different toxicological effects on biological systems, it will be important to select the appropriate "species" for study.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3882.

Agency Contact: Robert W. Jones, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, SE., Washington, DC 20460
 Phone: 202-260-8150
 Fax: 202-260-1096
 Email: jones.robert@epamail.epa.gov
RIN: 2070-AD10

3511. REGULATORY INVESTIGATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA) TO REDUCE LEAD (PB) CONSUMPTION AND USE

Priority: Other Significant

CFR Citation: 40 CFR 721; 40 CFR 750; 40 CFR 745

Timetable:

Action	Date	FR Cite
ANPRM	05/13/91	56 FR 22096
Fishing Sinkers		
	NPRM 03/09/94 (59 FR 11122)	
	Final Action 12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Doreen Cantor
 Phone: 202 260-1777

RIN: 2070-AC21

3512. REGULATORY INVESTIGATION OF FORMALDEHYDE

Priority: Info./Admin./Other

CFR Citation: 40 CFR 765

Timetable:

Action	Date	FR Cite
ANPRM	05/23/84	49 FR 21870
NPRM	00/00/00	

Termination for Apparel Workers
 Section 9(d) Notice 03/19/84 (49 FR 21870)

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Frank Kover
 Phone: 202 260-8130
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RIN: 2070-AB14

3513. PROCEDURES AND CRITERIA FOR TERMINATION OF POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL PERMITS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 761

Timetable:

Action	Date	FR Cite
NPRM	11/02/90	55 FR 46470
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tony Baney
 Phone: 202 260-3933
 Email: BANEY,TONY

RIN: 2070-AB81

3514. REGULATORY INVESTIGATION OF DIOXIN IN PULP AND PAPER MILL SLUDGE

Priority: Other Significant

CFR Citation: 40 CFR 744

Timetable:

Action	Date	FR Cite
NPRM	05/10/91	56 FR 21802
Response letter to EDF & NWF	12/14/92	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert C. McNally
 Phone: 202 260-3945
 Email: McNally,Robert C

RIN: 2070-AC05

3515. AMENDMENTS TO THE ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 763

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

EPA—TSCA

Long-Term Actions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Doreen Cantor
Phone: 202 260-1777

RIN: 2070-AC62

3516. SIGNIFICANT NEW USE RULES ON NATIONAL PROGRAM CHEMICALS; ASBESTOS, LEAD, AND REFRACTORY CERAMIC FIBERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 704; 40 CFR 721

Timetable:

Asbestos

NPRM 12/00/97

Lead

ANPRM 09/28/94 (59 FR 49484)
NPRM 12/00/97

Refractory Ceramic Fiber
NPRM 03/21/94 (59 FR 13294)
Final Action 12/00/97

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Doreen Cantor
Phone: 202 260-1777
Email: CANTER, DOREEN

RIN: 2070-AC37

3517. LEAD-BASED PAINT ACTIVITIES, TRAINING, AND CERTIFICATION: RENOVATION AND REMODELING

Priority: Economically Significant.
Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 745

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Doreen Cantor
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RIN: 2070-AC83

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Clean Water Act (CWA)

3518. WATER QUALITY STANDARDS REGULATION—REVISION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1313/CWA 303(c)

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: Water quality standards set by States and Indian Tribes establish the water quality goals for surface waters of the U.S. and the means by which attainment of these goals will be measured and assured. They are the foundation for protecting water quality and related public health and welfare and the ecological health of the nation's waters. Water quality standards

regulations govern the development, review and revision of water quality standards under section 303 of the Clean Water Act by States and Indian Tribes and the review and approval of those standards by EPA. The ANPRM is a comprehensive review of the water quality standards regulation designed to determine what changes to the regulation should be made to reflect the experience gained in the program by EPA, States, Tribes, and interested parties. All major components of the Water Quality Standards Program will be reviewed for potential regulatory and implementation improvements to provide increased flexibility where appropriate and further strengthen the Standards Program through use of scientific advances as a key element of watershed-based water quality protection and management. Issues to be addressed include: establishing and revising waterbody use designations, development and implementation of

water quality criteria including biological and sediment quality criteria, antidegradation policies and procedures, general policies such as mixing zone, variance and compliance schedule policies, and EPA's policy of independent application of criteria methods.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/96	
NPRM	12/00/97	
Final Action	12/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3662.

Agency Contact: Rob Wood, Environmental Protection Agency, Water, (4305), Washington, DC 20460
Phone: 202 260-9536

RIN: 2040-AC56

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Clean Water Act (CWA)

3519. • UNIFORM NATIONAL DISCHARGE STANDARDS FOR ARMED FORCES VESSELS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Water Act section 312(n) as amended

CFR Citation: 40 CFR 140

Legal Deadline: Final, Statutory, February 10, 1998.

Abstract: The 1996 Defense Authorization Act authorizes EPA and the Navy, in consultation with other Federal agencies and affected States, to

develop Uniform National Discharge Standards (UNDS) for liquid discharges from armed forces vessels. These regulations will enable the Navy to design vessels to one protective uniform standard, instead of attempting to conform to diverse State standards.

EPA—CWA

Proposed Rule Stage

Promulgation of uniform standards may result in innovative waste management technologies that can be transferred to the private sector. The first phase of the legislation requires promulgation of joint regulations that signify which discharges require regulation, which entail the use of marine pollution control devices, as well as those which will not require regulation. Marine pollution control devices may be a piece of equipment designed to control a particular waste stream, or a management practice that would reduce the impacts of a discharge. The Navy and EPA will determine the nature and environmental effects of vessel discharges, as well as the practicability of installing marine pollution control devices for those discharges that require regulation. This regulation only applies to vessels of the armed forces, and therefore will have no impact on small businesses. State governments will be involved in the rulemaking process as this rule may impact State standards, if any exist, by taking precedence over those standards for vessels of the armed forces. The uniform national standards proposed by this action will regulate those liquid vessel discharges that would have adverse impacts on the marine environment. If there is new information that suggests the standard should be changed, a State may petition for review any standard promulgated under this action.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3925.

Agency Contact: Deborah Lebow, Environmental Protection Agency, Water, (4504-F), Washington, DC 20460
Phone: 202 260-6419

RIN: 2040-AC96

3520. • PROPOSED SELENIUM CRITERION MAXIMUM CONCENTRATION FOR WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1268/CWA 118

CFR Citation: 40 CFR 132

Legal Deadline: None

Abstract: This rulemaking proposes a new acute aquatic life criterion for selenium in the final Water Quality Guidance for the Great Lakes System (the Guidance) that was published on March 23, 1995 (60 FR 15366). The proposal takes into account data showing that selenium's two most prevalent oxidation states, selenite and selenate, present differing potentials for aquatic toxicity, as well as new data indicating that all forms of selenium are additive. The new approach produces a different selenium acute criterion (also called the Criterion Maximum Concentration, or CMC) depending upon the relative proportions of selenite, selenate, and other forms of selenium that are present.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3921.

Agency Contact: Mark Morris, Environmental Protection Agency, Water, (4301), Washington, DC 20460
Phone: 202-260-0312

RIN: 2040-AC97

3521. ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS FOR THE STATE OF CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251/CWA 101; 33 USC 1313/CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: Several municipal entities and one industry in California sued the California State Water Resources Control Board (SWRCB) in State court over whether the SWRCB's water quality control plans for inland surface waters and enclosed bays and estuaries were adopted in compliance with authorizing State law. The court issued its final decision in March 1994; the Court agreed with the plaintiffs and found that the plans could not remain in effect. The SWRCB was ordered to rescind its plans which contain the State's numeric criteria for priority

toxic pollutants. In the absence of State criteria, the Clean Water Act requires the Administrator to promulgate water quality criteria for priority toxic pollutants where the discharge of such pollutants could reasonably interfere with the State's designated uses.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	00/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3504.

Agency Contact: Diane Frankel, Environmental Protection Agency, Water, EPA - Region IX, 75 Hawthorne Street, San Francisco CA 95105
Phone: 415 744-2004

RIN: 2040-AC44

3522. GUIDELINES ESTABLISHING WHOLE EFFLUENT TOXICITY WEST COAST TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313/CWA 301; 33 USC 1314h/CWA 304(h); 33 USC 1361/CWA 501

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This rule will amend 40 CFR part 136, by adding new West Coast test procedures for the analysis of pollutants under section 304(h) of the Clean Water Act. This list of approved biological test methods would be amended by adding methods for measuring chronic toxicity in estuarine and marine species exposed to pollutants in effluents and receiving waters. State, local and tribal governments and small businesses on the West Coast are already using variations of these methods in NPDES permits. This rule will not have a significant impact on State, local or Tribal governments or small businesses on the West Coast.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	04/00/98	

EPA—CWA

Proposed Rule Stage

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3618.

Agency Contact: William Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
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RIN: 2040-AC54

3523. STREAMLINING THE STATE SEWAGE SLUDGE MANAGEMENT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251/CWA 101

CFR Citation: 40 CFR 123; 40 CFR 501

Legal Deadline: None

Abstract: The requirements for States seeking authorization of their sewage sludge programs are set out at 40 CFR parts 123 (for National Pollutant Discharge Elimination System (NPDES) programs) and 501 (for non-NPDES programs). These requirements were modeled on the NPDES requirements for authorization of wastewater effluent discharge programs. Many States manage sewage sludge through their solid waste programs, which are often structured differently from NPDES programs. As a result, States may not always be able to meet all the requirements of parts 123 or 501. The Agency wants States with well-run sewage sludge management programs to be eligible for authorization without having to make unnecessary administrative changes to their programs. Proposed changes would streamline the existing regulations to ease the authorization process for States and ensure that decisions are made based on true environmental and public health considerations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3788.

Agency Contact: Wendy Bell, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-9534

RIN: 2040-AC87

3524. ● STREAMLINED PROCEDURES AND GUIDANCE FOR APPROVING TEST PROCEDURES UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq; 33 USC 1314(h); 33 USC 1361(a)/76 Stat. 816; PL 92-500; 91 Stat. 1567; PL 95-217; 100 Stat. 7; PL 100-4.

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25

Legal Deadline: None

Abstract: This regulatory action would propose the use of new, streamlined procedures and guidance for submitting methods to be approved for use in Clean Water Act compliance monitoring under 40 CFR Part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants". The new procedures would include guidance concerning the format, content, QA/QC, and data validation requirements for methods submitted for consideration. This regulatory action would also describe increased program guidance in the form of a clearinghouse, technical bulletins, and/or guidance documents geared towards clarifying technical and policy issues associated with the use of test methods approved for use in the program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	12/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3713.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
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RIN: 2040-AC93

3525. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE - PHASE TWO

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1251/CWA 101; 33 USC 1345/CWA 405

CFR Citation: 40 CFR 503

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal Regulation in two phases (i.e., Phase One and Phase Two). Phase Two will address issues presented by judicial remand of specific requirements in the final rule (part 503) and requests for reconsideration and will modify certain technical requirements. Some of the issues that may be addressed in this action include: land application pollutant limits for molybdenum and selenium, and measuring temperature in lieu of measuring THC for incineration. The proposed changes will impact Federal, State, local and tribal governments as well as small businesses. EPA expects that these changes will increase flexibility and thus reduce the regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3497.

Agency Contact: Robert M. Southworth, Environmental Protection Agency, Water, (4304), Washington, DC 20460
Phone: 202 260-7157

RIN: 2040-AC53

EPA—CWA

Proposed Rule Stage

3526. STREAMLINING NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM REQUIREMENTS, INCLUDING GENERAL PRETREATMENT REQUIREMENTS

Regulatory Plan: This entry is Seq. No. 103 in Part II of this issue of the Federal Register.

RIN: 2040-AC69

3527. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL LAUNDRIES CATEGORY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1317/CWA 307; 33 USC 1314/CWA 304; 33 USC 1361/CWA 501; 33 USC 1316/CWA 306

CFR Citation: 40 CFR 441

Legal Deadline: NPRM, Judicial, March 31, 1997. Final, Judicial, December 31, 1998.

Abstract: EPA is developing effluent limitation guidelines for Industrial Laundries, which supply laundered and dry-cleaned work uniforms, wiping towels, safety equipment (such as gloves and flame-resistant clothing), dust covers and cloths, and similar items to industrial and commercial users. EPA is negotiating an extension of the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3209.

Agency Contact: Susan Burris, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-5379
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RIN: 2040-AB97

3528. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1317/CWA 307; 33 USC 1314/CWA 304; 33 USC 1361/CWA 501; 33 USC 1316/CWA 306

CFR Citation: 40 CFR 442

Legal Deadline: NPRM, Judicial, March 31, 1997. Final, Judicial, December 31, 1998.

Abstract: EPA will propose effluent limitation guidelines for transportation equipment cleaning facilities, which clean the interiors of tank trucks, rail tank cars, intermodal tank containers, intermediate bulk containers, ocean/sea tankers, and tank barges. EPA is negotiating an extension of the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3204.

Agency Contact: Gina Matthews, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-6036
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RIN: 2040-AB98

3529. EFFLUENT GUIDELINES AND STANDARDS FOR LANDFILLS AND INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1317/CWA 307; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 437

Legal Deadline: NPRM, Judicial, March 31, 1997. Final, Judicial, March 31, 1999.

Abstract: EPA is developing effluent guidelines and standards for: a) industrial incinerators and thermal destruction units; and b) all landfills

with leachate collection systems. This rule was formerly titled "Waste Treatment, Phase II." EPA is negotiating an extension to the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	03/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3489.

Agency Contact: Samantha Hopkins, (Incinerators), Environmental Protection Agency, Water, (4303), Washington, DC 20460

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RIN: 2040-AC23

3530. NPDES STREAMLINING RULE—ROUND II

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1312/CWA 302; 33 USC 1316/CWA 306; 33 USC 1318/CWA 308; 33 USC 1342/CWA 402; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124; 40 CFR 125

Legal Deadline: None

Abstract: On February 21, 1995, President Clinton issued a directive requesting that Federal agencies review their regulatory programs to eliminate any obsolete, ineffective, or unduly burdensome regulations. In response to that directive, the Office of Wastewater Management plans to issue a comprehensive rulemaking package revising certain NPDES requirements in parts 122, 123 and 124 to eliminate redundant regulations, provide

EPA—CWA

Proposed Rule Stage

clarification, and remove or streamline unnecessary procedures which do not provide any environmental benefits. Some of these revisions include: 1) consolidating regulatory definitions; 2) removal of Part 124 Subpart F non-adversary panel hearings; 3) possible removal of storm water group application requirements; 4) streamlining permit termination procedures; and 5) revising Part 124 evidentiary hearing procedures.

This rulemaking is expected to affect entities who operate the NPDES program or who are regulated by it. This includes small businesses and State and local governments. Most of these effects are expected to be deregulatory or streamlining in nature.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	03/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3762.

Agency Contact: Thomas Charlton, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-6960
Fax: 202 260-1460

RIN: 2040-AC70

3531. NPDES STREAMLINING RULE—ROUND III

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1312/CWA 302; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1318/CWA 308; 33 USC 1342/CWA 402; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124

Legal Deadline: None

Abstract: On February 21, 1995, President Clinton issued a directive requesting that Federal agencies review their regulatory programs to eliminate any obsolete, ineffective, or unduly

burdensome regulations. In response to that directive, EPA plans to issue several rulemaking packages to revise NPDES requirements in parts 122, 123, and 124 to eliminate redundant regulations, provide clarification, and remove or streamline unnecessary procedures. Revisions under consideration in this rule include adding additional permit modifications that can be considered minor modifications at 122.63, and changes to requirements concerning EPA's review of State permits. Other revisions may be considered as work on this rule progresses. This rulemaking is expected to affect entities which implement the NPDES program or are regulated by it. This includes small businesses and State and local governments. Most of these effects are expected to be deregulatory or streamlining in nature.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3786.

Agency Contact: Thomas Charlton, Environmental Protection Agency, Water, (4203), Washington, DC 20460
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Fax: 202 260-1460

RIN: 2040-AC84

3532. STREAMLINING 301(H) WAIVER RENEWAL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311/CWA 301

CFR Citation: 40 CFR 125

Legal Deadline: None

Abstract: EPA is proposing an amendment to the regulations contained in 40 CFR Part 125, Subpart G. These regulations implement Section 301(h) of the Clean Water Act, 33 USC Section 1311(h). Section 301(h) provides publicly owned treatment works (POTWs) discharging to marine waters an opportunity to obtain a modification of secondary treatment requirements if they demonstrate to EPA that they comply with a number of criteria aimed at protecting the marine environment. This proposal is

designed to streamline the renewal process for POTWs with 301(h) modified permits. The action would eliminate unnecessary paperwork. It specifies that a completed application would not be required for renewals in cases where EPA already has the required information. Additional information would only be required as necessary to determine ongoing compliance with the 301(h) criteria. This regulation should reduce paperwork submissions from municipalities, which should save time and resources.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	10/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 3804.

Agency Contact: Deborah Lebow, Environmental Protection Agency, Water, (4504F), Washington, DC 20460
Phone: 202 260-6419
Fax: 202 260-9960

RIN: 2040-AC89

3533. STREAMLINING REVISIONS TO THE WATER QUALITY PLANNING AND MANAGEMENT REGULATIONS

Regulatory Plan: This entry is Seq. No. 104 in Part II of this issue of the Federal Register.

RIN: 2040-AC65

3534. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF TRACE METALS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h)/CWA 304(h); 33 USC 1361(a)/CWA 501

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25; 40 CFR 403.7; 40 CFR 403.12

Legal Deadline: None

Abstract: This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 136 to approve new EPA methods for the determination of trace metals at

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EPA's water quality criteria levels. These methods are necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. Water quality-based permits are necessary when technology-based controls do not allow a particular water body to meet the state's designated water quality standard. Since the methods currently approved under 40 CFR Part 136 were designed to meet technology-based permitting needs, and since these technology-based levels are as much as 280 times higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

This action will not have a significant economic impact on state, local, or tribal governments or small businesses. This regulation would approve a test procedure to be used in measuring trace metals under the National Pollution Discharge Elimination System unless the Regional Administrator approves an alternative procedure.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3702.

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RIN: 2040-AC75

3535. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF CYANIDE UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h)/CWA 304(h); 33 USC 1361(a)/CWA 501(a)

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25

Legal Deadline: None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 136 to approve new procedures for the

analysis of cyanide under the Clean Water Act.

Total cyanide is a toxic (priority) pollutant as defined in the Clean Water Act and listed at 40 CFR 423, Appendix A. The term "total cyanide" refers to all forms of cyanide, including those forms that are readily bioavailable such as free and weakly bound cyanide and those forms that are less bioavailable because the cyanide is strongly bound to a metal ion. Method 335.1, Cyanides Amenable to Chlorination (CATC), is currently approved for the measurement of free and weakly complexed forms of cyanides. Methods 335.2 and 335.3 are currently approved for measurement of total cyanides.

Subsequent to approval of Methods 335.1 and 335.3 under 40 CFR Part 136, new data suggests that these methods may not accurately reflect actual cyanide concentrations found in wastewaters. Additionally, the approved analytical methods call for hour-long distillation, chlorination requiring an hour, and two separate aliquots of a given sample distilled and analyzed independently to determine the CATC levels. In order to improve the accuracy and reduce the costs of cyanide measurements, EPA plans to develop and propose new test procedures for the determination of cyanides.

This action will not have a significant economic impact on state, local or tribal governments or small businesses. This regulation approves a test procedure to be used in measuring cyanide under the National Pollution Discharge Elimination System unless the Regional Administrator approves an alternative test procedure.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3701.

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RIN: 2040-AC76

3536. REFORMATTING OF EFFLUENT GUIDELINES AND STANDARDS IN 40 CFR PARTS 405 THROUGH 471

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1251/CWA 303; 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1317/CWA 307

CFR Citation: 40 CFR 405 to 471 as amended

Legal Deadline: None

Abstract: This regulatory action would re-format the existing Effluent Limitation Guidelines and Standards found in 40 CFR Parts 405 through 471 without making any changes to the requirements therein. The purpose of this action is to streamline the CFR and establish a format that is easier for Federal, State, and local regulators and the regulated community to read and understand. This action does not require State, local, or tribal governments or the regulated community to do anything beyond what is currently required. This rule, will, therefore, not impose any economic burden.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3767.

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RIN: 2040-AC79

3537. STREAMLINING THE GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

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duplication, or streamline requirements.

Legal Authority: 33 USC 1314/CWA 304; 33 USC 1317/CWA 307; 33 USC 402(b)(8)/CWA 402(b)(8); 33 USC 1361/CWA 501

CFR Citation: 40 CFR 403

Legal Deadline: None

Abstract: The National Pretreatment Program was established in 1972. The Office of Water is exploring ways to reduce federally mandated activities under the program that don't result in benefits to the environment and to improve program efficiencies. For example, this rule will consider appropriate exclusions or variable requirements for numerous smaller facilities that contribute insignificant amounts of pollutants.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3663.

Agency Contact: Jeff Smith, Environmental Protection Agency, Water, (4203), Washington, DC 20460 Phone: 202 260-5586

RIN: 2040-AC58

3538. • INCREASED METHOD FLEXIBILITY FOR TEST PROCEDURES APPROVED FOR CLEAN WATER ACT COMPLIANCE MONITORING UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq; 33 USC 1314(h)/CWA 304; 33 USC 1361(a)/76 Stat 816; PL 92-500; 91 Stat 1567; PL 95-217; 100 Stat 7; PL 100-4

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25

Legal Deadline: None

Abstract: This regulatory action would highlight the flexibility already contained in the 600 and 1600 series methods that are currently approved for Clean Water Act compliance monitoring under 40 CFR Part 136, "Guidelines Establishing Test

Procedures for the Analysis of Pollutants". These methods typically contain a statement that "In recognition of advances that are occurring in analytical technology, and to allow the analyst to overcome sample matrix interferences, the analyst is permitted certain options to improve separations or lower the costs of measurements. These options include alternate extraction, concentration, cleanup procedures, and changes in columns and detectors . . .". The methods further require the analyst to demonstrate that the method modifications will not adversely affect the quality of data by generating quality control results that meet the specifications contained in the method. Despite this stated flexibility, OW has found that many permitting authorities are not aware of this flexibility when issuing or enforcing NPDES and pretreatment permits. Therefore, this regulatory action will highlight the existing method flexibility and clarify OW's position regarding its application. This action will also propose to extend this flexibility to all methods currently approved under 40 CFR Part 136. The purpose of extending this flexibility to all methods is to (1) increase consistency between methods, (2) provide for increased recognition of advances in analytical technology, and (3) reduce costs associated with analytical measurements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	06/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3714.

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RIN: 2040-AC92

3539. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C— WASTEWATER DISCHARGE INFORMATION

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1342/CWA 402

CFR Citation: 40 CFR 122.21(g)

Legal Deadline: None

Abstract: All existing manufacturing, commercial, mining, and silvicultural operations requiring a National Pollutant Discharge Elimination System (NPDES) permit must submit an application in order to obtain a permit. The existing industrial application form has not been revised since 1984 and needs to be updated to reflect statutory and regulatory changes in the NPDES program, advances in analytical methods and an increased emphasis on toxic control. The purpose of this action is to revise and consolidate existing application forms and requirements for industries, and to streamline the permit application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency seeks to allow the use of existing data and to avoid unnecessary reporting. The Agency is also considering how to utilize electronic data submission. Although these forms will increase the burden on permittees not already required to provide these data, many other permittees are already required to submit data. The Agency is minimizing the need for information from small entities, including tribal facilities. The burden on States would be minimized and even reduced because of improvements to the application forms.

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Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	01/00/99	

Small Entities Affected: Businesses
Government Levels Affected: State, Local, Tribal, Federal
Additional Information: SAN No. 3234.
Agency Contact: Ruby Cooper Ford, Environmental Protection Agency, Water, (4203), Washington, DC 20460 Phone: 202 260-6051
RIN: 2040-AC26

benefits will be derived from addressing these discharges under the Phase II program. Urban stormwater runoff is a real cause of water quality use impairment. EPA has invited stakeholders to participate in the development of comprehensive Phase II rules under the Federal Advisory Committee Act (FACA). This FACA group will assist in the development of the rule. Currently all Phase II dischargers are required to have stormwater permits by 2001. EPA will be considering limiting the universe of Phase II sources and may recommend control options that are less burdensome than permits.

CFR Citation: 40 CFR 132

Legal Deadline: None

Abstract: This rulemaking proposes to revise the approach for calculating the baseline bioaccumulation factor (BAF) for the total class of polychlorinated biphenyls (PCBs) for the Water Quality Guidance for the Great Lakes System (Guidance or Part 132). The new approach produces a different BAF value for use in the derivation of the human health and wildlife criteria. EPA has recalculated the human health and wildlife criteria using the new BAF values and is proposing to revise the criteria for PCBs codified in Table 3 and 4 to Part 132. The Agency is committed to issuing a final rule before March 1997, when the Great Lakes States must submit programs to implement the Guidance.

3540. COMPREHENSIVE NPDES STORMWATER PHASE II REGULATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1342/CWA 402; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 122; 40 CFR 124

Legal Deadline: NPRM, Judicial, September 1, 1997. Final, Judicial, March 1, 1999.

Abstract: EPA will be proposing changes to the stormwater regulations for the remaining unregulated dischargers that require regulation. Also known as "Phase II dischargers," these sources generally could include all stormwater discharges from commercial, retail, and institutional facilities and from municipal separate storm sewer systems serving populations of less than 100,000. Data collected under sections 305(b) and 402(p)(5) of the CWA indicate that

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	
Final Action	03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3785.

Agency Contact: Pamela Mazakas, Environmental Protection Agency, Water, (4203), Washington, DC 20460 Phone: 202 260-6599 Fax: 202 260-1460

RIN: 2040-AC82

3541. • PROPOSED REVISIONS TO THE PCB CRITERIA FOR HUMAN HEALTH AND WILDLIFE FOR THE WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1268/CWA 118

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3887.

Agency Contact: Mark Morris, Environmental Protection Agency, Water, (4301), Washington, DC 20460 Phone: 202 260-0312

RIN: 2040-AC94

ENVIRONMENTAL PROTECTION AGENCY (EPA)

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Clean Water Act (CWA)

3542. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE—PHASE ONE

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1251/CWA 101; 33 USC 1345/CWA 405

CFR Citation: 40 CFR 503

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal Regulation in two phases (i.e., Phase One and Phase Two). Phase I will respond to minor comments received on the Final Sewage Sludge Use or Disposal Round I Rule (Part 503), correct some publication errors, and include some technical amendments. This action will modify the existing

regulation to make the requirements for sewage sludge incinerators self-implementing and provide the regulated community flexibility in meeting other Part 503 requirements. The changes should not have any adverse impact on State, local, or tribal government or small businesses because no additional requirements are being imposed.

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Timetable:

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54771
Final Action	12/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3497 and SAN No. 3442 (RIN 2040-AC46)

Agency Contact: Robert M. Southworth, Environmental Protection Agency, Water, (4304), Washington, DC 20460
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RIN: 2040-AC29

3543. EFFLUENT GUIDELINES AND STANDARDS FOR THE PHARMACEUTICAL MANUFACTURING CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1317/CWA 307; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 439

Legal Deadline: NPRM, Judicial, February 28, 1995. Final, Judicial, March 31, 1997.

Abstract: EPA is developing revised effluent limitation guidelines and standards for the pharmaceutical manufacturing industry, including limitations on toxic and non-conventional volatile organic pollutants. EPA is negotiating an extension of the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM (NSPS)	10/27/83	48 FR 49832
NPRM	05/02/95	60 FR 21592
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 1427.

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RIN: 2040-AA13

3544. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1317/CWA 307; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 430; 40 CFR 431

Legal Deadline: NPRM, Judicial, October 31, 1993.

Abstract: EPA is revising existing Best Practicable Technology (BPT), Best Conventional Pollutant Control Technology (BCT), Best Available Technology (BAT), New Source Performance Standards (NSPS), Pretreatment Standards for Existing Sources (PSES), and Pretreatment Standards for New sources (PSNS). The Agency is developing these revised effluent limitations in conjunction with development of maximum achievable control technology (MACT) standards, which limit air emissions under the Clean Air Act. (See separate Regulatory Plan entry, "Integrated NESHAP and Effluent Guidelines: Pulp and Paper," RIN: 2060-AD03.)

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final Action	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2712.

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RIN: 2040-AB53

3545. EFFLUENT GUIDELINES AND STANDARDS FOR THE COASTAL SUBCATEGORY OF THE OIL AND GAS EXTRACTION CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC

1317/CWA 307; 33 USC 1361/CWA 501; 33 USC 1311/CWA 301

CFR Citation: 40 CFR 435

Legal Deadline: NPRM, Judicial, January 31, 1995. Final, Judicial, October 31, 1996.

Abstract: EPA is developing effluent limitation guidelines based on Best Available Technology (BAT), Best Conventional Technology (BCT), and New Source Performance Standards (NSPS) for coastal oil and gas extraction facilities. This regulation will apply to the facilities involved in exploration, development and production operations.

Timetable:

Action	Date	FR Cite
Notice	11/08/89	54 FR 46919
NPRM	02/17/95	60 FR 9428
Final Action	10/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2747.

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RIN: 2040-AB72

3546. EFFLUENT GUIDELINES AND STANDARDS FOR THE CENTRALIZED WASTE TREATMENT INDUSTRY

Priority: Other Significant

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1317/CWA 307; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 437

Legal Deadline: NPRM, Judicial, December 15, 1994. Final, Judicial, March 31, 1997.

Abstract: Centralized Waste Treatment (CWT) facilities receive hazardous and non-hazardous waste from off-site for treatment or recovery (excluding solvent recovery). EPA is developing effluent limitations based on Best Available Technology (BAT), Best Practicable Control Technology (BPT), New Source Performance Standards (NSPS), Pretreatment Standards for Existing Sources (PSES), and Pretreatment Standards for New Sources (PSNS). This rule was formerly

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titled "Waste Treatment, Phase I." EPA is negotiating an extension of the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM	01/27/95	60 FR 5464
Final Action	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2805.

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RIN: 2040-AB78

3547. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASE I

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306; 33 USC 1317/CWA 307; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 438

Legal Deadline: NPRM, Judicial, March 31, 1995. Final, Judicial, March 31, 1997.

Abstract: The Environmental Protection Agency (EPA) is developing effluent limitation guidelines for facilities that generate wastewater while processing metal parts; metal products; and machinery, including manufacture, assembly, rebuilding, repair, and maintenance. The phase I regulation will cover seven industrial groups: aircraft, aerospace, hardware, ordnance, stationary industrial equipment, mobile industrial equipment, and electronic equipment. This regulation is performance-based and does not specify a method of compliance. EPA is negotiating an extension of the judicial deadline for this rule.

Timetable:

Action	Date	FR Cite
NPRM	05/30/95	60 FR 28210
Final Action	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2806.

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RIN: 2040-AB79

3548. WATER QUALITY STANDARDS; ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS; STATES' COMPLIANCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1313/CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: EPA is revising its rule promulgated on December 22, 1992, (National Toxics Rule or NTR) that established water quality criteria for 14 States that had failed to fully comply with section 303(2)(B) of the Clean Water Act. The NTR promulgated total recoverable metals criteria for 11 of these 14 States. In October 1993, the Office of Water issued a policy memorandum recommending a shift to the use of dissolved metals criteria because they more accurately reflect the bioavailable fraction of waterborne metals for aquatic life. This revision will convert the total recoverable metals criteria to dissolved metals criteria and bring the 11 States into alignment with the current policy on the use of dissolved metals.

This action is de-regulatory in nature, but is not expected to impact the health of aquatic life in the water column. EPA expects this rule to result in less stringent permit limits and therefore a potential cost savings in wastewater treatment for dischargers of metals in the 11 covered States.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/04/95	60 FR 22229
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3661.

Agency Contact: Jackie Romney, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-9687

RIN: 2040-AC55

3549. STREAMLINED PROCEDURES FOR DEVELOPING AND MAINTAINING APPROVED PUBLICLY-OWNED TREATMENT WORKS PRETREATMENT PROGRAMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1314/CWA 304; 33 USC 1317/CWA 307; 33 USC 1342(b)(8)/CWA402(b)(8); 33 USC 1361/CWA 501

CFR Citation: 40 CFR 403

Legal Deadline: None

Abstract: Under the current regulations, many changes to approved publicly owned treatment works (POTW) pretreatment programs are not effective until formally approved by EPA or the State. The formal approval procedures require two public notices of program changes. The entire approved POTW pretreatment program is also made a part of the National Pollutant Discharge Elimination System (NPDES) permit of the POTW that administers the pretreatment program. This means that the POTW's NPDES permit is modified when the pretreatment program is revised. There are State and EPA backlogs of pretreatment program changes for approval. The double notice procedure is expensive and normally elicits little public comment.

Under the new regulations, the POTW's NPDES permit would include only certain significant elements of the approved POTW pretreatment program. EPA or the State would need to approve changes to the POTW

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pretreatment program only where the program is made less restrictive or when EPA or the State requests approval. In many cases, only a single public notice of a change to the POTW pretreatment program would be required.

The new regulations should reduce the administrative burden and cost associated with approving and maintaining approved pretreatment programs without affecting environmental protection. Impacts on State, local and tribal governments and small businesses are expected to be positive. The rule is deregulatory.

Timetable:

Action	Date	FR Cite
NPRM	07/30/96	61 FR 39804
Final Action	03/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3625.

Agency Contact: Jeff Smith, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-5586

RIN: 2040-AC57

3550. AMENDMENT TO EFFLUENT GUIDELINES AND STANDARDS FOR ORE MINING AND DRESSING POINT SOURCE CATEGORY, NEW SOURCE PERFORMANCE STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1316/CWA 306

CFR Citation: 40 CFR 440

Legal Deadline: None

Abstract: This rule would amend the applicability of best practicable control technology (BPT), best available technology economically achievable (BAT), and new source performance standards (NSPS) for Subpart J-Copper, Lead, Zinc, Gold, Silver, and Molybdenum Ores Subcategory of the Ore Mining and Dressing Point Source Category, 40 CFR Part 440 with respect to the site of the A-J Gold Mine Project located near Juneau, Alaska.

This rule would exclude dewatered tailings from coverage for the froth-flotation process alone, or in conjunction with other processes (40 CFR 440.100(2)). Process wastewaters

separated from the dewatered tailings and mine drainage wastewater would continue to be covered by the Subpart. This revision of applicability would be done by revising the definition of process wastewater to exclude dewatered tailing at the A-J Project site which exhibits certain extreme topographical and climatic conditions not considered in the previous rulemaking. The conditions which exist at this project location limit the diversion of natural stream-flow and runoff around the tailings impoundment. The tailings impoundment is a significant part of the technology basis considered in the above rule to contain the process wastewater from the mine and mill process. Because of the topography in the A-J Project location, a dam to contain the tailings and treat the various wastewater sources must be constructed across the entire valley floor which results in the inability to divert natural stream-flow and runoff without causing potentially unacceptable non-water quality environmental impacts not considered in the previous rulemaking. In addition, because of the inability to divert stream-flow, the entire receiving water body must be contained within the impoundment and any discharge must also meet water quality standards without any mixing zone. EPA is examining whether there are any other potential sites with these conditions and what criteria could be used to identify sites for which the revised definition would be applicable.

Timetable:

Action	Date	FR Cite
NPRM	02/12/96	61 FR 5364
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3722.

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RIN: 2040-AC74

3551. WATER QUALITY STANDARDS FOR PENNSYLVANIA

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251/CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: EPA Region III disapproved portions of Pennsylvania's water quality standards in June 1994. The Clean Water Act requires EPA to promulgate replacement standards when a State fails to revise State standards. This rulemaking would establish Federal standards to remedy provisions of the State's antidegradation policy which do not meet Federal requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/29/96	61 FR 45379
Final Action	11/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3766.

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RIN: 2040-AC78

3552. GUIDELINES ESTABLISHING OIL AND GREASE TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1316(h)/CWA 304(h); 33 USC 1361(a)/CWA 501(a)

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25; 40 CFR 403.7; 40 CFR 403.12

Legal Deadline: None

Abstract: This proposed regulation amends the Guidelines establishing Test Procedures for the Analysis of Pollutants under section 304(h) of the Clean Water Act to replace existing gravimetric test procedures for the conventional pollutants, Oil and Grease (40 CFR 401.16) with EPA Method 1664

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consistent with the Chlorofluorocarbon (CFC) phaseout requirements of the Clean Air Act Amendments of 1990. Method 1664 uses normal hexane (n-hexane) as the extraction solvent in place of 1,1,2-trichloro-1,2,2-tribluoroethane (CFC-113; Freon-113), which is used in current 40 CFR 136 approved methods for the determination of oil and grease. Presently approved methods are EPA Method 413.1 in "Methods for Chemical Analysis of Water and Wastes" (EPA-600/4-79-020) and Method 5520B in "Standard Methods for the Examination of Water and Wastewater, 18th edition." This proposal would withdraw approval of Methods 413.1 and 5520B in order to avoid unacceptable inconsistency between results produced by these methods and the proposed Method 1664.

Timetable:

Action	Date	FR Cite
NPRM	01/23/96	61 FR 1730
Final Action	01/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3617.

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RIN: 2040-AC63

3553. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF 2,3,7,8-SUBSTITUTED DIBENZO-P-DIOXINS AND DIBENZO FURANS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h)/CWA 304(h); 33 USC 1361(a)/CWA 501

CFR Citation: 40 CFR 136; 40 CFR 122; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25; 40 CFR 403.7; 40 CFR 403.12

Legal Deadline: None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR part 136 to approve EPA Method 1613 for the

determination of 2,3,7,8-substituted dibenzo-p-dioxins and dibenzo furans (CDDs/CDFs). Method 1613 is necessary to extend minimum levels of quantitation of CDDs/CDFs into the low part-per-quadrillion (PPQ) range to support the development of effluent limitations guidelines and for compliance monitoring under the Clean Water Act National Pollutant Discharge Elimination System (NPDES) program and pretreatment program. This regulation approves a test procedure to be used in measuring 2,3,7,8 substituted dibenzo-p-dioxins and dibenzo furans under the National Pollutant Discharge Elimination System unless the Regional Administrator approves an alternate test procedure.

Timetable:

Action	Date	FR Cite
NPRM	02/07/91	56 FR 5090
Final Action	10/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3679.

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RIN: 2040-AC64

3554. • GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h)/CWA 304(h); 33 USC 1361(a)/CWA 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under 40 CFR 136 to approve new procedures for the analysis of miscellaneous metals, anions, and volatile organics under the Clean Water Act (CWA). These methods are used for implementing water quality based permits under the National Pollutant Discharge Elimination System (NPDES) of the

CWA. This action will not have a significant economic impact on state, local, or tribal governments, or small businesses. This regulation would approve test procedures to be used in measuring this group of compounds under the NPDES unless the Regional Administrator approves an alternative procedure.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Action	03/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3155.

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RIN: 2040-AC95

3555. CLARIFICATION OF THE APPLICATION REQUIREMENTS FOR STATES WANTING TO DESIGNATE DRINKING WATER INTAKE ZONES, THEREBY PROHIBITING THE DISCHARGE OF VESSEL SEWAGE WITHIN THOSE ZONES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1322/CWA 312

CFR Citation: 40 CFR 140

Legal Deadline: None

Abstract: Section 312 of the Clean Water Act entitled Marine Sanitation Devices was established in the Federal Water Pollution Control Act of 1972 to regulate discharges of vessel sewage. EPA is developing a technical amendment to clarify the regulations implementing section 312. This proposed regulatory amendment to 40 CFR Part 140.4(b) would clarify the information required in a State application requesting EPA to designate State-specified surface water as a

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drinking water intake zone, thereby making it unlawful for vessels to discharge sewage within that zone. This amendment would provide guidance to EPA Regions and States on the specific information necessary for the designation of a drinking water intake zone.

This amendment will have no impact on small businesses and would only affect those State's choosing to request designation of no discharge zones. The amendment will not impact local and tribal governments. (The Clean Water Act section 518 does not include Tribes under Treatment as States in regards to section 312 of the Clean Water Act). State and local governments and public water supply systems should benefit from improved water quality near their drinking water intakes.

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 54013
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3666.

Agency Contact: Deb Lebow, Environmental Protection Agency, Water, (4504F), Washington, DC 20460
Phone: 202 260-6419

RIN: 2040-AC61

3556. NPDES WASTEWATER PERMIT APPLICATION FORMS AND REGULATORY REVISIONS FOR MUNICIPAL DISCHARGES AND SEWAGE SLUDGE USE OR DISPOSAL

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1342/CWA 402; 33 USC 1311/CWA 301; 33 USC 1314/CWA 304; 33 USC 1318/CWA 308; 33 USC 1345/CWA 405; 33 USC 1361/CWA 501

CFR Citation: 40 CFR 122.21(j)

Legal Deadline: None

Abstract: The purpose of this action is to revise and consolidate existing application forms and requirements for Publicly Owned Treatment Works (POTWs) and other Treatment Works (TWTDS), and to streamline the application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency seeks to allow the use of existing data and to avoid unnecessary reporting. The Agency is also considering how to utilize electronic data submission. Although these forms will increase the burden on permittees not already required to provide these data, many permittees are already required to submit these data. The Agency is minimizing the need for information from small entities, including tribal facilities. The burden on States would be minimized and even reduced because of improvements to the application forms.

Timetable:

Action	Date	FR Cite
NPRM	12/06/95	60 FR 62545
Final Action	08/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2501.

Agency Contact: Robin Danesi, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-2991

RIN: 2040-AB39

3557. SHORE PROTECTION ACT, SECTION 4103(B) REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2601/Shore Protection Act of 1988 (PL 100-6-88),4103(b)

CFR Citation: 40 CFR 237

Legal Deadline: None

Abstract: This rule will implement the Shore Protection Act (SPA) and is designed to prevent the deposit of municipal and commercial waste into U.S. Coastal Waters. This rule establishes minimum waste handling practices for vessels and waste handling facilities involved in the transport of municipal or commercial wastes in the coastal waters of the U.S. The rule may require certain vessels and waste handling facilities to develop an operation and maintenance manual that identifies procedures to prevent, report, and clean up deposits of waste into coastal waters. Municipalities and businesses involved with the vessel transportation and shore side handling of these wastes would be affected by this rule.

State governments in the business of transporting municipal or commercial waste by vessel would have to comply with the minimum waste handling standards. Currently no Tribes are known to be involved in waste handling of this type, therefore none would be affected by this rule. In regards to small businesses, EPA has provided guidance on development of operation and maintenance manuals and encourages the use and documentation of existing industry practices that meet or exceed the EPA proposed minimum waste handling standards. All indications are that this regulation as proposed would have a minimal economic impact. This regulation will result in reduction of municipal and commercial wastes deposited in coastal waters.

Timetable:

Action	Date	FR Cite
NPRM	08/30/94	59 FR 44798
Final Action	03/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Additional Information: SAN No. 2820.

Agency Contact: Deb Lebow, Environmental Protection Agency, Water, (4504F), Washington, DC 20460
Phone: 202 260-6419

RIN: 2040-AB85

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Clean Water Act (CWA)

3558. STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE (ROUND II)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 503

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	12/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Robert M. Southworth
Phone: 202 260-7157

RIN: 2040-AC25

3559. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASE II

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

CFR Citation: 40 CFR 438

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	12/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

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RIN: 2040-AC30

3560. CRITERIA AND STANDARDS REFLECTING BEST TECHNOLOGY AVAILABLE (BTA) FOR COOLING WATER INTAKE STRUCTURES UNDER SECTION 316(B) OF THE CLEAN WATER ACT

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 125; 40 CFR 401

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	08/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Deborah Nagle
Phone: 202 260-2656

RIN: 2040-AC34

3561. EFFLUENT GUIDELINES AND STANDARDS FOR IRON AND STEEL MANUFACTURING POINT SOURCE CATEGORY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 420

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Interim Final Rule	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: George M. Jett
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RIN: 2040-AC90

3562. CLEAN WATER ACT SECTION 404 PROGRAM DEFINITION OF THE WATERS OF THE UNITED STATES— ISOLATED WATERS AND ARTIFICIAL WATERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 232

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hazel Groman

Phone: 202 260-8798

RIN: 2040-AB74

3563. COMPARISON OF DREDGED MATERIAL TO REFERENCE SEDIMENT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 230

Timetable:

Action	Date	FR Cite
NPRM	01/04/95	60 FR 419
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Goodin
Phone: 202 260-9910

RIN: 2040-AC14

3564. REVISIONS TO OCEAN DUMPING REGULATIONS FOR DREDGED MATERIAL

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 225; 40 CFR 227; 40 CFR 228

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Heisler
Phone: 202 260-8448

RIN: 2040-AB62

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Clean Water Act (CWA)

Completed Actions

3565. LEATHER TANNING AND FINISHING EFFLUENT GUIDELINES—PRETREATMENT STANDARDS FOR EXISTING AND NEW SOURCES

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
CFR Citation: 40 CFR 425

Completed:

Reason	Date	FR Cite
Direct Final Rule	07/08/96	61 FR 35680

Small Entities Affected: None
Government Levels Affected: State, Local, Federal

Agency Contact: Ed Terry
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RIN: 2040-AC48

3566. EFFLUENT GUIDELINES AND STANDARDS FOR PESTICIDE FORMULATING, PACKAGING, AND REPACKAGING

Priority: Other Significant
CFR Citation: 40 CFR 455

Completed:

Reason	Date	FR Cite
Final Action	11/06/96	61 FR 57518

Small Entities Affected: Businesses
Government Levels Affected: State, Local, Federal

Agency Contact: Shari Zuskin
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RIN: 2040-AC21

3567. MODIFICATION OF SECONDARY TREATMENT REQUIREMENTS FOR DISCHARGES INTO MARINE WATERS; CHANGE TO ELIGIBILITY FOR DIFFERENT AVERAGING PERIOD

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 125, subpart G

Completed:

Reason	Date	FR Cite
Final Action	08/29/96	61 FR 45832

Small Entities Affected: Governmental Jurisdictions
Government Levels Affected: Local, Federal

Agency Contact: Virginia Fox-Norse
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RIN: 2040-AC72

3568. 1996 EFFLUENT GUIDELINES PLAN

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR subchapter N

Completed:

Reason	Date	FR Cite
Final 1996 Plan	10/07/96	61 FR 52582

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: Eric Strassler
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RIN: 2040-AC86

3569. AMENDMENTS TO REQUIREMENTS FOR AUTHORIZED STATE PERMIT PROGRAMS UNDER SECTION 402 OF THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 123.25; 40 CFR 123.30

Completed:

Reason	Date	FR Cite
Final Action	05/08/96	61 FR 20971

Small Entities Affected: None
Government Levels Affected: State

Agency Contact: Bob Klepp
 Phone: 202 260-5805
RIN: 2040-AC43

3570. OCEAN DUMPING TESTING REQUIREMENTS CLARIFICATION

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 227

Completed:

Reason	Date	FR Cite
Final Action	09/30/96	61 FR 51195

Small Entities Affected: None
Government Levels Affected: Federal

Agency Contact: Dave Redford
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RIN: 2040-AC81

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Atomic Energy Act (AEA)

Proposed Rule Stage

3571. ENVIRONMENTAL PROTECTION STANDARDS FOR LOW-LEVEL RADIOACTIVE WASTE

Priority: Other Significant
Legal Authority: 42 USC 2201/AEA 274; 15 USC 2625
CFR Citation: 40 CFR 193

Legal Deadline: None

Abstract: Under 40 CFR 193, the Agency intends to set generally applicable standards for the

management and disposal of low-level radioactive wastes at federal facilities under the purview of the Atomic Energy Act, as amended.

Timetable:

Action	Date	FR Cite
ANPRM	08/31/83	48 FR 39563
NPRM	12/00/96	
Final Action	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Additional Information: SAN No. 1727.

Agency Contact: Tara Chhay Cameron, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460
 Phone: 202 233-9310

RIN: 2060-AA04

EPA—AEA

Proposed Rule Stage

3572. ENVIRONMENTAL PROTECTION AGENCY RADIATION SITE CLEANUP REGULATIONS

Regulatory Plan: This entry is Seq. No. 105 in Part II of this issue of the Federal Register.

RIN: 2060-AB31

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Atomic Energy Act (AEA)

3573. PROTECTIVE ACTION GUIDANCE FOR DRINKING WATER

Priority: Other Significant

Legal Authority: 42 USC 2021(h)/AEA(h)/Reorganization Plan No. 3 of 1970; PL 96-295, sec 304; EO 12241

CFR Citation: 41 CFR 351

Legal Deadline: None

Abstract: This action will result in Federal protective action guidance (PAG) for State and local officials to use in the event of a nuclear accident to protect the general public from the adverse health affects associated with the ingestion of drinking water that is contaminated with radioactive material. As soon as the draft guidance is developed it will be submitted to the PAG Subcommittee of the Federal Radiological Preparedness Coordinating Committee (FRPCC) for review and comment. Members of the PAG subcommittee include representatives from DOE, DOD, FEMA, NRC, HHS, USDA, DOT, and the Conference of Radiation Control Program Directors (CRCPD). When a consensus among the representatives is reached, the guidance is recommended to the full FRPCC for endorsement. After that endorsement is

obtained a notice of the availability of a revised EPA 400-R-92-001, Manual of Protective Action Guides and Protective Actions for Nuclear Incidents will be published in the Federal Register.

Timetable:

Action	Date	FR Cite
Submission to FRPCC for endorsement	02/00/97	
Notice of Availability	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3602.

Agency Contact: Charles Blue, Office of Radiation and Indoor Air, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460

Phone: 202 233-9488

RIN: 2060-AF39

3574. FEDERAL RADIATION PROTECTION GUIDANCE FOR EXPOSURE OF THE GENERAL PUBLIC

Priority: Other Significant

Legal Authority: 42 USC 2021(h)/AEA 274(h)/Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Legal Deadline: None

Abstract: This action will update and replace existing Presidential guidance for all Federal agencies in the formulation of radiation standards for protection of the public from ionizing radiation that was issued in 1960.

Timetable:

Action	Date	FR Cite
ANPRM	06/18/86	51 FR 22264
NPRM	12/23/94	59 FR 66414
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3321.

(was 2073)

Agency Contact: Allan Richardson, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460

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RIN: 2060-AE61

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Safe Drinking Water Act (SDWA)

3575. STREAMLINING REVISIONS TO THE NATIONAL PRIMARY DRINKING WATER REGULATIONS

Regulatory Plan: This entry is Seq. No. 106 in Part II of this issue of the Federal Register.

RIN: 2040-AC66

3576. ANALYTICAL METHODS FOR REGULATED DRINKING WATER CONTAMINANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f/SDWA 1401; 42 USC 300g-1/SDWA 1412; 42 USC 300j-9/SDWA 1450

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

Abstract: In promulgating National Primary Drinking Water Regulations, EPA includes analytical methods for determination of regulated drinking water contaminants. EPA approved methods include EPA methods, Standard Methods (methods evaluated and recommended for use by the American Public Health Association (APHA)), American Society for Testing and Materials (ASTM) Methods, United States Geological Survey (USGS)

EPA—SDWA

Proposed Rule Stage

Methods and others. Periodically, the Agency updates and revises methods to incorporate newer technologies. Standard setting organizations such as APHA, ASTM, and USGS also routinely revise and update methods.

In this regulatory effort, EPA proposes to approve new methods or newer versions of existing methods and at the same time withdraw approval of older outdated methods. The new additional methods to be proposed for approval will include immunoassays. Immunoassays detect target compounds using an antibody which binds only to that substance. These assays are increasingly applied to environmental analysis because of their selectivity, accuracy, speed, low limit of detection and economy.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3726.

Agency Contact: Dr. Jitendra Saxena, Environmental Protection Agency, Water, (4603), Washington, DC 20460
Phone: 202 260-9579

RIN: 2040-AC77

3577. UNDERGROUND INJECTION CONTROL PROGRAM STREAMLINING RULE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 300h /SDWA 1421

CFR Citation: 40 CFR 144; 40 CFR 146

Legal Deadline: None

Abstract: On March 16, 1995 President Clinton issued a directive to reduce existing paperwork burdens by 25%. To help meet this 25% reduction goal, the UIC program will try to reduce approximately 90,000 hours of the paperwork burden on State and injection well operators. The UIC program plans to reduce the frequency of a number of regularly scheduled reports by 50%. The Program will include these reductions in the overall 25% reduction. In order to meet the 25% reduction EPA will consider the following changes: (1) reduction in monitoring and reporting frequency, and (2) reduction in requirements for state reviews of lifetime permits.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
Final Action	09/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3784.

Agency Contact: Denny Cruz, Environmental Protection Agency, Water, (4602), Washington, DC 20460
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RIN: 2040-AC83

3578. STREAMLINING DRINKING WATER MONITORING REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 300j-4 /SDWA 1445

CFR Citation: 40 CFR 141

Legal Deadline: None

Abstract: The current drinking water monitoring requirements vary by contaminant (e.g., inorganic vs. organic), the source of the supply (i.e., surface water vs. ground water) and by system size. After an initial series of samples, the sampling frequency increases or decreases based on the results of the initial series. Because there are numerous permutations to the possible frequencies at any one sampling point, the requirements are difficult to understand. And because the requirements presume all systems are contaminated, many systems have conducted expensive monitoring without finding any contamination.

EPA intends to simplify and improve the cost effectiveness of the current requirements for chemical contaminants by reducing the number of variables upon which the sampling frequencies turn, by providing greater latitude for state discretion in customizing the sampling frequencies to local circumstances (i.e., vulnerability to contamination) and by consolidating subsections wherever possible.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
Final Action	01/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3761. (Combining with SAN 3565 and RIN 2040-AC52)

Agency Contact: Mike Muse, Environmental Protection Agency, Water, (4604), Washington, DC 20460
Phone: 202 260-3874
Fax: 202 260-4656

RIN: 2040-AC73

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Safe Drinking Water Act (SDWA)

3579. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR LEAD AND COPPER**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300g-1 /SDWA 1412**CFR Citation:** 40 CFR 141; 40 CFR 142**Legal Deadline:** None

Abstract: EPA will promulgate revisions to the National Primary Drinking Water Regulations for Lead and Copper published June 7, 1991. The basic lead and copper regulations will remain intact, however, EPA will promulgate minor revisions to refine specific requirements and improve implementation of the rule. Some of these revisions are deregulatory in nature, in that they will lessen monitoring requirements for public water systems which have consistently shown very low levels of lead and copper at the tap. EPA also plans to promulgate changes that will provide many community water systems more flexibility in the delivery of lead public education requirements, and allow States to invalidate inappropriate samples. Other revisions would promote consistent national implementation by clarifying the monitoring requirements that apply in different circumstances. Finally, EPA plans to respond to a remand in American Water Works Association v. EPA, 40 F.3D 1266 (DC Circuit 1994), on portions of the Lead and Copper regulation by promulgating a revised definition of control as it applies to lead service line replacement and to address the current exemption of transient non-community water systems from coverage under the rule. Nationally, EPA estimates the changes will not affect the cost or benefits of the Lead and Copper Rule significantly. State governments should experience a minor decrease in costs as a result of these revisions. Many local and tribal governments and small businesses that operate public water systems should also experience a decrease in annual costs.

Timetable:

Action	Date	FR Cite
NPRM	04/12/96	61 FR 16348
Final Action	06/00/97	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3440.

Agency Contact: Judy Lebowich, Environmental Protection Agency, Water, (4603), Washington, DC 20460
Phone: 202 260-7595

RIN: 2040-AC27**3580. REFORMATTING OF DRINKING WATER REGULATIONS****Priority:** Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 300g-1 /SDWA 1412**CFR Citation:** 40 CFR 141; 40 CFR 142**Legal Deadline:** None

Abstract: This rule reformats the current drinking water regulations to make them easier to understand and follow. This rule is not intended to change any of the regulatory requirements. The rule affects state, local and tribal governments in that it makes the rules easier to implement and thus facilitates their jobs.

Timetable:

Action	Date	FR Cite
Direct Final Action	02/00/97	

Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3563.

Agency Contact: Carl Kessler, Environmental Protection Agency, Water, (4603), Washington, DC 20460
Phone: 202 260-3995

RIN: 2040-AC41**3581. ANALYTIC METHODS FOR MEASURING RADIONUCLIDES IN THE DRINKING WATER PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300/SDWA 1412**CFR Citation:** 40 CFR 141; 40 CFR 143**Legal Deadline:** None

Abstract: EPA approves analytical methods for analyzing regulated drinking water contaminants. EPA approved methods include EPA methods, Standard Methods (methods evaluated and recommended for use by the APHA (American Public Health

Association), ASTM (American Society for Testing and Materials) Methods, USGS (United States Geological Survey) Methods and others). Periodically, the Agency updates and revises methods to incorporate newer technologies. Standard setting organizations such as APHA, ASTM and USGS also routinely revise and update methods.

In this regulatory effort, EPA proposes to approve new methods or newer versions of existing methods for regulated radionuclides.

The rule would allow the use of low cost, easy to use and technologically advanced methods for monitoring for regulated radionuclides in drinking water. Laboratory acceptance limits and other method performance requirements that were specified under previous rules will not be changed in this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/18/91	56 FR 33050
Final Action	11/00/96	

Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal, Federal**Additional Information:** SAN No. 3803.

Agency Contact: Dr. Jitendra Saxena, Environmental Protection Agency, Water, (4603), Washington, DC 20460
Phone: 202 260-9579

RIN: 2040-AC88**3582. MANAGEMENT OF CLASS V INJECTION WELLS UNDER PART C OF THE SAFE DRINKING WATER ACT****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 42 USC 300h /SDWA 1421 to 1425**CFR Citation:** 40 CFR 144; 40 CFR 145; 40 CFR 146**Legal Deadline:** NPRM, Judicial, August 15, 1995. Final, Judicial, November 15, 1996.

Abstract: In the Safe Drinking Water Act, Congress required that EPA protect current and future underground sources of drinking water (USDWs) from the environmental and public health threats posed by the subsurface emplacement of fluids through injection wells. A Report to Congress entitled Class V Injection Wells --

EPA—SDWA

Final Rule Stage

Current Inventory; Effects on Ground Water; and Technical Recommendations, September 1987 (EPA Document Number 570/9-87-006) indicated that some types of Class V wells have the potential to contaminate USDWs. Class V injection wells are generally shallow waste disposal wells, storm water and agricultural drainage systems, or other devices that are used to release fluids either directly into or above USDWs. In some instances, the fluids released by these wells contain elevated concentrations of contaminants that may endanger drinking water supplies. EPA responded to the threats posed by these wells by developing and implementing a comprehensive strategy for the management of Class V injection wells. The strategy involves a tailored combination of guidance, education, and outreach, and enhancing the use of existing regulatory authorities through some minor changes to existing

regulations. The overall goal of the strategy is to speed up the closure of potentially endangering Class V wells using current authorities and to promote the use of Best Management Practices (BMPs) to ensure that other Class V wells do not endanger USDWs.

The proposed regulatory changes are a key component of the comprehensive strategy for managing Class V wells. The minor regulatory changes to 40 CFR parts 144 and 146 would improve the effectiveness of the current Class V regulations by making it easier for the regulated community to understand the existing requirements applicable to shallow disposal wells. The proposed changes include a simplification of the current categories of Class V wells, the clarification of certain key definitions to make it clear to the regulated community which types of shallow disposal systems are Class V wells and which are not, and the reclassification

of deep low-level radioactive wells to Class I.

EPA is re-evaluating the proposed rule in response to comments received and renegotiating the judicial deadline.

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44652
Final Action	11/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2778.

Agency Contact: Lee Whitehurst, Environmental Protection Agency, Water, (4602), Washington, DC 20460
Phone: 202 260-5532

RIN: 2040-AB83

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Safe Drinking Water Act (SDWA)

3583. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADIONUCLIDES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Dave Huber
Phone: 202 260-9566

RIN: 2040-AA94

3584. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUNDWATER DISINFECTION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments.

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bruce Macler
Phone: 415 744-1884

RIN: 2040-AA97

3585. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Heather Shank-Givens
Phone: 202 260-0063

RIN: 2040-AB75

3586. NATIONAL PRIMARY DRINKING WATER REGULATIONS: PHASE VIA—DISINFECTION BY-PRODUCTS RULE

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments.

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38668
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Tom Grubbs
Phone: 202 260-7270

RIN: 2040-AB82

EPA—SDWA

Long-Term Actions

3587. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE

Priority: Other Significant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65578
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Jim Taft
Phone: 202 260-5519

RIN: 2040-AC07

3588. NATIONAL PRIMARY DRINKING WATER STANDARDS FOR ALDICARB

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Heather Shank-Givens

Phone: 202 260-0063

RIN: 2040-AC13

3589. NATIONAL PRIMARY DRINKING WATER REGULATIONS: PHASE VI-B—ORGANIC AND INORGANIC CONTAMINANTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: David Huber
Phone: 202 260-9566

RIN: 2040-AC22

3590. • NATIONAL PRIMARY DRINKING WATER REGULATIONS: ENHANCED SURFACE WATER TREATMENT RULE

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments.

Legal Authority: 42 USC 300/SDWA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: NPRM, Statutory, November 30, 1998. Final, Statutory, November 30, 2000.

Abstract: The enhanced surface water treatment rule will establish standards to prevent microbial contamination.

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38832
Final Action	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2304.

Agency Contact: Susan Shaw, Environmental Protection Agency, Water, (4603), Washington, DC 20460
Phone: 202 260-8049

RIN: 2040-AC91

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Safe Drinking Water Act (SDWA)

3591. DRINKING WATER MICROBIAL AND DISINFECTION BY-PRODUCT MONITORING RULE (FORMERLY CALLED THE "INFORMATION COLLECTION DISINFECTION BY-PRODUCTS RULE")

Priority: Other Significant

CFR Citation: 40 CFR 141

Completed:

Reason	Date	FR Cite
Final Action	05/14/96	61 FR 24353

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Tom Grubbs

Phone: 202 260-7270

RIN: 2040-AC24

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Resource Conservation and Recovery Act (RCRA)

Prerule Stage

3592. ● REVIEW OF TOXICITY CHARACTERISTIC LEVEL FOR SILVER UNDER THE RESOURCE CONSERVATION RECOVERY ACT (RCRA)

Priority: Info./Admin./Other
Unfunded Mandates: Undetermined
Major: Undetermined
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6938
CFR Citation: 40 CFR 261; 40 CFR 268
Legal Deadline: None
Abstract: This action initiates a technical review of the possible risks associated with management of silver-

bearing wastes, which is being conducted in response to petitions submitted to the Agency to delete the toxicity characteristic level for silver. EPA will address all potential pathways for risks from silver-bearing wastes, including possible ecological effects. Silver is on the toxicity characteristic list because it was a regulated drinking water contaminant. In January 1991, the Agency deleted the primary drinking water maximum contaminant level (MCL) for silver because the Agency concluded that silver causes no adverse human health effects. The petitioners, users of silver materials and silver waste generators, petitioned the Agency to delete silver from the TC list on the basis of the Agency's conclusions regarding silver toxicity to humans in deleting the MCL. The Agency believes that before a decision can be made to delete or modify the toxicity characteristic level

for silver, a more complete assessment of risks posed by management of silver-bearing wastes must be conducted, including a review of possible ecological risks. Pending the outcome of this review, the Agency may revise or delete the TC level for silver, if warranted.
Timetable:
Technical Review
 Pre-Rule 06/00/97
Small Entities Affected: Undetermined
Government Levels Affected: None
Additional Information: SAN No. 3886.
Agency Contact: Tamara Irvin, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
 Phone: 703-308-8807
 Fax: 703-308-0522
RIN: 2050-AE37

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

3593. PAINT MANUFACTURING WASTES LISTING: HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6926; 42 USC 6938; 42 USC 9602; 42 USC 9603; 42 USC 9604; 33 USC 1321; 33 USC 1361
CFR Citation: 40 CFR 261; 40 CFR 271; 40 CFR 302
Legal Deadline: NPRM, Judicial, September 30, 1997. Final, Judicial, September 30, 1998.
Abstract: This action addresses the potential risks posed by wastes from the production of paints, and determines whether these wastes should be listed as hazardous under RCRA to control these risks. Any new wastes listed as hazardous will also be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: Undetermined
Government Levels Affected: State, Tribal, Federal
Additional Information: SAN No. 3805.
Agency Contact: Dr. Cate Jenkins, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
 Phone: 703 308-0453
 Fax: 703 308-0514
RIN: 2050-AE32

CFR Citation: 40 CFR 112
Legal Deadline: None
Abstract: Following a major inland oil spill with substantial environmental impacts (i.e., Ashland Oil in Floreffe, PA, in January 1988), and interagency task force recommended steps to improve EPA's oil spill prevention program (40 CFR part 112). This program requires oil storage facilities to prevent and contain discharges that could reach waters of the United States. On October 22, 1991, the Agency proposed revisions to implement some of the task force recommendations. This action supplements the 1991 proposed revisions, and proposes to reduce burdens associated with the rule by reducing the recordkeeping provisions or exempting some facilities from some or all recordkeeping requirements. In proposing these burden reductions, EPA will consider available data on how factors, such as facility type, size, throughput, and location, may affect the threat of discharging oil to waters of the United States.
Timetable:

Action	Date	FR Cite
NPRM	10/22/91	56 FR 54612
Supplemental NPRM	03/00/97	

Small Entities Affected: Undetermined

3594. REVISIONS TO THE OIL POLLUTION PREVENTION REGULATION
Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 33 USC 1321/CWA 311(j)(l)(C)

EPA—RCRA

Proposed Rule Stage

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2634.

Agency Contact: Kevin Mould, Environmental Protection Agency, Solid Waste and Emergency Response, (5203G), Washington, DC 20460
Phone: 703 603-8728

RIN: 2050-AC62

3595. FLEXIBILITY IN MANAGEMENT CRITERIA FOR SMALL MUNICIPAL SOLID WASTE LANDFILLS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6949a/RCRA 4010

CFR Citation: 40 CFR 258

Legal Deadline: Final, Judicial, March 26, 1998.

Abstract: On March 26, 1996, President Clinton signed into law the Land Disposal Program Flexibility Act of 1996 (LDPFA), H.R. 2036. Among other things, the LDPFA established a ground-water monitoring exemption for small municipal solid waste landfills (MSWLFs) located in dry or remote areas. EPA has revised the municipal solid waste disposal facility criteria (40 CFR Part 258) to establish a ground-water monitoring exemption for these facilities (the codification rule). The LDPFA also requires EPA to revise the Part 258 municipal solid waste disposal facility criteria to provide additional flexibility to small MSWLFs with respect to daily cover, the frequency of landfill gas monitoring, the use of an infiltration barrier in the final landfill cover, and the means for demonstrating financial assurance. These revisions must take into account climatic and hydrogeologic conditions and be protective of human health and the environment. EPA has begun work on a separate rulemaking to provide this flexibility while still ensuring protection of human health and the environment.

In 1991, the Agency promulgated final municipal solid waste disposal facility criteria (40 CFR Part 258), which established national minimum standards for municipal solid waste

landfills (MSWLFs). The Part 258 criteria provided an exemption from ground-water monitoring for small MSWLF units located in dry or remote areas. In providing this exemption, EPA sought to balance the protection of human health and the environment with the practicable capability of these small community landfill owners and operators. This ground-water monitoring exemption was vacated in 1993 by the U.S. Court of Appeals for the District of Columbia Circuit.

On August 10, 1995, the Agency proposed a new rule on alternative ground-water monitoring options for small MSWLFs located in dry or remote areas. The proposed rule would have provided small MSWLFs with flexibility in meeting the Part 258 ground-water monitoring requirements. (Abstract continued - See Additional Information)

Timetable:

Action	Date	FR Cite
NPRM	08/10/95	60 FR 40799
Final Action on Delay of Compliance Date	10/06/95	60 FR 52337
Final Action to Codify Legislation	09/25/96	61 FR 50410
NPRM Flexibility for Small MSWLFs	06/00/97	
Final Action Flexibility for Small MSWLFs	03/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3546.

(Abstract Continued) As a result of the establishment of the Part 258 ground-water monitoring exemption for small MSWLFs located in dry or remote areas, many small landfills no longer need this flexibility because they are not be subject to the ground-water monitoring requirements. Therefore, the Agency has withdrawn the proposed rule on alternative ground-water monitoring options, in the codification rule.

Agency Contact: Allen Geswein, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460
Phone: 703 308-7261

RIN: 2050-AE24

3596. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C, HAZARDOUS WASTE TESTING MANUAL, SW-846, THIRD EDITION, UPDATE IV

Priority: Info./Admin./Other

Legal Authority: 42 USC 6912/RCRA 2002; 42 USC 6921/RCRA 3001; 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005; 42 USC 6926/RCRA 3006

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 270

Legal Deadline: None

Abstract: This action will revise certain testing methods and add other new testing methods that are approved or required under Subtitle C of RCRA. These new and revised methods will be added to EPA's solid waste testing guidance ("Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA publication SW-846). These revisions are necessary to provide improved and more complete analytical methods for RCRA-relating testing. This action will assist States and Tribal governments in implementing the RCRA program. There will be no impacts on local governments or small businesses.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3547.

Agency Contact: Kim Kirkland, Environmental Protection Agency, Solid Waste and Emergency Response, (5307W), Washington, DC 20460
Phone: 703-308-0490

RIN: 2050-AE25

3597. HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; RECYCLED USED OIL MANAGEMENT STANDARDS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 9601(37); 42 USC 9614(c); 42 USC 6905; 42 USC

EPA—RCRA

Proposed Rule Stage

6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6974

CFR Citation: 40 CFR 279

Legal Deadline: None

Abstract: In response to a September 15, 1994, order from the United States Court of Appeals for the District of Columbia Circuit, the Agency is reviewing the validity of the used oil mixture rule, 40 CFR 279.10(b). EPA has concluded that further analysis is necessary to determine whether mixtures of used oil destined for recycling and characteristic hazardous wastes differ significantly from other mixtures containing characteristic wastes in terms of potential threat to human health and the environment.

The used oil mixture rule provides that a mixture of hazardous waste and used oil destined for recycling, if the mixture is hazardous solely because it exhibits a hazardous waste characteristic, is regulated under the used oil management standards. Under the used oil mixture rule, such a decharacterized mixture, therefore, is not subject to the hazardous waste regulations, including those relating to land disposal restrictions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3668.

Agency Contact: Tracy Bone, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703 308-8826

RIN: 2050-AE28

3598. MODIFICATIONS TO THE DEFINITION OF SOLID WASTE AND REGULATIONS OF HAZARDOUS WASTE RECYCLING: GENERAL

Regulatory Plan: This entry is Seq. No. 107 in Part II of this issue of the Federal Register.

RIN: 2050-AD18

3599. CHLORINATED ALIPHATICS LISTING DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline: NPRM, Judicial, January 19, 1997. Final, Judicial, July 31, 1997.

Abstract: This action addresses the potential risks posed by wastes from the production of chlorinated aliphatics, and determines whether these wastes should be listed as hazardous wastes under RCRA to control these risks. Any new wastes listed as hazardous will also be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on

local governments are not expected, and small business impacts are undetermined. The date for the proposed rule is based on a consent decree entered into with plaintiffs in *EDF v. Browner*, Civil Action No. 89-0598 (D.D.C.).

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3151.

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, (5304), Washington, DC 20460
Phone: 703 308-0458

RIN: 2050-AD85

3600. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS (SWMUS) AT HAZARDOUS WASTE MANAGEMENT FACILITIES

Regulatory Plan: This entry is Seq. No. 108 in Part II of this issue of the Federal Register.

RIN: 2050-AB80

3601. MANAGEMENT OF CEMENT KILN DUST (CKD)

Regulatory Plan: This entry is Seq. No. 109 in Part II of this issue of the Federal Register.

RIN: 2050-AE34

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Resource Conservation and Recovery Act (RCRA)

3602. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: HAZARDOUS WASTE IDENTIFICATION RULE (HWIR); WASTE

Regulatory Plan: This entry is Seq. No. 120 in Part II of this issue of the Federal Register.

RIN: 2050-AE07

3603. HAZARDOUS WASTE MANAGEMENT SYSTEM: POST-CLOSURE REQUIREMENTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6926/RCRA 3006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 124

Legal Deadline: None

Abstract: Under the current RCRA regulations, a facility that needs post-closure care must obtain a permit. In many cases, the post-closure permit is an appropriate mechanism for the regulatory agency to use to address the environmental needs at the facility. In other cases, however, a permit may not be appropriate. And, in some cases, the facility's post-closure care needs may have already been addressed through other legal mechanisms, such as enforcement actions or Superfund

EPA—RCRA

Final Rule Stage

actions. In these cases, subsequent issuance of a post-closure permit would not provide any environmental benefit, although, under the current regulations, it is still required. This rule would remove the requirements to issue a permit to address post-closure care in all cases. A permit would remain an option, but EPA Regions and authorized States would be able to use other mechanisms as well, depending on the circumstances at the facility. States authorized to implement the RCRA program are currently required to adopt authority to compel corrective action at permitted facilities. They are not required to have similar authority at interim status facilities, though many States do. As a result, the corrective action program is implemented by the State, at some facilities, and by the EPA Regions at other. This rule would require States to adopt, as part of their authorized RCRA programs, authority to address corrective action at interim status facilities. This would result in a more consistent implementation of the corrective action program in the States.

Timetable:

Action	Date	FR Cite
NPRM	11/08/94	59 FR 55778
Final Action	02/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3042.

Agency Contact: Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
Phone: 703 308-7057

RIN: 2050-AD55

3604. LISTING DETERMINATION FOR HAZARDOUS WASTES—ORGANOBROMINES CHEMICAL INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 6922/RCRA 3001; 42 USC 9602/CERCLA 102; 33 USC 1361/CERCLA 311

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline: Final, Judicial, January 30, 1997.

Abstract: This action proposes to list as a hazardous waste under RCRA one additional waste stream generated during the production of

organobromine compound chemicals used as fire retardants. These wastes would then have to be managed in accordance with the RCRA hazardous waste requirements. The date for final action is based on current settlement negotiations with plaintiffs in *EDF v. Browner*, Civil Action No. 89-0598 (D.D.C.). landfills.

Timetable:

Action	Date	FR Cite
NPRM	05/11/94	59 FR 24530
Final Action	01/00/97	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3065.

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, (5304), Washington, DC 20460
Phone: 202-308-0458

RIN: 2050-AD79

3605. SPENT SOLVENTS LISTING DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline: NPRM, Judicial, July 31, 1996. Final, Judicial, May 31, 1997.

Abstract: This action addresses the potential human health and environmental risks posed by certain used solvents and wastes from their use, and determines whether or not these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA these wastes would also be added to the CERCLA list of hazardous substances. The spent solvents studied are cumene, phenol, isophorone, acetonitrile, fufural, epichlorohydrin, methyl chloride, ethylene dibromide, benzyl chloride, p-dichlorobenzene, z-methoxyethanol, z-ethoxyethanol, z-ethoxyethanol acetate, and cyclohexanol. The legal deadline for the rule is based on a consent decree entered into with plaintiffs in *EDF v. Browner*, Civil Action No. 89-0598 (D.D.C.). On August 14, 1996, the Agency proposed not to list any of the spent solvents studied.

Timetable:

Action	Date	FR Cite
NPRM	08/14/96	61 FR 42318
Final Action	05/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3134.

Agency Contact: Ron Josephson, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703-308-0442

RIN: 2050-AD84

3606. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C, IN TEST METHODS FOR EVALUATING SOLID WASTE, PHYSICAL/CHEMICAL METHODS (SW-846), THIRD EDITION, UPDATE III

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6912/RCRA 2002; 42 USC 6921/RCRA 3001; 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005; 42 USC 6926/RCRA 3006

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 270

Legal Deadline: None

Abstract: This action will revise certain testing methods and add other new testing methods that are approved or required under Subtitle C of RCRA. These new and revised methods will be added to EPA's solid waste testing guidance (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA publication SW-846). The revision to the manual is necessary to provide improved and more complete analytical methods for RCRA-relating testing. This action will assist States and Tribal governments in implementing the RCRA program. Impacts on small businesses and local governments are not expected.

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 37974
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3427.

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Agency Contact: Kim Kirkland, Environmental Protection Agency, Solid Waste and Emergency Response, (5307W), Washington, DC 20460
 Phone: 703-308-0490
RIN: 2050-AE14

3607. RCRA SUBTITLE D CORPORATE FINANCIAL TEST AND GUARANTEE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6907/RCRA 1008; 42 USC 6944/RCRA 4004; 42 USC 6949a/RCRA 4010

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: On October 9, 1991 the Agency promulgated revised criteria for municipal solid waste landfills (MSWLFs) which included financial assurance requirements to ensure that adequate funds are readily available to cover the costs of closure, post-closure care, and corrective action associated with MSWLFs without incurring government response costs. The proposal would add a corporate financial test to the financial assurance mechanisms currently available to owners and operators of RCRA Subtitle D MSWLFs. EPA estimates that the rule would save owners and operators of MSWLFs approximately \$45 million annually by allowing the use of a financial test rather than more expensive mechanisms such as surety bonds or letters of credit. The rule would have no impacts on local governments but could be implemented by state or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	10/12/94	59 FR 51523
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3179.

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
 Phone: 703 308-8192

RIN: 2050-AD77

3608. LISTING DETERMINATION OF WASTES GENERATED DURING THE MANUFACTURE OF AZO, ANTHRAQUINONE, AND TRIARYLMETHANE DYES AND PIGMENTS

Priority: Other Significant

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline: Final, Judicial, January 19, 1997.

Two waste streams are subject to later judicial deadlines: Proposed, 01/19/97; Final, 03/31/97.

Abstract: This action addresses the potential human health and environmental risks posed by wastes from the manufacture of dyes and pigments, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any unacceptable risks. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. As part of this effort, EPA is also considering opportunities for pollution prevention and recycling. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined at this time. Two waste streams are subject to later deadlines for proposed and final action. The dates for the proposed rules are based on current settlement discussions with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 (D.D.C.).

Timetable:

Action	Date	FR Cite
NPRM	12/22/94	59 FR 66072
Additional NPRM	01/00/97	
Final Action	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3066 3068/3069

Agency Contact: Wanda Levine, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
 Phone: 703 308-0438

RIN: 2050-AD80

3609. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: PETROLEUM REFINING PROCESS WASTES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline: Final, Judicial, October 31, 1996.

Abstract: This action addresses the potential human health and environmental risks posed by 14 waste streams from petroleum refining processes, and determines whether these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. As part of this action, the Agency is considering opportunities for source reduction, recycling, reclamation or reuse in other manufacturing processes. This action will be implemented by EPA and authorized States under RCRA. Impacts on small business are expected but are not significant. The date for final action is the subject of further settlement negotiations with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 (D.D.C.).

Timetable:

Action	Date	FR Cite
NPRM	11/20/95	60 FR 57747
Final Action	10/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3064.

The Agency is seeking an extension to the Oct. 31, 1996 legal deadline.

Agency Contact: Maximo (Max) Diaz, Jr., Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
 Phone: 703 308-0439

RIN: 2050-AD88

EPA—RCRA

Final Rule Stage

3610. REVISED STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES

Regulatory Plan: This entry is Seq. No. 121 in Part II of this issue of the Federal Register.

RIN: 2050—AE01

3611. LAND DISPOSAL RESTRICTIONS—PHASE IV: PAPERWORK REDUCTION; TREATMENT STANDARDS FOR WOOD PRESERVING, MINERAL PROCESSING AND CHARACTERISTIC METAL WASTES; RELATED MINERAL PROCESSING ISSUES

Regulatory Plan: This entry is Seq. No. 122 in Part II of this issue of the Federal Register.

RIN: 2050—AE05

3612. REQUIREMENTS FOR MANAGEMENT OF HAZARDOUS CONTAMINATED MEDIA COMMONLY REFERRED TO AS HAZARDOUS WASTE IDENTIFICATION RULE FOR CONTAMINATED MEDIA OR HWIR-MEDIA

Regulatory Plan: This entry is Seq. No. 123 in Part II of this issue of the Federal Register.

RIN: 2050—AE22

3613. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (REVISION)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 280; 40 CFR 761

Legal Deadline: None

Abstract: The proposed revised financial responsibility test would be better than the current test at predicting which firms will enter bankruptcy and not be able to cover their financial obligations for liability and closure costs of hazardous waste treatment, storage and disposal facilities. A bankrupt firm may be unable to afford

the proper closure of a facility which would require the government to incur response costs at the facility. The rule would also qualify more owners and operators of RCRA Treatment, Storage, and Disposal Facilities which must currently use more expensive ways, such as surety bonds or letters of credit, of demonstrating financial assurance, to use the less expensive corporate financial responsibility test. The combined savings from screening out riskier firms and making the test more available to viable firms would be approximately \$19 million annually in public and private costs. These regulatory amendments would have no effect on local or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 51523
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2647.

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
Phone: 703 308-8192

RIN: 2050—AC71

3614. MILITARY MUNITIONS RULE: HAZARDOUS WASTE IDENTIFICATION AND MANAGEMENT; EXPLOSIVES EMERGENCIES; REDEFINITION OF "ON-SITE"

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6924(y)/RCRA 3004(y)

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270

Legal Deadline: NPRM, Statutory, April 6, 1993. NPRM, Judicial, October 31, 1995. Final, Statutory, October 6, 1994. Final, Judicial, December 2, 1996.

Abstract: EPA will issue a rule clarifying when military munitions (including chemical munitions) become hazardous wastes subject to Federal hazardous waste storage, treatment, and

disposal rules. The rule will assure transportation and storage of such wastes are safe and protective of human health and the environment. The rule will address munitions in the military stockpile to be demilitarized, burning of excess propellants, emergency responses involving both military and non-military explosives, and unexploded ordnance on firing ranges. State National Guard units as well as Federal DOD, DOE, and DOT (Coast Guard) units will be subject to these rules. The rule, in lieu of revising the definition of "on-site," will exempt transportation from the RCRA manifest on public or private right-of-ways between contiguous properties under the control of the same person. EPA and EPA-authorized States will implement the standards.

Timetable:

Action	Date	FR Cite
NPRM	11/08/95	60 FR 56468
Final Action	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3235.

Agency Contact: Ken Shuster, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
Phone: 703 308-8759

RIN: 2050—AD90

3615. RCRA SUBTITLE C INDIAN PROGRAM AUTHORIZATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6926(b)/3006(b)

CFR Citation: 40 CFR 271; 40 CFR 270

Legal Deadline: None

Abstract: The RCRA statute is silent on approval of Tribal hazardous waste programs. This regulatory action would clarify that Indian Tribes may become authorized for the RCRA Subtitle C hazardous waste program and will also make available to Tribes RCRA grant funds to assist in implementation of authorized hazardous waste programs.

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Currently, authorization and grant funding is only available to States. The action would establish criteria which a Tribe must meet for authorization. This rule furthers EPA's recognition of Tribal sovereignty and furthers the Agency's goal of delegating environmental programs to Tribes. This action will impact the amount of grants given to States since the level of funding is likely to remain constant but the number of grantees is anticipated to increase. It will also impact the Tribes by allowing them an increased role in environmental regulation on Indian Country.

Timetable:

Action	Date	FR Cite
NPRM	06/14/96	61 FR 30472
Final Action	09/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 2827.

Agency Contact: Felicia Wright, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
Phone: 703 308-8634

RIN: 2050-AD07

3616. FINANCIAL TEST FOR LOCAL GOVERNMENTS THAT OWN/OPERATE MUNICIPAL SOLID WASTE LANDFILLS

Priority: Other Significant. Major under 5 USC 801.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6907/RCRA 1008; 42 USC 6944/RCRA 4004; 42 USC 6949(a)/RCRA 4010(a)

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: The criteria for Municipal Solid Waste Landfills require landfill owners/operators to assure that they can cover the costs of closure and post-closure care of their landfills and the costs of cleaning up any known releases from their landfills. This rule will allow local governments to meet all or part of their financial assurance requirements based on their financial

strength. The rule will provide greater flexibility to local governments to demonstrate compliance with the financial assurance requirements. EPA estimates that the local government financial test would save local governments \$105 million annually. Small local governments and Tribal governments that own or operate landfills would share in this savings.

Timetable:

Action	Date	FR Cite
NPRM	12/27/93	58 FR 68353
Final Action	11/00/96	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 2761.

Agency Contact: George Garland, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
Phone: 703 308-7272

RIN: 2050-AD04

3617. RCRA SUBTITLE D SOLID WASTE FACILITIES; STATE/TRIBAL PERMIT PROGRAM—DETERMINATION OF ADEQUACY

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6945/RCRA 4005; 42 USC 6912/RCRA 2002

CFR Citation: 40 CFR 239

Legal Deadline: None

Abstract: This action known as the State/Tribal Implementation Rule or STIR, will delegate to States and Indian Tribes the authority to control the human health and environmental risks associated with municipal solid waste (MSW) landfill management, particularly groundwater contamination. The STIR will do so by establishing criteria and procedures for EPA to use to determine whether State and tribal MSW landfill permit programs are adequate to ensure compliance with the Solid Waste Disposal Facility Criteria. While the Disposal Facility Criteria automatically apply to all MSW landfills, States and

tribes with permit programs deemed adequate under the STIR can provide some flexibility on design standards and other requirements to landfill owners and operators who meet the Criteria's performance standards. In providing this flexibility, the STIR offers an opportunity to reduce the regulatory burden on State, tribal and local governments and on landfill owners and operators.

Timetable:

Action	Date	FR Cite
NPRM	01/26/96	61 FR 2584
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Tribal

Additional Information: SAN No. 2751.

Agency Contact: Beverly Goldblatt, Environmental Protection Agency, Solid Waste and Emergency Response, (5306W), Washington, DC 20460
Phone: 703 308-7278

RIN: 2050-AD03

3618. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6912(a)/RCRA 6002(e)

CFR Citation: 40 CFR 247

Legal Deadline: None

Abstract: RCRA section 6002 requires EPA to issue guidelines for procuring recycled products. EPA is to designate items that are made with recovered materials and to recommend practices for government procurement. Once designated, procuring agencies are required to purchase these items with the highest percentage of recovered materials practicable. On May 1, 1995, under RCRA and Executive Order 12873, Federal Acquisition, Recycling, and Waste Prevention, EPA designated 19 items in a Comprehensive Procurement Guideline (CPG) (60 FR 21370). EPA also issued purchasing

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recommendations in a related Recovered Materials Advisory Notice (RMAN) (60 FR 21386). The Order requires EPA to update the CPG and issue RMANs annually. The Agency consolidated EPA's five existing procurement guidelines (for paper and paper products, retread tires, re-refined lubricating oil, building insulation, and cement and concrete containing fly ash) into the CPG and RMAN. This action would propose the first update to the

CPG, in which additional items would be designated, and additional recommendations would be discussed in the RMAN.

Timetable:

Action	Date	FR Cite
NPRM	11/07/96	61 FR 57748
Final Action	09/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3545.

Agency Contact: Terry Grist, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460
Phone: 703 308-7257

RIN: 2050-AE23

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Resource Conservation and Recovery Act (RCRA)

3619. • MERCURY CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-142

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The purpose of this rule is to codify into the Code of Federal Regulations certain provisions of the "Mercury-Containing and Rechargeable Battery Management Act" that impact the May 11, 1995 Universal Waste Rule (60 FR 25492). The Act was signed by the President on May 13, 1996 and became immediately effective nationwide on the date of signature. Specifically, one provision of the law requires the collection, storage, and transportation of the following types of batteries be managed according to standards established in the Universal Waste rule: used rechargeable batteries, lead-acid batteries not covered by 40 CFR Part 266, rechargeable alkaline batteries, certain mercury-containing batteries banned from domestic sale, and used consumer products containing rechargeable batteries that are not easily removable. The law prohibits State imposed requirements that are not identical to those found in the final Federal universal waste rule, but allows States to adopt and enforce identical standards for labeling and to implement and enforce collection, storage, and transport requirements identical to those included in the universal waste rule.

The costs of this action should be minimal to the regulated industry since the community regulated by the law -- battery manufacturers, industries that use batteries in their consumer products, and the retail industry -- all

support the law. In addition, the regulated community has rechargeable battery recycling programs already in place and such recycling programs are in compliance with the labeling and management provisions of the law. Second, most States have state rechargeable battery recycling statutes in place but their recycling programs vary to some degree with respect to labeling and management requirements. Therefore, modifications to State statutes for rechargeable battery recycling will be necessary, but not costly.

Timetable:

Action	Date	FR Cite
Direct Final	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3888.

Agency Contact: Bryan Groce, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703-308-8750
Fax: 703-308-0522

RIN: 2050-AE39

3620. FACILITY RESPONSE PLANNING FOR DELEGATED OFFSHORE FACILITIES

Priority: Other Significant

CFR Citation: 40 CFR 112

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bobbie Lively-Diebold
Phone: 703 356-8774

RIN: 2050-AE18

3621. STANDARDS FOR THE MANAGEMENT AND USE OF SLAG RESIDUES DERIVED FROM HIGH TEMPERATURE METALS RECOVERY (HTMR) TREATMENT OF KO61, KO62 AND F006 WASTES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 261; 40 CFR 266

Timetable:

Action	Date	FR Cite
NPRM	12/29/94	59 FR 67256
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Narendra K. Chaudhari
Phone: 703-308-0454

RIN: 2050-AE15

3622. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO UNDERGROUND STORAGE TANKS, CONTAMINATED MEDIA, AND DEBRIS

Priority: Other Significant

CFR Citation: 40 CFR 261

Timetable:

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Heffelfinger
Phone: 703 603-7157

RIN: 2050-AD69

EPA—RCRA

Long-Term Actions

3623. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS

Priority: Substantive, Nonsignificant
CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
Notice of Data Availability	02/12/93	58 FR 8273
Regulatory Determination (Phase I Four Fossil Fuel Wastes)	08/09/93	58 FR 42466
Regulatory Determination (Phase II Remaining Wastes)	04/00/98	

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined

Agency Contact: Rich Kinch
 Phone: 703 308-8424

RIN: 2050-AD91

3624. HAZARDOUS WASTE MANAGEMENT SYSTEM; MODIFICATION OF THE HAZARDOUS WASTE PROGRAM; MERCURY-CONTAINING LAMPS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 261

Timetable:

Action	Date	FR Cite
NPRM	07/27/94	59 FR 38288
Final Action	00/00/00	

Small Entities Affected: Businesses
Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Rita Cestaric
 Phone: 703-308-0769

RIN: 2050-AD93

3625. HAZARDOUS WASTE MANIFEST REGULATION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 271

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Tribal, Federal

Agency Contact: Ann Codrington
 Phone: 703-308-8825

RIN: 2050-AE21

3626. UNDERGROUND STORAGE TANKS CONTAINING HAZARDOUS SUBSTANCES - FINANCIAL RESPONSIBILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 280

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local

Agency Contact: Mark Barolo
 Phone: 703 603-7141

RIN: 2050-AC15

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
 Resource Conservation and Recovery Act (RCRA)**

Completed Actions

3627. REVISIONS TO CRITERIA APPLICABLE TO SOLID WASTE DISPOSAL FACILITIES THAT MAY ACCEPT CESQG HAZARDOUS WASTES EXCLUDING MUNICIPAL SOLID WASTE LANDFILLS

Priority: Other Significant
CFR Citation: 40 CFR 257

Completed:

Reason	Date	FR Cite
Final Action	07/01/96	61 FR 34252

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Agency Contact: Paul F. Cassidy
 Phone: 703 308-7281

RIN: 2050-AE11

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
 Clean Air Act (CAA)**

Prerule Stage

3628. ● WASTE ISOLATION PILOT PLANT (WIPP) COMPLIANCE CERTIFICATION RULEMAKING

Regulatory Plan: This entry is Seq. No. 97 in Part II of this issue of the Federal Register.

RIN: 2060-AG85

3629. IMPLEMENTATION OF OZONE AND PARTICULATE MATTER (PM) NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) AND REGIONAL HAZE REGULATIONS

Regulatory Plan: This entry is Seq. No. 98 in Part II of this issue of the Federal Register.

RIN: 2060-AF34

3630. ACID RAIN PROGRAM: ELIMINATION OF DIRECT SALE PROGRAM AND IPP WRITTEN GUARANTEE; AND ANPRM TO MODIFY ALLOWANCE AUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 76510

EPA—CAA

Prerule Stage

CFR Citation: 40 CFR 73

Legal Deadline: None

Abstract: This rule and ANPRM would make technical modifications to minor features of the Acid Rain Allowance Trading Program. The rule would eliminate a small direct sale program for acid rain allowances; this program has never been used and is not needed. The ANPRM would make technical changes in the related auction program.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/96	
Direct Final and Proposal	10/00/96	
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3795.

Agency Contact: Eugene Casey, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9194

RIN: 2060-AG41

monoxide, lead, cadmium, mercury, and dioxins and dibenzofurans. In addition, the standards and guidelines are to include requirements for emissions and parameter monitoring and provisions for operator training and certification.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/96	
NPRM	05/00/99	
Final Action	05/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Sectors Affected: 495 Sanitary Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3819.

Agency Contact: Eugene P. Crumpler, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0881
Fax: 919 541-5600

RIN: 2060-AG50

winning bidder pays what he or she bids until all allowances are sold. EPA is proposing to change the current design and timing of the acid rain allowance auctions. EPA is also proposing to change the requirement that additional allowances offered in EPA auctions have a set minimum price in whole dollars.

Title IV also provides for the transfer of allowances and states that a transfer will not be effective until EPA receives and records a written certification of the transfer signed by a responsible official of each party. EPA is considering development of a system to allow electronic submittal of allowance transfers. Under one option, the seller alone would submit the transfer without involving the buyer. EPA is proposing to allow such electronic transfers.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/96	
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3795.

Agency Contact: Linda Critchfield, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9087
Fax: 202 233-9585

RIN: 2060-AG75

3631. NSPS FOR SEWAGE SLUDGE INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 to 7626

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: Section 129 of the Clean Air Act, as amended November 1990, requires the Administrator to establish new source performance standards and emission guidelines for new and existing solid waste incineration units including units that incinerate municipal sewage sludge. The standards and guidelines are to specify numerical emission limitations for the following substances: particulate matter (total and fine), opacity (as appropriate), sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon

3632. ACID RAIN PROGRAM: SO2 ALLOWANCE AUCTION AND ELECTRONIC ALLOWANCE TRANSFER

Priority: Other Significant

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 73

Legal Deadline: None

Abstract: Title IV of the Clean Air Act, as amended (the Act), authorized the EPA to establish the Acid Rain Program to reduce the adverse health and ecological effects of acidic deposition. Under the Acid Rain Program, electric utilities must have an allowance for each ton of sulfur dioxide (SO2) that their generating facilities emit.

Title IV mandates that EPA hold or sponsor yearly auctions and direct sales of allowances for a small portion of the total allowances allocated each year. The United States General Accounting Office has recommended that EPA change the design of the auction so that it is a single-price auction, in which each bidder would pay the market-clearing price. Currently the auction is a price-discriminating action, meaning that all bids are ranked beginning with the highest dollar amount and that each

3633. REGIONAL HAZE PROTECTION RULE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act section 169A and 169B

CFR Citation: 40 CFR 51.300 to 51.306

Legal Deadline: NPRM, Statutory, January 1998.

Abstract: Mandatory Federal Class I areas throughout the United States are being impaired by regional haze. Section 169A of the Clean Air Act requires the Environmental Protection Agency to issue regulations to protect these Class I areas from man-made visibility impairment. These regulations would require States to show

EPA—CAA

Prerule Stage

reasonable progress toward reducing the effects of regional haze on these sensitive areas. Since 1980, technical knowledge of the causes of visibility impairment (i.e., emissions of sulfur dioxide, nitrogen oxides, certain organic compounds, and particulate matter) has progressed so that innovative programs can be developed to address regional pollution. This rulemaking will require regional (multi-state) planning to address regional visibility in groupings of Class I areas. Control activities will be balanced with review of cost and visibility/environmental benefits analysis.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/96	
NPRM	06/00/97	
Final Action	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 491 Electric Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3552.

Agency Contact: Bruce Polkowsky, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5532

RIN: 2060-AF32

3634. CONTROL OF EMISSIONS OF AIR POLLUTION FROM HIGHWAY HEAVY-DUTY ENGINES AND NONROAD DIESEL ENGINES

Regulatory Plan: This entry is Seq. No. 99 in Part II of this issue of the Federal Register.

RIN: 2060-AF76

3635. FUELS AND FUEL ADDITIVES WAIVER APPLICATION CRITERIA

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7545/CAA 211

CFR Citation: 40 CFR 86

Legal Deadline: None

Abstract: This rulemaking will establish regulatory criteria and procedures for making determinations on fuel and fuel additive waiver applications under section 211(f)(4) of the Clean Air Act.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/96	
NPRM	06/00/97	
Final Action	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 291 Petroleum Refining; 371 Motor Vehicles and Motor Vehicle Equipment

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3389.

Agency Contact: Joseph Sopata, Environmental Protection Agency, Air and Radiation, 6406J, 401 M Street SW., Washington, DC 20460
Phone: 202 233-9034

RIN: 2060-AE68

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Clean Air Act (CAA)**

Proposed Rule Stage

3636. • 1998 REVISION OF ACID RAIN ALLOWANCE ALLOCATIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR part 73

Legal Deadline: Final, Statutory, June 1, 1998.

Abstract: Title IV of the Clean Air Act directs the EPA to establish an acid rain program to reduce adverse effects of acidic deposition. The centerpiece of this control program is allocation of allowances, or authorizations to emit SO₂, that are distributed by the Administrator in limited quantities to utility units and must be held by all affected units to cover their SO₂ emissions. In 1993, EPA finalized the allowance allocations and provided, in the regulation, the methodology for revising the allocations in 1998 based on several statutory provisions. This rulemaking will implement that

methodology, eliminate unaffected units, and eliminate unnecessary sections of regulation. This rulemaking will affect only utility units affected by the acid rain program requirements and does not affect small businesses or government entities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3898.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, (6204J), Washington, DC 20460
Phone: 202-233-9074
Fax: 202-233-9584

RIN: 2060-AG86

3637. • ADDITION OF METHOD 207 TO APPENDIX M OF 40 CFR PART 51 - METHOD FOR MEASURING ISOCYANATES IN STATIONARY SOURCE EMISSIONS,

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Clean Air Act Amendments of 1990 listed certain isocyanate compounds as hazardous air pollutants (HAPs). The Agency does not have any published test methods that would measure air emissions of these isocyanate compounds from stationary sources. This action would add a validated test method to measure isocyanate emissions to Appendix M of Part 51. Test methods in Part 51 can be adopted by any State for use in any regulation that requires the measurement of any of the isocyanate compounds on the HAP list. This action would not impose any new

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Proposed Rule Stage

regulatory requirements that do not already exist. It should benefit State governments by providing them with a validated test procedure for measuring the emissions of isocyanate compounds.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3900.

Agency Contact: Gary McAlister, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919-541-1062
Fax: 919-541-1039

Email:

McAlister.Gary@EPAMail.EPA.GOV

RIN: 2060-AG88

3638. • STATE IMPLEMENTATION PLANS; MILESTONE COMPLIANCE DEMONSTRATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect State, local or tribal governments.

Legal Authority: 42 USC 7401-7671q

CFR Citation: 40 CFR 51

Legal Deadline: Other, Statutory, February 15, 1997.

No set deadline. See additional information.

Abstract: The Clean Air Act requires serious and above nonattainment areas for ozone to achieve 15 percent reductions in volatile organic compound (VOC) emissions by 1996. This rule will describe the form and manner in which States shall submit demonstrations that have achieved the required percent VOC emissions reductions (milestone) by the end of each designated time period. Since the rule would only evaluate compliance with approved rules and control strategy demonstrations, the rule does not of itself impact small businesses. In fact, if approved 15 percent reductions in VOC are not evaluated, projected reductions might not actually occur, and air pollution could exceed earlier estimates in the approved 15 percent plans.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3279.

However rule must be developed prior to the 2/15/97 date for approval of Milestone Compliance Demonstrations from the States.

Agency Contact: Ted Creekmore, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919-541-5699
Fax: 919-541-0824

RIN: 2060-AG89

3639. • FEDERAL OPERATING PERMITS PROGRAM IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7661a(d)(3)

CFR Citation: 40 CFR 71.4

Legal Deadline: Other, Statutory, November 15, 1997.

Change needed prior to default effective date of programs in the Indian country set by 40 CFR 71.

Abstract: Recognizing its trust responsibilities to Indian Tribes, EPA plans to exercise its regulatory authority to issue permits to sources of air pollution in Indian country where sources are not regulated by Indian Tribes. The Federal operating permits program for stationary air sources should extend to all of Indian country, but the regulation that created the program inadvertently created a regulatory gap. A change in regulations is needed to assure that each major source in Indian country is subject to either a State, Tribal, or Federal permit program.

The regulatory change would create a level playing field for industry. Also, the regulatory change would assure that EPA can regulate sources that create air pollution problems in Indian country or that are located in Indian country and generate air pollution problems for other areas.

There are no anticipated impacts on small businesses or State or local governments. The regulatory change would eliminate a burden on Tribal governments. They would not need to demonstrate their jurisdiction over an area in order for EPA to administer a permit program for the area.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	02/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3868.

Agency Contact: Candace Carraway, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
Phone: 919-541-3189

Fax: 919-541-5509

RIN: 2060-AG90

3640. REVISIONS TO THE NEW SOURCE REVIEW REGULATIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 4111/Clean Air Act Amendments of 1990, section 110(n)(3)

CFR Citation: 40 CFR 51.160 to 51.166; 40 CFR 52.24; 40 CFR 52.10

Legal Deadline: None

Abstract: EPA plans to amend its new source review rules to comply with the more stringent requirements in the Clean Air Act as amended in 1990 for preconstruction review of new and modified major sources in areas that have been designated by EPA as failing to attain one or more of the national ambient air quality standards. This action has been split from the broader NSR rulemaking (RIN 2060-AE11) that was proposed on July 23, 1996.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	08/00/98	

Small Entities Affected: None

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Proposed Rule Stage

Government Levels Affected: State, Local, Federal
Additional Information: SAN No. 2909.
Agency Contact: Mike Sewell, New Source Review Section, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711
 Phone: 919 541-0873
RIN: 2060-AD13

3641. LOCOMOTIVE EMISSION STANDARDS

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
Legal Authority: 42 USC 7547
CFR Citation: 40 CFR 92
Legal Deadline: Final, Statutory, November 15, 1995.
Abstract: The Clean Air Act Amendments of 1990 require EPA to promulgate emission standards for railroad locomotives. It is likely that railroad locomotives are significant contributors of pollution in some areas of the country for some pollutants. This rulemaking may allow for uniform control of locomotive emissions on the national level.
Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
Final Action	12/00/97	

Small Entities Affected: Undetermined
Government Levels Affected: Federal
Analysis: Regulatory Flexibility Analysis
Additional Information: SAN No. 2961.
Agency Contact: Charles Maulis, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
 Phone: 313 741-7826
RIN: 2060-AD33

3642. PERFORMANCE WARRANTY AND INSPECTION/MAINTENANCE TEST PROCEDURES

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 7541; 42 USC 7601
CFR Citation: 40 CFR 51; 40 CFR 85
Legal Deadline: None

Abstract: This action establishes a new short test procedure for use in I/M programs required by the Clean Air Act Amendments of 1990. Vehicles that are tested and failed using this procedure and that meet eligibility requirements established by the act would be eligible for free warranty repair from the manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	02/00/97	

Small Entities Affected: Undetermined
Government Levels Affected: State, Local, Federal
Additional Information: SAN No. 3263.
Agency Contact: Eugene J. Tierney, Chief, Inspection/Maintenance Section, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
 Phone: 313 668-4456
RIN: 2060-AE20

3643. INSPECTION/MAINTENANCE RECALL REQUIREMENTS

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 7511 (A)(2)(b) and (A)(2)(b)(2)
CFR Citation: 40 CFR 51
Legal Deadline: None

Abstract: This action specifies requirements for enhanced I/M programs to establish a program to ensure compliance with recall notices. This is pursuant to the Clean Air Act Amendments of 1990.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	02/00/97	

Small Entities Affected: Undetermined
Government Levels Affected: Federal
Additional Information: SAN No. 3262.
Agency Contact: Eugene J. Tierney, Chief, Inspection/Maintenance Section, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
 Phone: 313 668-4456
RIN: 2060-AE22

3644. NAAQS: OZONE (REVIEW)

Regulatory Plan: This entry is Seq. No. 110 in Part II of this issue of the Federal Register.
RIN: 2060-AE57

3645. NAAQS: PARTICULATE MATTER (REVIEW)

Regulatory Plan: This entry is Seq. No. 111 in Part II of this issue of the Federal Register.
RIN: 2060-AE66

3646. METHOD 301: FIELD VALIDATION OF POLLUTION MEASUREMENT METHODS FOR VARIOUS MEDIAS

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 7401 et seq, as amended PL 101-549; 42 USC 7410 et seq, as amended by PL 101-549
CFR Citation: 40 CFR 60; 40 CFR 63
Legal Deadline: None
Abstract: After promulgation of Method 301, questions were raised about the statistical calculations and clarifying the procedure for determining the quality of the data.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	09/00/97	

Small Entities Affected: None
Government Levels Affected: State, Local, Federal
Additional Information: SAN No. 3407.
Agency Contact: Gary McAlister, Environmental Protection Agency, Air and Radiation, (MD-19), Research Triangle Park, NC 27711
 Phone: 919 541-1062
RIN: 2060-AF00

3647. NESHAP: FERROALLOY PRODUCTION

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 1857, et seq; 44 USC 350 et seq; 5 USC 605; EO 12866
CFR Citation: 40 CFR 63
Legal Deadline: NPRM, Statutory, November 15, 1997.
Abstract: The Clean Air Act, as amended November 1990, requires the

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Proposed Rule Stage

EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that some plants in the ferroalloy production industry may be major sources for one or more hazardous air pollutants. As a consequence, production facilities are among the HAP-emitting source categories selected for regulation.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3082.

Agency Contact: Conrad Chin, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-1512

RIN: 2060-AF29

3648. FEDERAL IMPLEMENTATION PLAN TO CONTROL EMISSIONS FROM TWO POWER STATIONS LOCATED ON NAVAJO NATION LANDS

Priority: Other Significant

Legal Authority: 42 USC 1740

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: EPA proposes to federalize standards from the Arizona and New Mexico State Implementation Plans (SIPS) applicable to the Navajo generating station and the Four Corners Plant, respectively. Where necessary, EPA's proposed emission standards modify the standards extracted from the States' regulatory programs to ensure comprehensive emission control and Federal consistency.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: Undetermined

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3569.

Agency Contact: Kenneth Bigos (A-5), Environmental Protection Agency, Air and Radiation, Region 9 75 Hawthorne Street, San Francisco, CA 94105
Phone: 415 744-1240

RIN: 2060-AF42

3649. ACID RAIN PROGRAM: REVISIONS TO THE ADMINISTRATIVE APPEAL REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7601

CFR Citation: 40 CFR 78.1

Legal Deadline: None

Abstract: Revisions to clarify whether administrative appeals are prerequisite for judicial review of final actions by the administrator under the Acid Rain Program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	09/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3570.

Agency Contact: Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9151

RIN: 2060-AF43

3650. ACID RAIN PROGRAM: REVISIONS TO APPLICABILITY, EXEMPTIONS, ALLOCATIONS, AND SMALL DIESEL REFINERIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 72; 40 CFR 73

Legal Deadline: None

Abstract: This regulatory revision would streamline several portions of the Acid Rain Program rules and make minor revisions to the small diesel allowance program. Based on experience implementing the Acid Rain Program, EPA would make the process

for exempting new units and retired units easier. EPA would also allow units to be deleted from the tables of affected units if those units could be demonstrated to be unaffected or if the units will not be constructed. The eligibility provision and allowance calculation equation for small diesel refineries will be corrected.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 29 Petroleum Refining and Related Industries

Additional Information: SAN No. 3572.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9074

RIN: 2060-AF45

3651. ACID RAIN PROGRAM: DELETION OF CERTAIN UNITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651, et seq

CFR Citation: 40 CFR 73.10

Legal Deadline: None

Abstract: The Acid Rain Program requires affected utility units to hold allowances sufficient to cover emissions of SO₂, have an Acid Rain Permit under part 72, and meet appropriate monitoring requirements under part 75. Many affected units are listed in 40 CFR 73.10 tables 2 and 3. In the process of implementing the Acid Rain Program, EPA has learned that several units listed in the tables should not be affected by the Acid Rain Program requirements. This action would delete specific named units from the tables.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Interim Final Rule	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3573.

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Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
 Phone: 202 233-9074
RIN: 2060-AF46

3652. ACID RAIN PROGRAM: REVISIONS TO THE PERMITS REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT TO MAKE TECHNICAL CORRECTIONS

Priority: Other Significant
Unfunded Mandates: Undetermined
Legal Authority: 42 USC 7601, 7651g
CFR Citation: 40 CFR 72
Legal Deadline: None

Abstract: This action would make technical corrections in order to improve issuance of Phase I acid rain permits and facilitate approval of State or local permitting authorities' Phase II acid rain permitting programs.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	09/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions
Government Levels Affected: Local
Sectors Affected: 491 Electric Services
Additional Information: SAN No. 3574.
Agency Contact: Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
 Phone: 202 233-9151
RIN: 2060-AF47

3653. CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES; EMISSION STANDARDS AND TEST PROCEDURES

Priority: Substantive, Nonsignificant
Unfunded Mandates: Undetermined
Legal Authority: CAA 231
CFR Citation: 40 CFR 87
Legal Deadline: None

Abstract: This action proposes to establish CO and NOx standards for aircraft gas turbine engines with equal to or greater than 26.7 kilonewtons rated thrust. These standards, which most of the affected engines are already achieving, will be added to current

federal aircraft engine standards for HC emission so as to align federal standards with the standards established by the international community.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	02/00/98	

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3576.

Agency Contact: Bryan Manning, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
 Phone: 313 741-7832

RIN: 2060-AF50

3654. FEDERAL IMPLEMENTATION PLAN (FIP) TO CONTROL EMISSIONS FROM SOURCES LOCATED ON THE FORT HALL INDIAN RESERVATION

Priority: Other Significant
Legal Authority: Clean Air Act title I
CFR Citation: None

Legal Deadline: None

Abstract: EPA will propose federal rulemaking for sources located on fee lands to implement the intent of the Clean Air Act (CAA) Title I program to bring about attainment of the PM-10 NAAQS both on and off the Fort Hall Indian Reservation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None
Government Levels Affected: Federal
Additional Information: SAN No. 3637.
Agency Contact: Steve Body (AT-082), Environmental Protection Agency, Air and Radiation, Region 10 1200 Sixth Avenue, Seattle, WA 98101
 Phone: 206 553-0782
RIN: 2060-AF84

3655. AMENDMENT OF ENHANCED INSPECTION/MAINTENANCE PERFORMANCE STANDARD

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act
CFR Citation: 40 CFR 51, subpart S
Legal Deadline: None

Abstract: This action is a technical amendment to the enhanced inspection/ maintenance (I/M) performance standard included in the November 5, 1992 I/M rule (40 CFR part 51, subpart S). The amendment is in response to a court ruling and will have no net effect on existing requirements for state and local I/M programs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	01/00/97	

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3598.

Agency Contact: Eugene J. Tierney, Chief, I/M Section, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
 Phone: 313 668-4456
RIN: 2060-AG07

3656. FOURIER TRANSFORM INFRARED SPECTROSCOPY (FTIR) EXTRACTIVE TEST METHOD - SELF-VALIDATING PROCEDURE AND CEM PERFORMANCE SPECIFICATION

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 7410
CFR Citation: 40 CFR 63 app A; 40 CFR 60 app F

Legal Deadline: None

Abstract: A generic test procedure that any industry can follow using FTIR analysis will be developed. This procedure would be self-validating. Generic procedures for using an FTIR as a continuous emission monitor would include several alternatives for sampling which would differ depending on the source.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	12/00/97	

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3599.
Agency Contact: Rima Dishakjian, Environmental Protection Agency, Air

EPA—CAA

Proposed Rule Stage

and Radiation, Source Characterization Group A (MD-19), Research Triangle Park, NC 27711
Phone: 919 541-0443

RIN: 2060-AG08

3657. AMENDMENTS TO PART 60, PART 61, AND PART 63

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7410-12; 42 USC 7414; 42 USC 7416

CFR Citation: 40 CFR 60; 40 CFR 61; 40 CFR 63

Legal Deadline: None

Abstract: This action will revise the format of emission test methods in Parts 60, 61, and 63 of Title 40 to follow the outline established by the Emission Monitoring Management Council to create uniformity among program test methods. This action also corrects errors and updates procedures in the noted parts.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3743.

Agency Contact: Foston Curtis, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and, Research Triangle Park, NC 27711

Phone: 919 541-1063

Fax: 919 541-1039

RIN: 2060-AG21

3658. AMBIENT AIR QUALITY SURVEILLANCE, RECENSION OF NAMS AMBIENT AIR QUALITY MONITORING REQUIREMENTS FOR LEAD

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7409; 42 USC 7601(a); 42 USC 7410; 42 USC 7613; 42 USC 7619

CFR Citation: 40 CFR 50; 40 CFR 53; 40 CFR 58

Legal Deadline: None

Abstract: Because of the success in the reduction of ambient lead levels due to the elimination of lead in gasoline and the shift towards focusing on point sources, the Office of Air Quality

Planning and Standards (OAQPS) is revising the Part 58 Air Monitoring Regulations for Lead which would allow lead national ambient monitoring stations (NAMS) monitors to be discontinued. At the same time monitoring around point sources will be encouraged, for sources with emissions greater than 5 tons/year. This action is at the direct request of numerous State and local agencies whose NAMS lead monitors are recording values at the minimum detectable (MDL) of the methodology. Since small point sources are so variable in their emissions/impacts, that to prevent over-estimating ambient lead levels, complete sampling coverage is recommended. Complete sampling is defined as continuous or daily sampling. To provide complete everyday sampling at lead point sources at the same relative cost as the current procedure (one sample every 6 days followed by individual filter analysis), the regulation will be modified to allow: (1) use 2 or 3 high-volume samplers at each location; (2) sample for 48 instead of 24 hours; (3) use a convenient continuous sampling schedule, i.e., noon-to-noon or 9a.m.-9a.m., etc.; (4) follow the AREAL approved procedure for compositing up to 8 filters in a single analysis; and (5) report monthly averages which will be averaged together to produce the quarterly concentration to compare with the standard. This rule serves as both a regulation and as a guideline for State and local agencies in establishing and maintaining their ambient air monitoring networks. Much of the language within this rule has not changed since it was originally written in 1979, with a few exception. Because this rule provides guidance as well as regulatory requirements, there are several sections of text that should be updated to reflect current ambient air monitoring information and references.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3650.

Agency Contact: Neil Berg, Jr., Environmental Protection Agency, Air and Radiation, Monitoring and Quality

Assurance Group, Research Triangle Park, NC 27711

Phone: 919 541-5520

Fax: 919 541-1903

RIN: 2060-AG23

3659. CONSOLIDATED FEDERAL AIR RULE FOR THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY

Regulatory Plan: This entry is Seq. No. 112 in Part II of this issue of the Federal Register.

RIN: 2060-AG28

3660. REGULATION REVIEW/BURDEN REDUCTION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Clean Air Act, section 407

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: On March 16, 1995, President Clinton issued a report entitled, Reinventing Environmental Regulation, that identified 25 initiatives to improve the current regulatory system. This action is part of the regulatory review process to reduce unnecessary recordkeeping and reporting requirements. Existing rules are being reviewed for excess and/or duplicative requirements. The Agency will publish a list of those regulations that will be revised or amended to reduce unnecessary recordkeeping and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3750.

Agency Contact: Dave Markwordt, Environmental Protection Agency, Air and Radiation, OAQPS MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0837

EPA—CAA

Proposed Rule Stage

Fax: 919 541-0942

RIN: 2060-AG30

3661. TRANSITIONAL LOCK-IN PROCEDURES FOR PHASE II REFORMULATED GASOLINE (RFG) PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7545

CFR Citation: 40 CFR 80.2; 40 CFR 80.70; 40 CFR 80.72

Legal Deadline: None

Abstract: This action will provide proposed procedures for states to opt-out of the Reformulated Gasoline (RFG) Program before implementation of Phase II RFG. States will be required to announce by July 1997 whether their voluntary opt-in area(s) will remain in the RFG program. If a state decides to keep an opt-in area in the program, the area will be required to remain in the program for a specified period of time (i.e., lock-in to the program) to enable refiners to recover a portion of the capital investments associated with complying with Phase II gasoline requirements. This action provides the states the flexibility to opt-out of the program before implementation of Phase II while providing incentives to industry to supply Phase II RFG which provides environmental and health benefits (e.g., Phase II RFG reduces NOx, a precursor to ozone).

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3845.

Agency Contact: Mark Coryell, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460

Phone: 202 233-9014

Fax: 202 233-9557

RIN: 2060-AG43

3662. ACID RAIN PROGRAM: CONTINUOUS EMISSION MONITORING RULE REVISIONS FOR TECHNICAL ISSUES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 75 (Revision)

Legal Deadline: None

Abstract: On January 11, 1993, EPA promulgated the final core acid rain rules, including the CEM regulation at 40 CFR Part 75. Since the rule was promulgated, the 263 Phase I and 783 Phase II utility units have already complied with this regulation by installing and completing certification testing by the January 1, 1995 statutory deadline. During implementation of the January 11, 1993 rule and of the technical revisions published May 17, 1995, EPA and industry found a small number of additional issues requiring policy guidance and rule changes. These issues include: using monitoring equipment capable of reading both controlled and uncontrolled emissions (dual range monitors); clarification of span language; a variation of the existing Appendix D method for determining SO₂ emissions; an alternative method of determining flow (Appendix I); and greater flexibility in scheduling quality assurance testing.

These technical revisions will provide greater flexibility to the regulated community and will clarify parts of the rule. This action raises no major issues, but rather simplifies implementation by providing industry with more options and flexibility. This action is necessary because of the experience and additional information both EPA and industry has gained from 1993 to the present. Industry views this action as positive because it provides industry with more implementation flexibility.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3808.

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RIN: 2060-AG46

3663. PROTECTION OF STRAT. OZONE: RECONSIDERATION OF PETITION CRITERIA/INCORPORATION OF 1995 PROTOCOL DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This action would reconsider a certain reporting requirement in the petition process to import previously used ozone-depleting substances in response to a legal stay. In addition, technical changes that reflect international decisions made in Vienna, Austria in 1995 by countries that are signatories of the Montreal Protocol.

Timetable:

Action	Date	FR Cite
Notice of Stay	01/31/96	61 FR 3316
Proposed Extension	01/31/96	61 FR 3361
NPRM	10/00/96	
Direct Final	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3810.

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RIN: 2060-AG48

3664. RADIATION PROTECTION STANDARDS FOR SCRAP METAL

Priority: Other Significant

Legal Authority: 42 USC 2011 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: Presently, radioactive materials, particularly metals, are being released for recycling under standards that are not based on protection of human health. The proposed rule will establish protective risk-based standards for recycling; provide economic benefits through recovering the value of recycled metals; and reduce the need for disposal.

We use radioactive materials for purposes such as making smoke alarms, generating electricity, and diagnosing and treating medical problems. Radioactive materials are used for

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military purposes as well, particularly in developing nuclear weapons and providing power for submarines and surface ships. These uses generate materials which may contain some level of radioactivity.

Due to their ready recyclability, scrap metals may be released for recycling if the residual radioactive contamination is below certain levels. These release levels are currently specified in guidance developed by the Nuclear Regulatory Commission and federal agencies. However, current release criteria are not based on protection of human health. The current standards are based on measurement technologies and historical practices. Moreover, the release criteria were not intended to apply to recycling of materials.

The Agency is developing standards for scrap recycling which would be protective of public health. The rule would be based on the risks from recycling metals with residual radioactive contaminants. Scrap metals from site cleanups and ongoing operations of federal facilities and licensees of the NRC would be covered by the rule. EPA expects that these materials will be produced in sufficient quantities to warrant a standard, and while it is anticipated that much of this metal will not contain radioactivity, none should be recycled without a risk-based standard. Material that cannot be released for recycling would continue to be processed for LLW disposal.

Radiation protection standards for scrap metals would fill a regulatory vacuum. But most importantly, they would insure that the public is adequately protected from exposure to residual radioactivity in recycled metals. In addition, risk-based release standards would: (1) promote recovery of scrap metal, (2) reduce the disposal of materials that may not warrant disposal as low-level radioactive waste, and (cont.)

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 491 Electric Services; 963 Regulation and Administration of Communications, Electric, Gas, and Other Utilities; 331 Steel Works, Blast

Furnaces, and Rolling and Finishing Mills

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3812.

ABSTRACT CONT: (3) potentially reduce mining and processing of virgin ore and the accompanying environmental consequences by making metal scrap available to industry.

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RIN: 2060-AG51

3665. REVISION OF PSI (PART 58 APPENDIX G)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7403, 7410, 7511a

CFR Citation: 40 CFR 58

Legal Deadline: None

Abstract: Revision of appendix G to part 58 (Pollutant Standards Index or PSI) is needed to reflect changes in the PM and Ozone standards set by the standards review process. The main focus is the revision of the PSI function for both PM and Ozone. The changes are considered because the reviews for both pollutants have revealed that there is no real threshold for the onset of health effects for these pollutants. This will be reflected in the new PSI function by adding points just above and below the standards with appropriate language classifying the new intervals.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3832.

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RIN: 2060-AG62

3666. REVISION TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS (VOC) - EXCLUSION OF COMPOUNDS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 to 7671q

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This action is deregulatory in nature as it removes compounds from control as volatile organic compounds for purposes of preparing State Implementation Plans (SIPs) to attain the national ambient air quality standards for ozone under Title 1 of the Clean Air Act. These compounds are being deregulated because of scientific evidence of their low photochemical reactivity. States will no longer include control provisions for these compounds in their SIPs. Small businesses will not be affected, except that they may more freely use these compounds.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 367 Electronic Components and Accessories; 372 Aircraft and Parts

Additional Information: SAN No. 3838.

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RIN: 2060-AG70

3667. • REVISED PERMIT REVISION PROCEDURES FOR THE FEDERAL OPERATING PERMITS PROGRAM

Priority: Other Significant

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7661a(d)(3)

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CFR Citation: 40 CFR 71.1

Legal Deadline: None

Abstract: The proposed regulatory change would streamline permit revisions procedures for stationary air sources that are subject to the Federal operating permits program. Revised procedures for changes at a source that are less environmentally significant would provide industry with a more timely response from the permitting agency, enabling industry to more quickly make the changes in their operations that triggered the need for a revision to the permit.

The Agency does not anticipate any significant impact on small businesses and State/local/Tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: All

Additional Information: SAN No. 3901.

Agency Contact: Candace Carraway, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
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RIN: 2060-AG92

3668. • REVISION TO THE LIGHT-DUTY VEHICLE EMISSION COMPLIANCE PROCEDURE

Priority: Other Significant

Legal Authority: Clean Air Act

CFR Citation: None

Legal Deadline: None

Abstract: The purpose of this NPRM is to propose changes to the emissions compliance procedures for light duty vehicles. These proposed changes will streamline the current process beginning with model year 2000. These proposed changes will improve in-use emissions with a potential decrease in the net burden on auto manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3913.

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RIN: 2060-AH05

3669. • EMISSION REGULATIONS FOR 1978 AND LATER NEW MOTORCYCLES—PROPOSED CHANGES TO THE DEFINITION OF WEIGHT LIMITATIONS FOR MOTORCYCLES

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act

CFR Citation: None

Legal Deadline: None

Abstract: This rule will propose changes to the present regulatory definition of a motorcycle to allow two- or three-wheeled vehicles weighing up to 1749 pounds to be considered motorcycles. The proposed changes could reduce administrative burden on the motor cycle industry.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	07/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3912.

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RIN: 2060-AH06

3670. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR YUCCA MOUNTAIN, NEVADA

Regulatory Plan: This entry is Seq. No. 113 in Part II of this issue of the Federal Register.

RIN: 2060-AG14

3671. NAAQS: SULFUR DIOXIDE (REVIEW)

Regulatory Plan: This entry is Seq. No. 114 in Part II of this issue of the Federal Register.

RIN: 2060-AA61

3672. NEXT REVISION OF APPENDIX W TO 40 CFR PART 51

Priority: Substantive, Nonsignificant

Legal Authority: Section 110(a)(2) of the 1990 Clean Air Act amendments; Section 165(e) of the 1990 Clean Air Act amendments; Section 172(a) and (c) of the 1990 Clean Air Act amendments; Section 301(a)(1) of the 1990 Clean Air Act amendments; Section 320 of the 1990 Clean Air Act amendments

CFR Citation: 40 CFR 51.112; 40 CFR 51.160; 40 CFR 51.166; 40 CFR 52.21

Legal Deadline: None

Abstract: This action proposes revisions to the regulatory requirements for air quality models. Such models are used to predict ambient concentrations of pollutants for programs ranging from Prevention of Significant Deterioration (PSD) to State Implementation Plans (SIPs) for controlling air pollution sources. The Guideline fulfills a Clean Air Act mandate for EPA to specify models for air management purposes. This proposed rulemaking enhances the Guideline with new and/or improved techniques.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	03/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3470.

Agency Contact: Joseph A. Tikvart, Environmental Protection Agency, Air and Radiation, Air Quality Modeling Group (MD-14), Research Triangle Park, NC 27711
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RIN: 2060-AF01

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3673. INTEGRATED NESHAP AND EFFLUENT GUIDELINES: PULP AND PAPER

Regulatory Plan: This entry is Seq. No. 115 in Part II of this issue of the Federal Register.

RIN: 2060-AD03

3674. NESHAP: MINERAL WOOL PRODUCTION INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act, as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the mineral wool production industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the mineral wool production industry to promulgate emission standards within 7 years of enactment of the Clean Air Act Amendments.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3215.

Agency Contact: Mary K. Johnson, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
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RIN: 2060-AE08

3675. NESHAP: OIL AND NATURAL GAS PRODUCTION

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990, sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

This standard must be promulgated within seven years of enactment of the Clean Air Act.

Abstract: Hazardous air pollutants (HAPs) known to be emitted from oil and gas production, storage, and transmission facilities include benzene, toluene, ethyl benzene, and xylene isomers (collectively referred to as BTEX), along with 2,2,4-trimethylpentane and n-hexane. Potential HAP emission sources are glycol dehydrator reboilers (stand-alone and co-located); condensate storage vessels; and equipment leaks at natural gas processing plants and off-shore production platforms.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 3229.

Agency Contact: Martha Smith, Environmental Protection Agency, Air and Radiation, OAQPS, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AE34

3676. NESHAP FOR FORMALDEHYDE-BASED RESINS (POLYMERS AND RESINS GROUP III)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Title III of the amended Clean Air Act requires development of emission standards for all major sources, and selected area sources, emitting any of the 189 hazardous air pollutants identified in Section 112(b)

of the Act. Amino, acetal, and phenelic resins productions have been listed as categories of major sources based on documented emissions of phenol and/or formaldehyde. The purpose of the Formaldehyde-based Resin (Polymers and Resins Group III) project is to initiate the regulatory process for sources engaged in the production of amino, acetal, and phenolic resins, and to ultimately develop a NESHAP based on candidate Maximum Achievable Control Technology. This standard is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3228.

Agency Contact: John Schaefer, Environmental Engineer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

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RIN: 2060-AE36

3677. NESHAP: PHOSPHORIC ACID MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990, sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.
Clean Air Act Amendments of 1990

Abstract: The CAAA required EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAAA and, to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The

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Agency has determined that the phosphoric acid manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within 10 years of enactment of the CAAA. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3303.

Agency Contact: David F. Painter, Environmental Engineer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
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RIN: 2060—AE40

3678. NESHAP: STEEL PICKLING, HC1 PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, sec 112 as amended, November 1990

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

EPA is required to promulgate national emission standards for 50% of the source categories listed in Sec. 112(e) by Nov. 15, 1997. EPA plans to promulgate this standard by November 30, 1996.

Abstract: Hydrochloric acid (HC1) and chlorine are among the pollutants listed as hazardous air pollutants in Section 112 of the Clean Air Act, as amended in November of 1990. Steel pickling processes that use HC1 solution and HC1 regeneration processes have been identified by the EPA as potentially significant sources of HC1 and chlorine air emissions and, as such, a source category for which national emission standards may be warranted.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	11/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3345.

Agency Contact: James H. Maysilles, Environmental Engineer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060—AE41

3679. NESHAP: PHOSPHATE FERTILIZERS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990, sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.
Clean Air Act Amendments of 1990

Abstract: EPA is required to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAAA and, to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the phosphate fertilizer production industry may reasonable be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within 10 years of enactment of the CAAA. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3304.

Agency Contact: David F. Painter, Environmental Engineer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
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RIN: 2060—AE44

3680. NESHAP—CYANIDE CHEMICAL MANUFACTURING

Priority: Other Significant

Legal Authority: Clean Air Act, sec 112 as amended November 1990

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Cyanide compounds are among the pollutants listed as hazardous air pollutants in Section 112 of the Clean Air Act Amendments of 1990. As a consequence, the EPA has determined that sources that manufacture cyanide compounds may reasonable be anticipated to emit cyanide compounds in quantities sufficient to qualify them as major sources. Three source categories that either produce hydrogen cyanide or use it in the production of other chemicals, specifically cyanuric chloride and sodium cyanide, are on the initial list of HAP emitting source categories selected for regulation. The results of an initial assessment of the three source categories conducted by the Agency indicated that the facilities comprising each of the three source categories qualify as SOCOMI sources. An interim final notice will be prepared proposing the addition of the cyanide chemical manufacturing source categories to the list of SOCOMI processes to be regulated under the Hazardous Organic NESHAP.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3341.

Agency Contact: Philip B. Mulrine, Environmental Engineer, Environmental Protection Agency, Air and Radiation,

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RIN: 2060—AE45

3681. NESHAP: PRIMARY COPPER SMELTING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, sec 112 as amended November 1990

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

EPA is required to promulgate 50% of the source categories listed in Section 112(e) by 11/15/97. Primary copper smelter is one of the source categories included in the 50%.

Abstract: The primary copper smelting industry is known to emit a number of the hazardous air pollutants listed in Section 112 of the Clean Air Act, as amended November 1990. Most smelters have extensive control systems for oxides of sulfur and HAPs. However, fugitive emissions may cause several smelters to exceed major source levels.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3340.

Agency Contact: Eugene P. Crumpler, Environmental Engineer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

Phone: 919 541-0881

RIN: 2060—AE46

3682. AMENDMENTS TO PARTS 51, 52, 63, 70 AND 71 REGARDING THE PROVISIONS FOR DETERMINING POTENTIAL TO EMIT

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract:

This action proposes to amend regulations already established to

implement the new Federal air toxics program under section 112, including the General Provisions, the Federal operating permit program under title V, and the major source preconstruction programs under Parts C and D of Title I.

The proposed rule will address issues related to the determination of a stationary source's potential to emit in response to two court decisions.

This action resulted from splitting of RINs 2060-AC98 and 2060-2918.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3479.

Agency Contact: Tim Smith, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711

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RIN: 2060—AE63

3683. NESHAP: WOOL FIBERGLASS MANUFACTURING INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the wool fiberglass manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAA. As a

consequence, a regulatory development program is being pursued for the wool fiberglass manufacturing industry to promulgate emission standards within 7 years of enactment of the CAA amendments.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 327 Concrete, Gypsum, and Plaster Products

Additional Information: SAN No. 3123.

Agency Contact: William J. Neuffer, Environmental Engineer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711

Phone: 919 541-5435

RIN: 2060—AE75

3684. NESHAP: PRIMARY ALUMINUM PLANTS

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that plants in the Primary Aluminum industry may be major sources for one or more hazardous air pollutants. As a consequence, a regulatory development program is being conducted such that emission standards will be proposed and promulgated by November 15, 1997.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

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Additional Information: SAN No. 3072.

Agency Contact: Steve Fruh, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2837

RIN: 2060-AE76

3685. NESHAP: SECONDARY ALUMINUM INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: The Act requires EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the Act, to promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAP emission sources, and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the secondary aluminum industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the Act. As a consequence, the source category is included on the initial list of HAP emitting categories and is on the list of categories scheduled for standards promulgation within seven years of enactment of the Act. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 334 Secondary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3078.

Agency Contact: Juan E. Santiago, Environmental Protection Agency, Air and Radiation, OAQPS ESD/MICG (MD-13), Research Triangle Park, NC 27711
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RIN: 2060-AE77

3686. NESHAP: PORTLAND CEMENT MANUFACTURING

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that most plants in the Portland cement manufacturing industry are major sources of hazardous air pollutants. A regulation (emission standards) is being developed for the Portland cement manufacturing industry, to be promulgated by the statutory deadline of November 15, 1997. Cement kilns which burn RCRA hazardous waste are subject to a separate rule that have been proposed by the EPA Office of Solid Waste.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 324 Cement, Hydraulic

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3079.

Agency Contact: Joseph P. Wood, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5446

RIN: 2060-AE78

3687. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: This regulation would control emissions of hazardous air pollutants from plants engaged in the manufacturing of homopolymers and/or copolymers which contain materials designed to enhance the chemical, physical, and/or thermal properties of the polymer. The source category includes, but is not limited to processing techniques such as hand layup and spray layup of gelcoats that incorporate styrene.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 308 Miscellaneous Plastics Products; 371 Motor Vehicles and Motor Vehicle Equipment; 372 Aircraft and Parts; 394 Dolls, Toys, Games and Sporting and Athletic Goods

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3326.

Agency Contact: Madeleine Strum, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

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RIN: 2060-AE79

3688. NESHAP: POLYETHER POLYOLS PRODUCTION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Title III of the CAA requires development of emission standards for

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all major sources emitting any of the 189 hazardous air pollutants (HAPs) identified in Section 112(b) of the CAA. Polyether Polyol Production has been listed as a category of major sources based on documented emissions of propylene oxide and ethylene oxide. This action will explore alternatives for controlling the release of HAPs from the following process areas located at polyether polyol manufacturing facilities: process vents (e.g. reactors), storage, equipment leaks and other fugitive sources, and wastewater operations. There are no anticipated impacts on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3408.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and, Research Triangle Park, NC 27711

Phone: 919 541-2380

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RIN: 2060-AE81

3689. NESHAP: PHARMACEUTICALS PRODUCTION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act as Amended in 1990, section 112

CFR Citation: 40 CFR 63 subpart GGG

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: This regulation would control emissions of hazardous air pollutants from production of pharmaceuticals. Pharmaceuticals production was included on the initial list of categories of sources that was published by EPA in July 1992. Emissions from process vents, equipment leaks, storage tanks, and wastewater systems will be addressed by this regulation for both new and existing facilities.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
Final Action	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 283 Drugs

Additional Information: SAN No. 3451.

Agency Contact: Randy McDonald, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

Phone: 919 541-5402

RIN: 2060-AE83

3690. NESHAP: PESTICIDE PRODUCTION (PRODUCTION OF AGRICULTURAL CHEMICALS)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 section 112

CFR Citation: Not yet determined

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: The following ten source categories (which are all pesticides) are listed under the Production of Agricultural Chemicals (PAC) industry group: 1) 2,4-D Salts and Esters Production; 2) 4-Chloro-2-Methylphenoxyacetic Acid Production; 3) 4, 6-Dinitro-o-Cresol Production; 4) Captafol Production; 5) Captan Production; 6) Chloroneb Production; 7) Chlorothalonil Production; 8) Dacthal (tm) Production; 9) Sodium Pentachlorophenate Production; 10) Tordon (tm) Acid Production.

The EPA will propose to develop standards for all pesticide producers including the 10 categories listed above. Any other pesticide production plant which produces or uses any of the 189 listed hazardous air pollutants will also be included. A variety of HAPs are emitted including, toluene, formaldehyde, methanol, chlorinated compounds, etc.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
Final Action	03/15/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3450.

Agency Contact: Lalit Banker, Environmental Protection Agency, Air and Radiation, ESD/MD-13, Research Triangle Park, NC 27711

Phone: 919 541-5420

RIN: 2060-AE84

3691. NESHAP: FLEXIBLE POLYURETHANE FOAM PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Title III of the amended Clean Air Act (CAA) requires development of emission standards for all major sources, and selected area sources, emitting any of the 189 hazardous air pollutants (HAP) identified in Section 112(b) of the CAA. Flexible Polyurethane Foam Production has been listed as a category of major sources based on documented emissions of methylene chloride and 2,4-toluene diisocyanate. This action will explore alternatives for controlling the release of HAP from the following emission sources located at both slabstock and molded polyurethane foam production facilities: process vents, storage, equipment leaks and other fugitive sources, and transfer operations. This action, however, will not cover emissions from foam fabrication. In June 1996 the Agency added a separate source category to address HAP from fabrication operations.

Ultimately, a NESHAP for foam production will be developed based on candidate Maximum Achievable Control Technology. This is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	10/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 306 Fabricated Rubber Products, Not Elsewhere Classified; 308 Miscellaneous Plastics Products

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Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3338.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and, Research Triangle Park, NC 27711

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RIN: 2060-AE86

3692. NESHAP: PRIMARY LEAD SMELTERS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, section 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Primary lead smelters are a major source category of hazardous air pollutants. Potential emissions include compounds of lead, and other metallic HAPs as well as organic HAPs. Emission standards would establish maximum achievable control technology requirements for affected process units and fugitive dust sources. This industry is comprised of two companies which operate three smelters in two states.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3467.

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2364

RIN: 2060-AE97

3693. NESHAP: MANUFACTURERS OF ACRYLIC/MODACRYLIC FIBERS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant emissions from facilities that manufacture acrylic or modacrylic fibers. Principal pollutants identified are vinyl acetate and acrylonitrile. The majority of emissions occur during the polymerization reaction. There are only two major sources in the United States that will be affected by this regulation.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3378.

Agency Contact: Tony Wayne, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5439

RIN: 2060-AF06

3694. NESHAP: POLYCARBONATES PRODUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401/CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant (HAP) emissions from the production of polycarbonate resins.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3465.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711

Phone: 919 541-5416

RIN: 2060-AF09

3695. PUBLICLY OWNED TREATMENT WORKS (POTW) NESHAP

Priority: Other Significant

Legal Authority: Clean Air Act, sec 112(e)(5) and 112(n)(3)

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1995.

Abstract: This rule will specify maximum achievable control technology for publicly owned treatment works (POTW)- also known as sewage/wastewater treatment plants, or water reclamation facilities. Hazardous air pollutant emissions from the headworks, primary and secondary treatment, solids handling, and other operations will be considered in developing the rule.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
Final Action	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Local

Additional Information: SAN No. 3377.

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884

RIN: 2060-AF26

3696. AMENDMENTS TO SUBPART A AND B FOR 40 CFR 63

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549; Clean Air Act section 112

CFR Citation: 40 CFR 63.1; 40 CFR 63.51

Legal Deadline: None

Abstract: The General Provisions (subpart A) were promulgated on March 16, 1994 (59 FR 12408). The General Provisions create the technical and administrative framework and establish general procedures and criteria for implementing MACT standards. On May 16, 1994, six litigants filed petitions for EPA to review certain provisions of the General Provisions. Subpart B, the procedures for implementing Section 112(j), were

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promulgated on May 26, 1994. In June, 1994 litigants filed petitions for EPA to review the promulgated procedures. As a result of the litigation, it is anticipated that a number of technical and administrative amendments to Subpart A and B will be proposed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: Multiple

Additional Information: SAN No. 3551. Court schedule being developed.

Agency Contact: James Szykman, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0164

RIN: 2060-AF31

3697. REVISIONS TO THE REGULATION FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHORITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Clean Air Act section 112(l)

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Guidance in the form of rulemaking is being developed in accordance with the requirements of section 112(l) of the Clean Air Act Amendments of 1990 for the approval of State air toxic programs and the delegation of federal authorities to the States for the implementation and enforcement of section 112 emission standards and other requirements. This regulatory document will provide more flexibility to States in the following areas: minimum requirements for EPA approval of State air toxics regulations that are equivalent to or more stringent than the federal standards; and minimum requirements for EPA approval of State air toxics programs

that are equivalent to or more stringent than the federal program. Specific issues that will be addressed include: alternative work practice standards; alternative monitoring, recordkeeping and reporting; alternative test method approval process; equivalency by Part 70 permits; and mechanisms and requirements for approval of State air toxics programs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: Multiple

Additional Information: SAN No. 3829.

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RIN: 2060-AG60

3698. TECHNICAL AMENDMENTS TO AEROSPACE NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act section 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The NESHAP for Aerospace Manufacturing and Rework Facilities was promulgated in August of 1995. Afterwards, we discovered a few problems with the rule and still need to publish the CTG for this industry. This action would correct these problems and announce the CTG.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 372 Aircraft and Parts

Additional Information: SAN No. 3836.

Agency Contact: Jim Szykman, Environmental Protection Agency, Air and Radiation, OAQPS MD-13, Research Triangle Park, NC 27711

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RIN: 2060-AG65

3699. • GENERIC MACT FOR SOURCE CATEGORIES WITH FEW SOURCES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act section 112

CFR Citation: Not yet determined

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: Several of the source categories that are subject to MACT (maximum available control technology) standards contain only a few sources (e.g. less than 5). For such source categories, EPA plans to develop the underlying information through its MACT Partnership Program and then allow the affected sources and states to develop the detailed MACT requirements in a Title V operating permit. To do this, EPA needs to develop a generic MACT standard for these source categories. This reinvention to the MACT standards development process will allow for proper participation by all stakeholders. Given the relatively few affected sources caught by the generic standard, the overall cost and environmental effects of this action are expected to be small, nationally.

The MACT program addresses hazardous air pollutants. This action will only affect major sources of these HAPs.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 286 Industrial Organic Chemicals

Additional Information: SAN No. 3901.

Agency Contact: David Markwordt, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AG91

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3700. • NESHAP: HYDROGEN FLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000. Other, Statutory, November 15, 2000. 10 year source category BIN

Abstract: This rule will establish maximum achievable control technology (MACT) for hydrogen fluoride (HF) production facilities. The rule will offset two HF production facilities, both of which are currently well-controlled. This action will result in little or no additional emission reduction, but will establish a federal MACT level for these plants.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3654.

Agency Contact: Rick Colyer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AG94

3701. • NESHAP: SECONDARY LEAD SMELTER AMENDMENT

Priority: Other Significant

Legal Authority: 42 USC 7402/CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Final standards under section 112(d) for hazardous air pollutant emissions from new and existing lead smelters (40 CFR 63, Subpart X) were promulgated on June 23, 1995. The Agency has been petitioned for reconsideration, and has agreed to revise portions of the rule to address the comments contained in the petitions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3193.

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-2364

RIN: 2060-AH07

3702. • NESHAP: CHROMIUM ELECTROPLATING AMENDMENT

Priority: Other Significant

Legal Authority: 42 USC 7402/CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Final standards under section 112(d) for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks (40 CFR 63, Subpart N) were promulgated on January 25, 1995. Since promulgation, the Agency has determined that a class of chromium electroplating operations were inadvertently excluded from regulation. Specifically, the final standards do not apply to sources engaged in continuous chromium electroplating of steel sheet used to make cans and other containers. It is the Agency's intent to regulate all facilities engaged in chromium electroplating. Therefore, the Agency plans to amend the chromium electroplating rule to extend its applicability to continuous chromium electroplating operations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2841.

Agency Contact: Phil Mulrine, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5289

RIN: 2060-AH08

3703. CONTROL TECHNOLOGY GUIDELINES (CTG)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act, sec 183(a)

CFR Citation: Not applicable

Legal Deadline: Final, Statutory, November 1993.

Abstract: The Clean Air Act required EPA to issue control technology guidelines (CTG's) for 13, including two specifically named, source categories by November 15, 1993. The CTG's address volatile organic compounds (VOC) that are precursors to ozone formation. A CTG covering two of the source categories - chemical plant distillation and reactor process vents - was published by that date. Meanwhile, the States were required to develop rules for the CTG source categories by November 15, 1994. The EPA decided to issue Alternative Control Techniques (ACT) documents for the remaining source categories to help the States. ACT's differ from CTG's in that they are information documents only; they do not contain recommended control levels. ACT's were issued for volatile organic liquid storage, batch operations, wastewater operations, cleanup solvents, lithographic printing, coating of plastic parts, shipbuilding and repair coating operations, wood furniture coatings, and autobody refinishing. In addition, hazardous air pollutant rules have been developed for three of the CTG source categories under Section 112 of the Clean Air Act. These three source categories are aerospace manufacture, wood furniture manufacture, and shipbuilding and repair. CTG-related requirements are being addressed in concert with these hazardous air pollutant rulemakings. EPA also proposed a national rule to limit the amount of VOC contained in coatings sold to autobody refinishing shops on April 30, 1996. A final rule is planned for February 1997.

Timetable:

Action	Date	FR Cite
Final Notice and Document (Shipbuilding)	08/19/96	61 FR 44050
Final Notice and Document (Wood Furniture)	10/00/96	

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Action	Date	FR Cite
Notice of Draft Document (Aerospace)	10/00/96	
Final Notice and Document (Aerospace)	02/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3029.

Aerospace SAN 3728, Shipbuilding SAN 3729, Wood, Furniture SAN 3730.

Agency Contacts:

Susan Wyatt (general questions) 919-541-5674,

Mohamed Serageldin (shipbuilding) 919-541-5674,

Jim Szykman (aerospace) 919-541-2452,

Paul Almodovar (wood furniture) 919-541-0283

Agency Contact: Susan Wyatt, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5674

RIN: 2060-AD05

3704. REDUCTION OF VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS FROM COATINGS USED IN THE AEROSPACE, WOOD FURNITURE, AND SHIPBUILDING INDUSTRIES UNDER CLEAN AIR ACT SECTION 183(E)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline: Final, Statutory, March 1997.

Abstract: This action would result in the reduction of volatile organic compound (VOC) emissions from the coatings used by the Aerospace, Wood Furniture and Shipbuilding industries. The Agency will study the various VOC pollutants contained in these coatings and will evaluate pollution prevention and control techniques which can reduce these emissions; Control Techniques Guidelines can be issued in lieu of regulations if they are significantly as effective in reducing VOC emissions from the use of these coatings in ozone nonattainment areas.

This rulemaking will be conducted in accordance with statutory requirements for VOC emission reduction under Section 183(e) of the Clean Air Act. The development of these VOC rules will use data recently gathered for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for these industries. This will maximize resources and avoid duplication of data gathering efforts. There are small businesses in these industries, but at this time it is not known how many will be affected by these rules or guidelines.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 37 Transportation Equipment; 45 Transportation by Air; 243 Millwork, Veneer, Plywood, and Structural Wood Members; 25 Furniture and Fixtures

Additional Information: SAN No. 3838.

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RIN: 2060-AG59

3705. AMENDMENT CONCERNING THE LOCATION OF SELECTIVE ENFORCEMENT AUDITS OF FOREIGN MANUFACTURED VEHICLES AND ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7525/CAA 206(b)

CFR Citation: 40 CFR 86 subpart G (Revision); 40 CFR 86 subpart K (Revision)

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to include ports of entry as a location for EPA selection of foreign produced vehicles and engines for SEA emissions testing at laboratories in the U.S. While the regulations do not specify EPA authority to conduct such port selections, the increased flexibility

provided by port selections warrants amending the regulations. Presently, EPA must travel overseas to conduct SEA audits of foreign manufactured vehicles and engines, even though most manufacturers now have access to laboratory facilities in the U.S. The benefits include a reduction in Agency cost since fewer overseas trips would be necessary. Also, EPA would be able to conduct more audits of foreign manufactured vehicles and engines.

Separate from the provisions proposed in this NPRM for amendments to allow port selection for SEAs, EPA is also proposing to make two other amendments to 40 CFR Part 86. The first would amend current Selective Enforcement Auditing regulations to change the minimum annual limit of Selective Enforcement Audits per manufacturer to two (2) per year. Currently, the minimum annual limit is one audit per manufacturer. Under the proposed amendments EPA would be able to perform a second audit on those manufacturers that might otherwise be limited to one audit.

The second additional proposed amendment to Part 86 would delete from Subparts A and E references to the Agency representation in certain types of administrative hearings. The two provisions state that the Office of General Counsel will represent the Agency in administrative procedures governing hearings on certification for light-duty vehicles, light-duty trucks, heavy-duty engines and motorcycles. The Agency is proposing to delete these two provisions in order to be consistent with other hearing procedures in Part 86.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3139.

Agency Contact: Richard Gezelle, Environmental Protection Agency, Air and Radiation, 6403-J, Washington, DC 20460
Phone: 202 233-9267

RIN: 2060-AD90

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3706. SPECIFICATION OF SUBSTANTIALLY SIMILAR DEFINITION FOR DIESEL FUELS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7545/CAAA 211(f)

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: EPA is proposing a definition of the term "substantially similar," as used in section 211(f)(1)(B) of the Clean Air Act (CAA), with respect to diesel fuel and fuel additives. The prohibitions of section 211(f)(1)(A) apply to fuels and fuel additives which are not substantially similar to fuels or additives used to certify vehicles to emissions standards. This definition will enable manufacturers to determine whether their diesel fuels and additives are covered by, or excluded from, the section 211(f)(1)(B) prohibitions. This definition will also reduce potential burdens on manufacturers and EPA for processing waivers for fuels and additives under 211(f)(4).

Timetable:

Action	Date	FR Cite
ANPRM	05/30/91	56 FR 24362
NPRM	03/00/97	
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3091.

Agency Contact: David Korotney, Environmental Protection Agency, Air and Radiation, NVFEL, Ann Arbor, MI 48105

Phone: 313 668-4507

RIN: 2060-AD77

3707. MODIFICATIONS TO STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7545/CAA 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act, as amended in 1990, EPA promulgated regulations to require a cleaner burning reformulated gasoline (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as covered areas, (e.g., areas in which non-RFG (conventional gasoline) is prohibited from being sold or dispensed to the ultimate consumers of the gasoline. Other ozone nonattainment areas may opt-in to the RFG program upon petition by the Governor of the state in which the area is located.

Since the RFG program became effective in January 1995, many enforcement related issues have been raised concerning the implementation of the program. Some of these issues have required the exercise of enforcement discretion through the use of informal question and answer guidance documents. This action will codify those guidances which are appropriate for incorporation into the RFG regulations. This action will also streamline, the regulations where appropriate, and include certain typographical and other minor corrections.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3844.

Agency Contact: Karen Smith, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460

Phone: 202 233-9006

Fax: 202 233-9557

RIN: 2060-AG76

3708. AMENDMENT CONCERNING APPLICABILITY OF ON HIGHWAY HEAVY-DUTY CERTIFIED ENGINES FOR USE IN NONROAD HEAVY-DUTY VEHICLES AND EQUIPMENT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7521 to 7525; 42 USC 7541 to 7543; 42 USC 7547

CFR Citation: 40 CFR 9; 40 CFR 89

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to allow the use of on-highway heavy-duty certified engines in nonroad heavy-duty vehicles and equipment. This will eliminate hardships caused by the imposition of nonroad heavy-duty rules of specialty vehicles and equipment that have historically elected to use cleaner on-highway heavy-duty engines.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: RIA

Additional Information: SAN No. 3842.

Agency Contact: John Guy, Environmental Protection Agency, Air and Radiation, (6403J), Washington, DC 20460

Phone: 202 233-9276

Fax: 202 233-9596

RIN: 2060-AG78

3709. NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS (25 HORSEPOWER)(PHASE 2)

Regulatory Plan: This entry is Seq. No. 116 in Part II of this issue of the Federal Register.

RIN: 2060-AE29

3710. NSPS: NITROGEN OXIDE EMISSIONS FROM FOSSIL-FUEL FIRED STEAM GENERATING UNITS—REVISION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 407(c)

CFR Citation: 40 CFR 60.40

Legal Deadline: NPRM, Statutory, January 1, 1993. NPRM, Judicial, September 1, 1996. Final, Statutory, January 1, 1994. Final, Judicial, November 3, 1997.

Deadline may be revised.

Abstract: The current NSPS for electric utility and nonutility steam generating units were promulgated in 1979 and 1986, respectively. A major feature of the NSPS is NOx control through the use of low NOx burners or overfired air. Section 407 of the Clean Air Act requires the EPA to revise existing NSPS for NOx emissions from fossil-fuel fired steam generating units, including both electric utility and nonutility units. These revised standards are to reflect improvements in methods for the reduction of NOx emissions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	11/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3352.

Agency Contact: James A. Eddinger, Environmental Engineer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
 Phone: 919 541-5426
 Fax: 919 541-0072

RIN: 2060-AE56

3711. AMENDMENT TO THE REFRIGERANT RECYCLING RULE TO INCLUDE ALL REFRIGERANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-54, section 608 of the Clean Air Act Amendments of 1990; 42 USC 7401 et seq Section 608 CAA

CFR Citation: 40 CFR 82, subpart F

Legal Deadline: Final, Statutory, November 15, 1994.

The venting prohibition is extended to all refrigerants as of 11/15/95; rules are necessary to inform the regulated community of the means by which to prevent venting, recovery/recycling.

Abstract: This action would facilitate fulfillment of the statutory mandate to apply the venting prohibition to substitute refrigerants. The action would provide regulations covering recovery/recycling equipment, recovery/recycling practices, and

applicable certifications that would be required to accomplish compliance with the no-venting prohibition. Requirements would parallel those of the current section 608 regulations, expanding applicability, where appropriate, to all refrigerants.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: All

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3560.

Agency Contact: Debbie Ottinger, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

Phone: 202 233-9149
 Fax: 202 233-9577

RIN: 2060-AF37

3712. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF SECTION 608 SALES RESTRICTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; Clean Air Act section 608

CFR Citation: 40 CFR 82 subpart F

Legal Deadline: None

Abstract: The rule will include the reconsideration of the sales restriction as it relates to split systems. The Agency was petitioned to reconsider the part of the sales restriction that included the sale of pre-charged split systems. It restricted such sales to certified technicians. Since then, EPA stayed that portion of the sales restriction in response to the petition. This rule will include the determination of the Agency related to the reconsideration. It addresses environmental problems of ozone depletion resulting from emissions of CFCs, HCFCs, and other ozone-depleting substances. Through restricting sales of certain pre-charged items to persons certified as technicians, emissions to the atmosphere are decreased. The impact on small businesses and governments would be negligible, since persons can

become certified if the EPA determination is a full restriction. Most businesses and governments will have at least one certified technician on board. Also, this amendment will include corrections and clarifications concerning leak repair requirements. This action has no impact on small business and state, local, tribal and governments.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 358 Refrigeration and Service Industry Machinery; 52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers

Additional Information: SAN No. 3673.

This action is combined with RIN 2060-AG47, SAN 3809.

Agency Contact: Mavis Sanders, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

Phone: 202 233-9737
 Fax: 202 233-9577

RIN: 2060-AG20

3713. SUPPLEMENTAL RULE TO REQUIRE CERTAIN PRODUCTS MADE WITH HCFCs TO BEAR WARNING LABEL

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq, section 611

CFR Citation: 40 CFR 82 subpart F

Legal Deadline: None

Abstract: Friends of the Earth submitted and withdrew a petition to expand EPA's labeling requirements to include products containing or manufactured with HCFCs. EPA anticipates that for Friends of the Earth will submit a revised petition later this year. We are bound by statute to respond by 180 days. If EPA grants the petition, the proposed rulemaking will be the response.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	07/00/97	

Small Entities Affected: None

EPA—CAA

Proposed Rule Stage

Government Levels Affected: Federal
Additional Information: SAN No. 3640.
Agency Contact: Mavis Sanders, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
 Phone: 202 233-9737
 Fax: 202 233-9577
RIN: 2060—AF93

3714. UPDATE OF THE ACCEPTABILITY LIST UNDER THE SIGNIFICANCE NEW ALTERNATIVES POLICY (SNAP) PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7414, 7601, 7671 / Clean Air Act section 612

CFR Citation: 40 CFR 9 and 82

Legal Deadline: None

Abstract: Section 612 of the Clean Air Act requires EPA to identify

alternatives to Class I and II ozone depleting substances and to publish lists of acceptable and unacceptable substitutes. Producers of substitutes must notify EPA at least 90 days before alternatives are introduced into interstate commerce. Unlike acceptable alternatives (see Notices), substitutes which are deemed by EPA to be unacceptable or acceptable subject to use restrictions must go through notice and comment rulemaking. Substitute lists are updated intermittently depending on the volume of notifications.

Timetable:

Action	Date	FR Cite
ANPRM	01/16/92	57 FR 1984
NPRM	05/12/93	58 FR 28094
Final Rule	03/18/94	59 FR 13044
Notice - 1	08/26/94	59 FR 44240
NPRM - 1	09/26/94	59 FR 49108
Notice - 2	01/13/95	60 FR 3318
Final Rule - 1	06/13/95	60 FR 31092

Action	Date	FR Cite
Notice - 3	07/28/95	60 FR 38729
NPRM - 2	10/02/95	60 FR 51383
Notice - 4	02/08/96	61 FR 4736
Final Rule - 2	05/22/96	61 FR 25585
NPRM - 3	05/22/96	61 FR 25604
Notice - 5	09/05/96	61 FR 47012
Final	10/00/96	
NPRM - 4	10/00/96	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3525. (Generic SAN)

Agency Contact: Nancy Smacin, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
 Phone: 202 233-9126
 Fax: 202 233-9665

RIN: 2060—AG12

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Clean Air Act (CAA)

3715. COMPLIANCE ASSURANCE MONITORING PROGRAM (PREVIOUSLY ENHANCED MONITORING PROGRAM)

Regulatory Plan: This entry is Seq. No. 124 in Part II of this issue of the Federal Register.

RIN: 2060—AD18

Amendments of 1990 (CAAA), EPA is considering whether or not to issue a final rule to rescind Subpart I of 40 CFR Part 61, as it applies to facilities licensed by the Nuclear Regulatory Commission (NRC) or NRC Agreement States which are not engaged in the generation of nuclear power (57 FR 56877, December 1, 1992). Section 112(d)(9) gives EPA the authority to decline to regulate NRC-licensees after the Administrator makes a determination, by rule, and in consultation with the Nuclear Regulatory Commission (NRC), that the regulatory program established by the NRC pursuant to the Atomic Energy Act provides an ample margin of safety to protect the public health.

Protection Agency, Air and Radiation, 6602J, Washington, DC 20460
 Phone: 292 233-9219

RIN: 2060—AE39

3716. NEW SOURCE REVIEW (NSR) REFORM

Regulatory Plan: This entry is Seq. No. 125 in Part II of this issue of the Federal Register.

RIN: 2060—AE11

3718. ADDITION OF METHODS 204, 204A - 204F FOR MEASUREMENT OF VOC EMISSIONS FROM STATIONARY SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Reasonably Available Control Technology (RACT) fix up rule requires States to adopt enforceable VOC rules. An accurate technique for determining capture efficiency (CE) had not been available in the past. This action would add seven methods to determine VOC emissions from stationary sources. These methods can be used to determine CE when used in various combinations.

3717. NESHAPS PERTAINING TO FACILITIES OTHER THAN COMMERCIAL NUCLEAR POWER REACTORS LICENSED BY THE NUCLEAR REGULATORY COMMISSION (NRC) OR BY NRC AGREEMENT STATES

Priority: Other Significant

Legal Authority: 42 USC 7607(d)(7)(B)

CFR Citation: 40 CFR 61 subpart I

Legal Deadline: None

Abstract: In accordance with section 112(d)(9) of the Clean Air Act

Timetable:

Action	Date	FR Cite
NPRM	12/01/92	57 FR 56877
Notice	09/28/95	60 FR 50161
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3146.

Agency Contact: Gale Bonanno, Attorney Advisor, Environmental

Timetable:

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39297
Final Action	12/00/96	

Small Entities Affected: None

EPA—CAA

Final Rule Stage

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3506.

Agency Contact: Candace Sorrell, Environmental Protection Agency, Air and Radiation, Source Characterization Group A (MD-19), Research Triangle Park, NC 27711
Phone: 919 541-1064

RIN: 2060-AF02

3719. OPERATING PERMITS: REVISIONS (PART 70)

Regulatory Plan: This entry is Seq. No. 126 in Part II of this issue of the Federal Register.

RIN: 2060-AF70

3720. METHODS FOR MEASUREMENT OF VISIBLE EMISSIONS - ADDITION OF METHODS 203A, 203B, AND 203C TO APPENDIX M OF PART 51

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401(b)(1); 42 USC 7410; 42 USC 7470 to 7479; 42 USC 7501 to 7508; 42 USC 7601(a)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking adds Test Methods 203A, 203B, and 203C to 40 CFR Part 51, Appendix M (entitled Example Test Methods for State Implementation Plans). These methods describe procedures for estimating the opacity of visible emissions. States have requested that EPA promulgate these methods so that they can use them in State Implementation Plans in enforcing visible emissions regulations from Stationary Sources.

Timetable:

Action	Date	FR Cite
NPRM	11/22/93	51 FR 61639
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2915.

Agency Contact: Roy Huntley, Environmental Protection Agency, Air and Radiation, (MD-14), Research Triangle Park, NC 27711
Phone: 919 541-1060

RIN: 2060-AF83

3721. REVISION OF EPA'S RADIOLOGICAL EMERGENCY RESPONSE PLAN

Priority: Other Significant

Legal Authority: PL 96-295; EO 12777

CFR Citation: None

Legal Deadline: None

Abstract: The U.S. Environmental Protection Agency (EPA) Radiological Emergency Response Plan (RERP) establishes a framework for timely, coordinated EPA action to protect public health and safety and the environment in response to a peacetime radiological incident. The original EPA RERP was approved in 1986. This new revision updates authorities, responsibilities, capabilities, and procedures for implementing effective radiological emergency response actions by EPA Offices. The RERP presents the EPA organizational structure and concept of operations for responding to radiological incidents as a participant in a Federal multi-agency response using the Federal Radiological Emergency Response Plan (FRERP) and the Federal Response Plan (FRP), and independently using the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This revision incorporates recent changes to the FRERP and NCP, and many other policy updates. In short, this revision ensures that EPA maintains a comprehensive strategy to provide organized, effective assistance to State and local governments in the event of a radiological emergency.

Timetable:

Action	Date	FR Cite
Notice of Availability	12/30/96	
Revise Radiological Emergency Response Plan	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3638.

Agency Contact: Craig Conklin, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460
Phone: 202 233-9222

RIN: 2060-AF85

3722. SALES VOLUME LIMIT PROVISIONS FOR SMALL-VOLUME MANUFACTURE CERTIFICATION FOR CLEAN FUEL AND CONVENTIONAL VEHICLE CONVERSIONS AND RELATED PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: CAA section 202,203,247, 301(a)

CFR Citation: 40 CFR 85; 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will temporarily raise the 10,000 vehicle sales volume limit for vehicle converters seeking certification under the small volume manufacturers provisions. In addition this action will adopt provisions to provide flexibility in assigned deterioration factors for alternative fuel vehicles. fuel vehicles.

Timetable:

Action	Date	FR Cite
NPRM	01/03/96	61 FR 140
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3643.

Agency Contact: Cliff Tyree, Environmental Protection Agency, Air and Radiation, National Fuel & Emissions Vehicle Laboratory, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 668-4310

RIN: 2060-AF87

3723. NESHAP FOR PERCHLOROETHYLENE DRY CLEANING FACILITIES: AMENDMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401, 7412, 7414, 7416, 7601

CFR Citation: 40 CFR 63 subpart M

Legal Deadline: Final, Judicial, December 15, 1996.

Abstract: The International Fabricare Institute (IFI) litigated on several issues that involved the NESHAP. A settlement agreement was reached and the Agency has agreed to amend the standard. As part of the settlement, the Agency will be grandfathering transfer machines installed between proposal and promulgation, as existing sources.

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The Agency has lodged the settlement agreement with the court. Final action should occur in late August or early September of 1996 in order for the affected sources to be in compliance by the 9/23/96 compliance date.

Timetable:

Action	Date	FR Cite
NPRM	05/03/96	61 FR 19887
Final Action	10/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3642.

Agency Contact: George Smith, Environmental Protection Agency, Air and Radiation, ESD Combustion Group MD-13, Research Triangle Park, NC 27711

Phone: 919 541-1549

RIN: 2060-AF90

3724. TRANSPORTATION CONFORMITY RULE AMENDMENTS: FLEXIBILITY AND STREAMLINING

Regulatory Plan: This entry is Seq. No. 127 in Part II of this issue of the Federal Register.

RIN: 2060-AG16

3725. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF BAN ON FIRE EXTINGUISHERS CONTAINING HCFCs

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq sec 610(d)

CFR Citation: 40 CFR 82 subpart C

Legal Deadline: None

Abstract: EPA will reconsider the exception for the use of class II substances in portable fire extinguishers under the Nonessential Products Ban. The current regulations provide an exemption until an alternative substance is commercially available. At the time the regulations were promulgated (December 30, 1993), EPA was aware of several potential substances under development and testing. These substances are continuing to be tested and developed. EPA believes that once these substances are available, they will be able to replace the use of both halon and HCFCs in portable fire extinguishers.

EPA intends to reconsider the expiration of the exemption to provide

better guidance to the regulated community. The regulated community is concerned with the use of the term commercially available in the regulatory text. Therefore, EPA will propose revising the language by providing a date-certain exemption. EPA believes it can provide this type of certainty to the regulated community without compromising the goals of protecting public health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	07/18/96	61 FR 37430
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3756.

Agency Contact: Cindy Newberg, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

Phone: 202 233-9729

TDD: 202 233-9577

Fax: 202 233-9577

RIN: 2060-AG19

3726. AMENDMENT TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; MONITORING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, section 407

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: This action proposes to clarify and update requirements for source owners and operators who must install and use continuous stack or duct opacity monitoring equipment. This action also proposes amendments regarding design and performance validation requirements for continuous opacity monitoring system (COMS) equipment in appendix B, PS-1. These amendments to subpart A and PS-1 will not change the affected facilities' applicable emission standards or requirement to monitor. The amendments will: (1) clarify owner and operator and monitor venter obligations, (2) reaffirm and update COMS design and performance requirements, and (3) provide EPA and affected facilities with equipment assurances for carrying out effective monitoring. The specifications shall

apply to all COMS's installed or replaced after the date of promulgation. Following promulgation, a source owner, operator, or manufacturer will be subject to these performance specifications if installing a new COMS, relocating a COMS, replacing a COMS, recertifying a COMS that has undergone substantial refurbishing, or has been specifically required to recertify the COMS with these revisions.

Timetable:

Action	Date	FR Cite
NPRM	11/24/94	59 FR 60585
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3744.

Agency Contact: Solomon Ricks, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and, Research Triangle Park, NC 27711

Phone: 919 541-5242

Fax: 919 541-1039

RIN: 2060-AG22

3727. REVISION TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF HFC 4310ME AND HCFC 225CA AND CB

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7671q

CFR Citation: 49 CFR 51.100(s)

Legal Deadline: None

Abstract: The definition of volatile organic compound (VOC) at 40 CFR 51.100(s) is being revised to add HFC 43-10me and HCFC 225ca and cb to the list of compounds having negligible photochemical reactivity. This will have the effect of removing these compounds from regulation as VOC.

Timetable:

Action	Date	FR Cite
NPRM	05/01/96	61 FR 19231
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3745.

Agency Contact: William Johnson, Environmental Protection Agency, Air and Radiation, OAQPS (MD-15), Research Triangle Park, NC 27711

Phone: 919 541-5245

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Fax: 919 541-0824

RIN: 2060-AG24

3728. RADIONUCLIDE DOSE METHODOLOGY UPDATE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300 et seq**CFR Citation:** Not yet determined**Legal Deadline:** None

Abstract: The primary purpose of this rule is to propose more accurate controls of radioactivity in drinking water through a technical correction in does methodology for beta and photon emitters only.

EPA has decided to use the Federal Guidance Report (FGR)-11 (1988) as the method for dose conversion for beta and photon emitters. Use of this method will provide consistency with other federal agencies. The newly revised concentrations in water using the FGR-11 method will replace the values published earlier in the National Bureau of Standards (NBS) Handbook 69, as amended in August 1963. The current beta and photon emitters MCL, as calculated in NBS 69 (1963), is 4 millirem/year total body or organ dose equivalent dose methodology. EPA is proposing a 4 mrem/year effective dose equivalent (EDE) dose methodology.

Timetable:

Action	Date	FR Cite
Final Action	10/00/96	

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** State, Federal**Sectors Affected:** 494 Water Supply**Additional Information:** SAN No. 3811.

Agency Contact: John Karhnak, Environmental Protection Agency, Air and Radiation, 6603J, Washington, DC 20460

Phone: 202 233-9761

Fax: 202 233-9650

Email: karhnak.jogn@epamail.epa.gov

RIN: 2060-AG49

3729. AMENDMENT TO THE USER FEES FOR RADON PROFICIENCY PROGRAMS RULE**Priority:** Other Significant**Legal Authority:** 15 USC 2661-2665**CFR Citation:** 40 CFR 195 and 700 (revision)**Legal Deadline:** None

Abstract: The User Fees for Radon Proficiency Programs Final Rule established fees in 1994 that EPA will collect annually to support its voluntary Radon Proficiency Programs. The rule requires individuals and organizations applying to or participating in the Radon Proficiency Program (RPP) to pay annual fees. The final rule states that EPA shall adjust the fees over the next two years to a level that will ultimately be sufficient to recover the full annual costs of the program. Through this technical amendment, EPA will revise its fee schedule to collect a larger percentage of its annual (FY 96) operating costs. The annual fees will also reflect changes in the proficiency programs, participation, inflation, etc. In the calculation of the annual fees, the Agency will take into consideration the impact of the third year of fee collection on the radon industry.

Timetable:

Action	Date	FR Cite
Final Action	06/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal

Sectors Affected: 152 General Building Contractors-Residential Buildings; 171 Plumbing, Heating and Air-Conditioning; 382 Laboratory Apparatus and Analytical, Optical, Measuring, and Controlling Instruments; 873 Research, Development, and Testing Services

Additional Information: SAN No. 3835.

Agency Contact: James W. Long, Environmental Protection Agency, Air and Radiation, 6604J, Washington, DC 20460

Phone: 202 233-9433

Fax: 202 233-9652

Email: long.james@epamail.epa.gov

RIN: 2060-AG64

3730. • TIER II (PHASE II) STUDY TO ASSESS FURTHER REDUCTIONS IN LOV AND LDT TAILPIPE EMISSION STANDARDS**Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** PL 91-190; sec 203(i)**CFR Citation:** 40 CFR 86**Legal Deadline:** Other, Statutory, June 1, 1997.

Report to Congress.

Abstract: EPA is mandated by the Clean Air Act Amendments of 1990 to study whether or not further reductions in emissions from light-duty vehicles and light-duty trucks should be required through lowering tailpipe emissions standards. EPA is required to submit a report to Congress not later than June 1, 1997. The report will consider whether there is a need for further reductions in emissions, whether the technology is available to meet the more stringent standards, and whether further reductions in emissions will be needed and cost effective taking into consideration alternative means of attaining or maintaining national ambient air quality standards.

Timetable:**Report to Congress**

Final 06/01/97

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3911.

Agency Contact: John German, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Rd., Ann Arbor, MI 48105
Phone: 313 668-4214
Fax: 313 741-7869

RIN: 2060-AH04

3731. INDIAN TRIBES: AIR QUALITY PLANNING AND MANAGEMENT**Priority:** Other Significant**Legal Authority:** 42 USC 7405/CAA 105**CFR Citation:** 40 CFR 35**Legal Deadline:** Final, Statutory, April 15, 1992.

Abstract: The Clean Air Act of 1990 requires EPA to promulgate regulations identifying those provisions of the CAA for which it is appropriate to treat tribes in the same manner as States. For the provisions specified, a Tribe may develop and implement one or more of its own air quality programs. In addition to specifying the CAA provisions for which it is appropriate to treat Tribes in the same manner as States, the rule also establishes the requirements that Indian Tribes must

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meet if they choose to seek such treatment, and provides for awards of Federal financial assistance to the Tribes.

Timetable:

Action	Date	FR Cite
NPRM	08/25/94	59 FR 43956
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: Tribal

Additional Information: SAN No. 3087.

Agency Contact: David R. LaRoche, Environmental Protection Agency, Air and Radiation, SE., Washington, DC 20460

Phone: 202 260-7652

RIN: 2060—AF79

3732. NAAQS: NITROGEN DIOXIDE (REVIEW)

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7408/CAA 108; 42 USC 7409/CAA 109

CFR Citation: 40 CFR 50.11

Legal Deadline: NPRM, Judicial, October 2, 1995. Final, Judicial, October 1, 1996.

Abstract: Based on the revised air quality criteria, EPA will determine whether revisions to the standards are appropriate.

Timetable:

Action	Date	FR Cite
NPRM	10/02/95	60 FR 52874
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 1004.

Agency Contact: John Haines, Environmental Protection Agency, Air and Radiation, AQSSD/HESG (MD-15), Research Triangle Park, NC 27711
Phone: 919 541-5533

RIN: 2060—AC06

3733. MEDICAL WASTE INCINERATORS (MWI)

Regulatory Plan: This entry is Seq. No. 128 in Part II of this issue of the Federal Register.

RIN: 2060—AC62

3734. REVISION TO NSPS: NONMETALLIC MINERALS PROCESSING

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7411

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: Section 111(b)(1)(B) requires EPA to at least every 8 years, review and, if appropriate, revise NSPS. Comments and suggested revisions were received from the National Stone Association (NSA) on this NSPS. The main concerns of NSA are some emission testing requirements and notification requirements. This revision will address NSA's concerns as well as other comments on this NSPS.

Timetable:

Action	Date	FR Cite
NPRM	06/27/96	61 FR 33415
Final Action	12/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Sectors Affected: 144 Sand and Gravel; 142 Crushed and Broken Stone, Including Riprap; 145 Clay, Ceramic, and Refractory Minerals; 149 Miscellaneous Nonmetallic Minerals, Except Fuels

Additional Information: SAN No. 3753.

Agency Contact: Bill Neuffer, Environmental Protection Agency, Air and Radiation, OAQPS MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5435
Fax: 919 541-5600

RIN: 2060—AG33

3735. GUIDANCE FOR THE IMPLEMENTATION OF SECTION 112(G)—MODIFICATIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 112(g)

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, May 1, 1992. Final, Judicial, December 13, 1996.

Abstract: Guidance in the form of a rulemaking is being developed in accordance with the requirements of section 112(g) of the Clean Air Act Amendments of 1990 for constructed and reconstructed major sources of hazardous air pollutants (HAPs).

Timetable:

Action	Date	FR Cite
NPRM	04/01/94	59 FR 15504
Final Action	12/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2932.

Agency Contact: Gerri Pomerantz, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711
Phone: 919 541-2317

RIN: 2060—AD06

3736. NESHAP: MANUFACTURE OF TETRAHYDROBENZALDEHYDE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act section 112(d)

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1997.

Abstract: The purpose of this action is to develop a MACT standard for the production of Tetrahydrobenzaldehyde. (Referred to in the initial Source Category List as Butadiene Dimmers). The emissions sources that will be controlled are process vents (e.g. reactors); storage; equipment leaks and other fugitive sources; transfer operations; and wastewater operations.

Timetable:

Action	Date	FR Cite
Direct Final	10/00/96	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3469.

Agency Contact: John M. Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

Phone: 919 541-0296

RIN: 2060—AE99

3737. NATIONAL EMISSION STANDARD FOR RADON EMISSIONS FROM PHOSPHOGYPSUM STACKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401/CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None

Abstract: EPA has granted a petition for reconsideration for the portion of the rule which regulates phosphogypsum for research and development uses. This regulatory proceeding would result in a proposed rule which may increase the limit and reduce the certification requirements for that use.

Timetable:

Action	Date	FR Cite
Final	03/00/97	
- Notice of Reconsideration		
	NPRM 05/08/96	(61 FR 20775)

Small Entities Affected: None

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2547.

Agency Contact: Julie Rosenberg, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460

Phone: 202 233-9474

RIN: 2060—AF04

3738. REVISION OF INITIAL LIST OF CATEGORIES OF SOURCES AND SCHEDULE FOR STANDARDS UNDER SECTION 112(C) AND (E) OF THE CLEAN AIR ACT AMENDMENTS OF 1990

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

Legal Authority: CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Section 112 of the Clean Air Act requires the EPA to publish a list of major and area source categories which emit one or more of the 189 hazardous air pollutants identified in Section 112. The list of source

categories was finalized in July 1992, and contained 174 categories. Section 112 further requires the Agency to prioritize the listed categories such that standards are promulgated for 40 source categories within 2 years of enactment, 25% of all initially listed categories within 4 years, 50% within 7 years, and 100% within 10 years. The schedule for the promulgation of emissions standards was published in December 1993.

This action revises the initial list of source categories and the corresponding schedule for emission standards. This is in accordance with the statute, which requires the Agency to periodically amend the list in response to public comment or new information, and no less often than every eight years. As a result of several additions and deletions of source categories, the list now contains 175 categories. Categories may be added at any time contingent upon showing that the category is a category of major sources or that a category of area sources poses a threat of adverse effect and warrants regulation under Section 112. Actions to add or remove area source categories are handled through separate Federal Register notices in order to provide the opportunity for public comment on them. Actions included within this action are: 1) adding categories of major sources, where major sources have been identified; 2) deleting categories of major sources which, upon further study, have been found to not contain major sources; 3) moving categories to different, more appropriate industry groups for purposes of clarity; 4) modifying titles and definitions of listed source categories to clarify applicability; and 5) reporting other relevant source category actions that were published independently of this action.

Timetable:

Action	Date	FR Cite
Correction Notice (first)	07/18/96	61 FR 37542
Notice of Revision (second)	06/04/96	(61 FR 28197)
Notice of Revision	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3791.

Agency Contact: David J. Svendsgaard, Environmental Protection Agency, Air

and Radiation, (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-2380

RIN: 2060—AG42

3739. • WOOD FURNITURE MANUFACTURING OPERATIONS NESHAP: TECHNICAL CORRECTIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR part 63 subpart JJ

Legal Deadline: None

Abstract: This action will amend and make technical corrections and clarifications to the final Wood Furniture Manufacturing Operations NESHAP, which was promulgated on December 7, 1996 (60 FR 62930). This action will address litigation issues brought up after promulgation of the standards, as well as, the resolution of these issues. In addition, this action will clarify aspects for the final rule such as applicability, emission limits, and will make editorial corrections to the final rule as was published in the Federal Register.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2965.

Agency Contact: Paul Almodovar, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

Phone: 919 541-0283

Fax: 919 541-5689

Email:

almodovar.paul@epamail.epa.gov

RIN: 2060—AG95

3740. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7413(f)

CFR Citation: 40 CFR 65

Legal Deadline: None

Abstract: Section 113(f) of the Clean Air Act granted to the Administrator

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authority to pay an award to any person who furnishes information or services which lead to a criminal conviction or a civil penalty for any violation of Title I, III, IV, V, or VI of the Act enforced under section 113. Section 113(f) authorizes the Administrator to prescribe, by regulation, additional criteria for eligibility for such an award. EPA intends that the rule set forth such additional criteria. The rule also describes criteria for assessing the value of information and services when considering paying an award, and what is needed to adequately petition the Administrator for consideration of payment. The rule will also address confidentiality matters; some citizens provide information or services on a confidential basis. Furthermore, to implement the goal of the program, the rule will provide direction for providing information or services to the Agency.

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22795
Final Action	12/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 2939.

Agency Contact: Cary Secrest, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2242-A), Washington, DC 20460

Phone: 202 564-8661

RIN: 2060-AD81

3741. FIELD CITATION PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7413(d)/CAAA 113(d)

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: The Clean Air Act Amendments gives EPA the authority to issue on-the-spot field citations for minor violations of the Clean Air Act, with penalties of up to \$5,000 per day of violation. Section 113(d) of the Act requires the field citation program to be implemented through regulations which provide the informal hearing procedures. These hearing procedures are not required to be as rigorous as those imposed by the Administrative

Procedures Act (APA), but nevertheless must provide due process. Agency guidance providing appropriate penalties for specific minor violations will be prepared for EPA employees and made available to the regulated community. Training on the issuance of field citations will also be developed.

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22776
Final Action	10/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 2937.

Agency Contact: Cary Secrest, Environmental Protection Agency, Air and Radiation, OECA (2242-A), Washington, DC 20460

Phone: 202 260-8661

RIN: 2060-AD82

3742. STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE, INDIVIDUAL BASELINE FUEL ADJUSTMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7414/CAA 114; 42 USC 7545(c)/CAA 211(c); 42 USC 7601/CAA 301

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: This rule would establish criteria by which a refiner could receive an adjustment to its baseline under certain circumstances. Baseline adjustments reduce the cost of compliance (primarily with the anti-dumping requirements of the reformulated gasoline program) for those refiners which would otherwise be extremely burdened.

Baseline adjustments under certain circumstances were provided for in the December 1993 final Reformulated Gasoline and Anti-Dumping rule. However, baseline adjustments are only allowed under certain narrowly defined circumstances; broad adjustments are

beyond EPA's discretion. The circumstances for which baseline adjustments would be allowed under this rule are as follows: 1) production of JP-4 in 1990; 2) use of an extremely low-sulfur crude in 1990; 3) having extremely low baseline values for sulfur and soot. Refiners must meet specific criteria in order to qualify for one or more of these adjustments.

Timetable:

Action	Date	FR Cite
NPRM	08/04/95	60 FR 40009
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3604.

Agency Contact: Christine M. Brunner, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105

Phone: 313 668-4287

Fax: 313 741-7869

RIN: 2060-AG80

3743. TRANSPORTATION CONFORMITY RULE AMENDMENT AND SOLICITATION FOR PARTICIPATION IN THE TRANSPORTATION CONFORMITY PILOT PROGRAM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 to 7671/CAA 176

CFR Citation: 40 CFR 51; 40 CFR 93

Legal Deadline: None

Abstract: The Transportation Conformity rule promulgated in November 1993 ensures that transportation and air quality planning are consistent with Clean Air Act air quality standards. This action is part of an Agency effort to streamline the existing conformity regulation and offer flexibility in the conformity process. This action would amend the conformity regulation to allow EPA to create and implement a conformity pilot program.

The rule amendment would allow EPA to exempt up to six areas from certain requirements of the conformity rule.

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The main objective of the pilot program is to offer State and local air and transportation agencies the flexibility to identify the conformity procedures that work best for their area. This action will enable EPA to test out innovative methods of streamlining the conformity regulation's requirements while ensuring that Clean Air Act objectives are met. In addition to the rule amendment, this action also includes the pilot program's proposed eligibility and application requirements, selection criteria, and implementation procedures.

Timetable:

Action	Date	FR Cite
NPRM	07/09/96	61 FR 35994
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3610.

Agency Contact: Meg Patulski, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 741-7842
Fax: 313 668-4531
Email: patulski.meg@epamail.epa.gov
RIN: 2060-AG79

3744. NATIONAL VOLATILE ORGANIC COMPOUND EMISSION STANDARDS FOR AUTOMOBILE REFINISH COATINGS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 183(e)

CFR Citation: 40 CFR 59

Legal Deadline: Final, Statutory, March 1997.

Abstract: Section 183(e) requires EPA to study the emissions of volatile organic compounds (VOC) from consumer and commercial products, list those categories of products that account for at least 80 percent of the total VOC emissions from consumer and commercial products in areas classified as nonattainment for ozone, divide the list into four groups, and regulate one group every 2 years using best available controls (BAC). Based on the criteria described in the consumer

and commercial product study (March 1995), and category listing (March 1995), EPA has determined that VOC emissions from automobile refinish coatings should be regulated by March 1997. Automobile refinish coatings can be generally classified as primers and topcoats, each consisting of several different types. The proposed rule divides automobile refinish coatings into 6 categories, and contains VOC content limits for each category. Automobile refinish coatings are used by body shops and by do-it-yourselfers. However, the proposed rule does not directly affect these small businesses. Rather, the rule would apply to coating manufacturers and importers, and would limit the VOC content of coatings that are produced for sale in the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/30/96	61 FR 19005
Final Action	02/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3281.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060-AE35

3745. VOC REGULATION FOR ARCHITECTURAL COATINGS

Regulatory Plan: This entry is Seq. No. 129 in Part II of this issue of the Federal Register.

RIN: 2060-AE55

3746. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS

Regulatory Plan: This entry is Seq. No. 130 in Part II of this issue of the Federal Register.

RIN: 2060-AF62

3747. OPEN-MARKET TRADING GUIDANCE

Regulatory Plan: This entry is Seq. No. 131 in Part II of this issue of the Federal Register.

RIN: 2060-AF60

3748. REVISED CARBON MONOXIDE (CO) STANDARD FOR CLASS I AND II NONHANDHELD NEW NONROAD PHASE I SMALL SPARK-IGNITED ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521CAA 201

CFR Citation: 40 CFR 90

Legal Deadline: None

Abstract: This direct final rule revises the existing new nonroad Phase I small spark-ignited (SI) engine regulations. Briggs and Stratton Corporation submitted a petition to the Administrator on March 4, 1996, asking the Agency to reconsider the existing regulation and to either allow the use of oxygenated certification fuels with the current CO standard or revise the existing carbon monoxide (CO) emission standard for class I and II nonhandheld engines. Briggs and Stratton argues that the majority of nonhandheld engines sold in the United States can not meet the current CO standard when tested on the monoxygenated certification test fuel specified in the regulations. EPA has finalized the CO standard on the basis of data provided to the Agency by Briggs and Stratton. The Agency had assumed that the data was collected using Indolene (a monoxygenated, nonreformulated gasoline) as the test fuel. In fact, Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton has suggested that the CO standard that the Agency finalized was thus more stringent than is feasible based on their data.

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EPA staff are analyzing new data provided by Briggs and Stratton concerning the amount of the CO emission offset between Indolene and RFG for nonhandheld engines. Based on data analysis and documentation provided by Briggs and Stratton in support of their petition, EPA intends to determine the amount of the emission offset and consider raising the Phase I CO emission standard for nonhandheld engines accordingly. In their petition to EPA, Briggs and Stratton assert that raising the CO standard should result in reduced emissions of hydrocarbons and oxides of nitrogen, which are the primary pollutants of concern under the Phase I small SI rule.

Timetable:

Action	Date	FR Cite
NPRM	07/03/96	61 FR 34778
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3300.

Agency Contact: Laurel Horne, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 741-7803
Fax: 313 741-7816

RIN: 2060-AG81

3749. NATIONAL 49-STATE LOW-EMISSION VEHICLES PROGRAM

Regulatory Plan: This entry is Seq. No. 132 in Part II of this issue of the Federal Register.

RIN: 2060-AF75

3750. REVIEW OF THE FEDERAL TEST PROCEDURE FOR EMISSIONS FROM MOTOR VEHICLES AND MOTOR VEHICLE ENGINES

Regulatory Plan: This entry is Seq. No. 133 in Part II of this issue of the Federal Register.

RIN: 2060-AE27

3751. REVISION TO THE COVERED AREAS PROVISION FOR REFORMULATED GASOLINE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7545/CAA 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act as amended in 1990, EPA promulgated regulations to require a cleaner burning "reformulated gasoline" (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as "covered areas," (e.g., areas in which non-RFG ("conventional gasoline") is prohibited from being sold or dispensed to the ultimate consumers of the gasoline.

The RFG regulations also include a provision which allows a State, upon petition by the Governor, to have other areas designated as nonattainment for ozone included as "covered areas" under the Federal RFG program (the "opt-in" provision).

This action will expand the opt-in provision to include areas that that formerly were in nonattainment for ozone as well as areas presently in nonattainment for ozone. This action will give States the flexibility to use the RFG program in their maintenance plans and as contingency measures for those areas that have been redesignated to attainment status, but are in need of ozone controls to maintain that status.

Timetable:

Action	Date	FR Cite
Direct Final Action	10/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3843.

Agency Contact: Marilyn Bennett, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460

Phone: 202 233-9006

Fax: 202 233-9557

RIN: 2060-AG77

3752. OUTER CONTINENTAL SHELF AIR REGULATIONS DELEGATION REMAND

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CAA 328

CFR Citation: 40 CFR 55

Legal Deadline: None

Abstract: The EPA promulgated the Outer Continental Shelf (OCS) Air Regulations on September 4, 1992. The regulations allowed States to request delegation of the authority to implement and enforce the regulations for sources located within 25 miles of the State's seaward boundary, but prohibited such delegation of the authority for sources locating beyond that limit. Since section 328(a)(3) of the Clean Air Act requires EPA to allow delegation for both types of sources, EPA requested and received a remand on this issue. The notice proposes revision to the OCS Air Regulations to allow delegation of the implementation and enforcement authority to State and local air pollution control agencies for sources locating beyond 25 mile of the States' seaward boundaries.

Timetable:

Action	Date	FR Cite
NPRM	05/20/96	61 FR 25173
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3789.

Agency Contact: David H. Stonefield, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711

Phone: 919 541-5350

RIN: 2060-AG39

3753. OUTER CONTINENTAL SHELF AIR REGULATIONS OFFSET REMAND

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CAA 328

CFR Citation: 40 CFR 55

Legal Deadline: None

Abstract: The EPA promulgated the Outer Continental Shelf (OCS) Air Regulations on September 4, 1992. As a result of a challenge, the court vacated the special offset provision

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which EPA had included in the OCS regulations and remanded that issue to EPA for reconsideration. This interim final rule revises the OCS regulations to require that new or modified OCS sources meet the same offset requirements as imposed in the corresponding onshore area. As a result some OCS sources may be required to obtain additional offset credits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/96	61 FR 25149
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3790.

Agency Contact: David H. Stonefield, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711
Phone: 919 541-5350

RIN: 2060-AG40

3754. ACID RAIN NITROGEN OXIDES CONTROL REGULATION

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 101-549, sec 407; Clean Air Act Amendments of 1990, Title IV

CFR Citation: 40 CFR 76

Legal Deadline:

NPRM, Statutory, May 15, 1992, for Group I boilers.
Final, Judicial, October 31, 1993, for Group I boilers.
NPRM, Statutory, January 1, 1996, for Group II boilers.
Final, Statutory, January 1, 1997, for Group II boilers.

Abstract: This regulatory action establishes NOx emission limitations for Phase I tangentially fired and dry bottom wall-fired boilers (Group I - Section 407(b)(1)) which must be met by January 1, 1995. Emissions limits for all other types of boilers Group II, Section 407(b)(2)), including cyclones and wet bottom wall-fired units, will be effective in 2000 and will be set in a later rulemaking (2060-AF48). Boilers from both groups that are listed under Phase II will be subject to their relevant emissions limits after 2000. In addition, the rule will determine conditions of applications for emission averaging and alternative emission limits for both

groups of boilers. The final action (59 FR 13538) on Group I Phase I Boilers was vacated by the U.S. Court of Appeals on 11/22/94. A direct final rule was promulgated April 13, 1995.

Timetable:**Group I Phase I Boilers**

NPRM 11/25/92 (57 FR 228)
Final Action 03/22/94 (59 FR 13538)
Direct Final Action 04/13/95 (60 FR 18751)

Group I Phase II Boilers

NPRM 01/19/96 (61 FR 1442)

Group II Boilers

Final Action 01/00/97

Small Entities Affected: Undetermined

Government Levels Affected: Local

Additional Information: SAN No. 2888.

Agency Contact: Larry Kertcher, Environmental Protection Agency, Air and Radiation, (6204J), Washington, DC 20460

Phone: 202 233-9180

RIN: 2060-AD45

3755. ACID RAIN PHASE II NITROGEN OXIDES REDUCTION PROGRAM

Regulatory Plan: This entry is Seq. No. 134 in Part II of this issue of the Federal Register.

RIN: 2060-AF48

3756. AMENDMENT TO THE MVAC RULE TO INCLUDE ALL REFRIGERANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; Title VI, Section 609

CFR Citation: 42 CFR 82, subpart B

Legal Deadline: Final, Statutory, November 15, 1994.

Both the venting prohibition and the MVAC "refrigerant" definition expand to cover all refrigerants, beginning 11/15/95, according to sections 608 and 609 of the Clean Air Act.

Abstract: This action would facilitate fulfillment of two statutory requirements; the extension of the no-venting prohibition to all refrigerants under section 608 and the section 609 requirement that the term refrigerant, after November 15, 1995, include substitute refrigerants. The action would extend the applicable current requirements of the motor vehicle air-conditioning rule to the substitute refrigerants. This would require recovery and recycling of these refrigerants, in addition to the class I

and class II refrigerants already covered under the MVAC rule. It would also require approved recycling equipment and specific certifications of equipment and technicians. The MVAC refrigerant definition was expanded to cover all refrigerants, beginning November 15, 1995, according to sections 608 and 609 of the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	03/06/96	61 FR 9014
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 75 Automotive Repair, Services, and Parking

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3555.

Agency Contact: Christine Dibble, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

Phone: 202 233-9147

Fax: 202 233-9577

RIN: 2060-AF35

3757. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE REGARDING A RECYCLING STANDARD UNDER SECTION 608

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq, section 608

CFR Citation: 40 CFR 82, subpart F

Legal Deadline: Other, Statutory, May 15, 1995.

The current rule sunsets the reclamation standard after May 15, 1995. Industry is requesting a change to that sunset, which would require a final rule by that 5/15/95 date.

Abstract: The current rule sunsets the requirement that a reclamation standard be met, as of May 1, 1995. Several members of the regulated community have approached EPA requesting that the requirement not be sunsetted or that it be replaced with a somewhat less stringent standard. This amendment will incorporate a level of continued required reclamation and/or recycling standard that the majority of the affected industry agrees is beneficial in order to encourage compliance.

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Timetable:

Action	Date	FR Cite
NPRM	02/29/96	61 FR 7858
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3556. Additional SANs 3895, 3896

The current rule sunsets the reclamation standard after May 15, 1995. Industry is requesting a change to that sunset, which would require a final rule by that 5/15/95 date.

Agency Contact: Cindy Newberg, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9729
Fax: 202 233-9665

RIN: 2060-AF36

3758. HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES (TSD) AND HAZARDOUS WASTE GENERATORS; ORGANIC AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Priority: Substantive, Nonsignificant. Major under 5 USC 801.

Legal Authority: RCRA 3002 and RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Legal Deadline: None

Abstract: These standards were promulgated on December 6, 1994 and will be effective on June 6, 1996. The final standards control organic air emissions from hazardous waste TSD and generator sites. These emissions have been shown to contribute greatly to ground-level ozone formation and to cancer incidence among exposed populations.

Following promulgation, several affected sources contacted the EPA for clarification on certain requirements of the final standards and to dispute the necessity of certain technical requirements. The EPA has reviewed the final provision to determine whether the intended requirements are correctly conveyed in the final rule language.

The EPA has identified certain provisions for which the published language suggests a requirement that is more stringent than our intent, and in which the intended emission reductions can be achieved with less burdensome standards. The EPA intends to amend the final rule to include several revised provisions, including the following: certain fixed-roof tanks may be equipped with pressure relief devices that vent to the

atmosphere; containers may be vented during loading and emptying operations; a facility may comply with the final rule using an implementation schedule in several different circumstances; and the frequency of monitoring for certain equipment shall be semi-annual rather than annual. These amendments will be published in two Federal Register notices; one for clarifying amendments and one for revisions. Any amendments published by the action will be deregulatory and will result in less extensive requirements than the published rule.

Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41870
Technical Amendments	02/09/96	61 FR 4903
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3792.

Agency Contact: Michele Aston, Environmental Protection Agency, Air and Radiation, (MD-13) OAQPS/ESD/WCPG, Research Triangle Park, NC 27711
Phone: 919 541-2363

RIN: 2060-AG44

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Clean Air Act (CAA)

3759. • NESHP: FRICTION PRODUCTS MANUFACTURING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: PL 91-190; sec 203; CAA Section 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: The friction products source category includes any facility that manufactures or remanufactures friction products such as automobile brakes, brake pads, disk pads and clutch pads, including facilities that use non-asbestiform mineral fibers and asbestos

replacement material. Hazardous air pollutants (HAPs) are emitted from solvents contained in the adhesives used to bond the friction material to the automobile part.

Owners/operators of friction products facilities reported in 1992 that HAPs are emitted above major source thresholds (in excess of 10 tons per year of a single HAP or 25 tons per year of more than one HAP). Specifically, the HAPs reported include phenol, toluene, methyl chloroform, and methylethylketone, four of the 189 HAPs, listed in section 112(b) of the Clean Air Act (Act), as amended in 1990. Phenol is an extreme irritant, and is toxic (lethal) via oral exposure; toluene causes developmental effects, central nervous system dysfunction, attention deficits, and craniofacial and limb anomalies; methyl ethyl ketone

and methyl chloroform (1, 1, 1 - trichloroethane) are a mild irritants and cause central nervous system depression. These four HAPs are not classifiable as to human carcinogenicity. Owners/operators reported that these particular HAPs are emitted during heated processes such as curing, bonding and debonding processes. It is expected that substantial reductions in these emissions can be achieved at the "floor" levels of controls under Section 112(b).

The Agency plans to collect current information from owners/operators via a voluntary submission through trade association participation. Information regarding business size, quantities of pollutants, processes, air pollution control devices, pollution prevention practices and workplace practices in the industry will be requested. Based

EPA—CAA

Long-Term Actions

on this information and any needed new information to be developed by EPA and the industry, the Agency plans to propose and promulgate a maximum achievable control technology (MACT) or generally available control technology (GACT) standard for existing sources and new sources. Impacts on small businesses, (including SBREFA analyses) and on state/local/tribal governments will be assessed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3899.

Agency Contact: Susan Zapata, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060-AG87

3760. ● ANTIMICROBIAL PESTICIDE REGISTRATION REFORM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(h)

CFR Citation: 40 CFR Not yet determined

Legal Deadline: NPRM, Statutory, May 1, 1997.

Abstract: This regulation will specify antimicrobial registration reforms that will reduce to the extent possible the review time for antimicrobial pesticides. The regulation will clarify criteria for completeness of applications, and will specify or refer to a definition of the various classes of antimicrobial pesticide use patterns and the associated data and labeling requirements that would be consistent with the degree and type of risk presented by each class. EPA will evaluate the feasibility and cost-effectiveness of various registration process reforms, including registrant certification, third-party certification by laboratories and expansion of the current notification procedures.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3892.

Agency Contact: Walter C. Francis, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505C, Washington, DC 20460
Phone: 703-305-6661
Fax: 703-305-5786
Email: francis.walter@epamail.epa.gov
RIN: 2070-AD12

3761. ACID RAIN OPT-IN REGULATIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 74

Timetable:

Combustion Sources
NPRM 09/24/93 (58 FR 50088)
Final 04/04/95 (60 FR 17100)

Process Sources
NPRM 00/00/00
Final 00/00/00

Small Entities Affected: Undetermined

Government Levels Affected: Local

Agency Contact: Robert Miller
Phone: 202 233-9077

RIN: 2060-AD43

3762. CONSOLIDATED EMISSION REPORTING

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 51

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Agency Contact: David Misenheimer
Phone: 919 541-5473

RIN: 2060-AE32

3763. NSPS: SYNTHETIC ORGANIC CHEMICALS MANUFACTURING INDUSTRY - WASTEWATER

Priority: Other Significant

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46780
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Mary Tom Kissell
Phone: 919 541-4516

RIN: 2060-AE94

3764. NESHAP: PETROLEUM REFINERIES - FCC UNITS, REFORMERS AND SULFUR PLANTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Bob Lucas
Phone: 919 541-0884

RIN: 2060-AF28

3765. RADIATION WASTE MANAGEMENT REGULATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ambika Bathija
Phone: 202 233-9445

RIN: 2060-AF41

3766. AMENDMENTS TO METHOD 24 (WATER-BASED COATINGS)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	10/00/98	

EPA—CAA

Long-Term Actions

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Candace Sorrell
 Phone: 919 541-1064
RIN: 2060—AF72

3767. SERVICE INFORMATION AVAILABILITY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 86
Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Businesses
Government Levels Affected: None
Agency Contact: David Dickinson
 Phone: 202 233-9256
 Fax: 202 233-9596
 Email: Dickinson.David@EPA.Gov.Com
RIN: 2060—AG13

3768. NESHAP FOR PLYWOOD AND PARTICLE BOARD MANUFACTURING

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 63
Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/00	

Small Entities Affected: Undetermined
Government Levels Affected: State, Local, Federal
Agency Contact: Stephen A. Shedd
 Phone: 919 541-5397
 Fax: 919 541-3470
RIN: 2060—AG52

3769. GUIDANCE FOR THE IMPLEMENTATION OF EPA'S RADIATION PROTECTION STANDARDS FOR THE MANAGEMENT AND STORAGE OF TRANSURANIC RADIOACTIVE WASTE AT THE WASTE ISOLATION PILOT PLANT (WIPP)

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 191
Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Betsy Forinash
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 Fax: 202 233-9626
 Email: Forinash.Betsy@epamail.epa.gov
RIN: 2060—AG74

3770. NSPS FOR SULFUR DIOXIDE (SO2) - REVISION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 60
Timetable:

Action	Date	FR Cite
NPRM	09/00/98	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Jim Eddinger
 Phone: 919 541-5426
RIN: 2060—AD04

3771. INTERNAL COMBUSTION ENGINE NESHAP/NSPS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 60; 40 CFR 63
Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions
Government Levels Affected: Local, Tribal
Agency Contact: Amanda Agnew
 Phone: 919 541-5268
RIN: 2060—AG63

3772. COMBUSTION TURBINE NESHAP/NSPS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
CFR Citation: 44 CFR 60
Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined
Agency Contact: Sims Roy
 Phone: 919 541-5263
RIN: 2060—AG67

3773. NESHAP—IRON FOUNDRIES AND STEEL FOUNDRIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.
CFR Citation: 40 CFR 63
Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined
Government Levels Affected: State, Local, Federal
Agency Contact: James H. Maysilles
 Phone: 919 541-3265
RIN: 2060—AE43

3774. NESHAP: INTEGRATED IRON AND STEEL

Priority: Economically Significant
CFR Citation: 40 CFR 63
Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: None
Government Levels Affected: State, Local, Federal
Agency Contact: Phil Mulrine
 Phone: 919 541-5289
RIN: 2060—AE48

3775. NESHAP: MISCELLANEOUS ORGANIC CHEMICAL PRODUCTION AND PROCESSES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 63
Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: None
Government Levels Affected: None

EPA—CAA

Long-Term Actions

Agency Contact: Randy McDonald
Phone: 919 541-5402

RIN: 2060—AE82

3776. NESHAP: CHLORINE PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Iliam D. Rosario
Phone: 919 541-5308

RIN: 2060—AE85

3777. NESHAP: NYLON 6 PRODUCTION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Morris
Phone: 919 541-5416

RIN: 2060—AF27

3778. NESHAP: BAKER'S YEAST MANUFACTURING INDUSTRY

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	06/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
Phone: 919 541-5439

RIN: 2060—AF30

3779. NATIONAL EMISSION STANDARD FOR HAZARDOUS AIR POLLUTANTS FOR PAINT STRIPPER USERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/15/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Vickie Boothe
Phone: 919 541-0164

Fax: 919 541-0072

RIN: 2060—AG26

3780. NESHAP FOR BOAT MANUFACTURING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Madeleine Strum
Phone: 919 541-2383

Fax: 919 541-5689

Email:

Strum.Madeleine@epamail.epa.gov

RIN: 2060—AG27

3781. NESHAP FOR TIRE MANUFACTURING

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
Phone: 919 541-5439

Fax: 919 541-0942

RIN: 2060—AG29

3782. NESHAP FOR AEROSOL CAN PRODUCTION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Fred Dimmick
Phone: 919 541-5625

Fax: 919 541-0942

RIN: 2060—AG32

3783. PETROLEUM SOLVENT DRY CLEANERS MACT STANDARD

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Fred Dimmick
Phone: 919 541-5625

Fax: 919 541-0942

RIN: 2060—AG34

3784. NESHAP FOR ETHYLENE PROCESSES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	11/00/99	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Warren R. Johnson, Jr.

EPA—CAA

Long-Term Actions

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 Fax: 919 541-0072
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RIN: 2060-AG53

3785. LARGE APPLIANCE COATINGS INTEGRATED REGULATION

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Mohamed Serageldin
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RIN: 2060-AG54

3786. ASPHALT ROOFING AND PROCESSING NESHAP

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Interim Final Rule	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Juan E. Santiago
 Phone: 919 541-1084

RIN: 2060-AG66

3787. NESHAP CHROMIUM REFRACTORIES

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Susan Fairchild-Zapata

Phone: 919 541-5167

RIN: 2060-AG68

3788. NESHAP FOR INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS AND PROCESS HEATERS

Priority: Economically Significant.
 Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
Final Action	11/00/00	
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Eddinger
 Phone: 919 541-5426
 Fax: 919 541-0072

RIN: 2060-AG69

3789. NESHAP: LIME MANUFACTURING

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Joseph Wood
 Phone: 919 541-5446

RIN: 2060-AG72

3790. • NESHAP: SEMICONDUCTOR PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000. Other, Statutory, November 15, 2000.

10 year source category BIN

Abstract: This rule will establish MACT (maximum available control

technology) for semiconductor production facilities. This action will result in little or no additional emission reduction, but will establish a federal MACT level for large facilities (when and if necessary).

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3902.

Agency Contact: Tony Wayne, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
 Phone: 919-541-5439
 Fax: 919-541-0942

RIN: 2060-AG93

3791. • NESHAP: METAL CAN (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the metal can industry. The Agency will study what pollutants are emitted and evaluate the control techniques, including pollution prevention, that are used to reduce these emissions. The Agency will also determine what, if any, impact the rule would have on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3906.

Agency Contact: Gail Lacy, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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 Email: lacy.gail@epamail.epa.gov

RIN: 2060-AG96

EPA—CAA

Long-Term Actions

3792. • NESHAP: METAL COIL (SURFACE COATING) INDUSTRY**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the metal coil surface coating industry. The Agency will study what pollutants are emitted and evaluate the control techniques, including pollution prevention, that are used to reduce these emissions. The Agency will also determine what, if any, impact the rule would have on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3905.

Agency Contact: Gail Lacy, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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Email: lacy.gail@epamail.epa.gov
RIN: 2060-AG97

3793. • NESHAP: FABRIC PRINTING, COATING AND DYEING**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAP) emitted from fabric printing coating and dyeing. The Agency will identify and study the types and sources of HAP emissions from these processes, and evaluate pollution prevention and other control techniques which can reduce these emissions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3909.

Agency Contact: Dave Salman, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0859
Fax: 919 541-5689
Email: salman.dave@epamail.epa.gov
RIN: 2060-AG98

3794. • AUTOMOBILE AND LIGHT-DUTY TRUCK MANUFACTURING INTEGRATED RULE DEVELOPMENT**Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63; 40 CFR 59**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAPs), emitted by the automobile and light-duty truck manufacturing industry, and the reduction of volatile organic compound (VOC) emissions from the coatings used by this industry. The Agency will study the HAP and VOC emitted by the industry and will evaluate pollution prevention and other control techniques which can reduce these emissions. Although separate rulemakings will be required to meet the statutory requirements for HAP emission reduction (section 112 of the Clean Air Act) and VOC emission reduction (section 183(e) of the Clean Air Act), the development of the individual rules will be integrated to maximize resources, avoid duplication of data gathering efforts and ensure compatibility of the HAP and VOC requirements. Automobile and light-duty truck assembly plants are unlikely to be small businesses.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3907.

Agency Contact: Dave Salman, Environmental Protection Agency, Air

and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0859
Fax: 919 541-5689
Email: salman.dave@epamail.epa.gov
RIN: 2060-AG99

3795. • OFFSET LITHOGRAPHIC PRINTING NATIONAL VOC RULE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 59**Legal Deadline:** None

Abstract: This action will result in the reduction of volatile organic compound (VOC) emissions from offset lithographic printing.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3908.

Agency Contact: Dave Salman, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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Fax: 919 541-5689
Email: salman.dave@epamail.epa.gov
RIN: 2060-AH00

3796. • NESHAP: PRIMARY MAGNESIUM REFINING**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** Section 112 of the Clean Air Act**CFR Citation:** 40 CFR 60**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: Section 112 of the Clean Air Act (Act), as amended November 1990, requires the EPA to regulate categories of major and area sources of hazardous air pollutants (HAPs) listed in Section 112(b). The EPA has determined that sources that manufacture primary magnesium may reasonably be anticipated to emit several of the 189 HAPs listed (including chlorine and hydrochloric acid) in quantities

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sufficient to designate them as a major source. As a consequence, primary magnesium refining is among the HAP emitting source categories selected for regulation and is in the group of categories for which final rules are scheduled to be promulgated by November 15, 2000 (58 FR 63941, December 3, 1993).

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	05/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3924.

Agency Contact: Iliam D. Rosario, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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 Fax: 919 541-5600
 Email: rosario.iliam@epamail.epa.gov

RIN: 2060-AH03

3797. NEW SOURCE PERFORMANCE STANDARDS (NSPS) AND EMISSION GUIDELINES FOR INDUSTRIAL AND COMMERCIAL WASTE INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
ANPRM Comment Period End	12/28/94	59 FR 66850
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: George Smith
 Phone: 919 541-1549

RIN: 2060-AF91

3798. NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR OTHER SOLID WASTE INCINERATORS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
ANPRM	12/28/94	59 FR 66850
NPRM	12/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: George Smith
 Phone: 919 541-1549
 Fax: 919 541-0072

RIN: 2060-AG31

3799. • PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY: PERMIT APPLICATION REVIEW PROCEDURES FOR NON-FEDERAL CLASS I AREAS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC sections 7670-7479; Clean Air Act sections 160-169

CFR Citation: 40 CFR section 51.166; 40 CFR Section 52.21

Legal Deadline: Other, Judicial, July 16, 1996.

In July 16, 1996 letters to the Governors of Michigan and Wisconsin, the Administrator committed to completing the ANPRM "shortly"

Abstract: Under the Clean Air Act's prevention of significant deterioration (PSD) program, a State or Tribe may redesignate their lands as "class I" areas to provide enhanced protection for their air quality resources. This rule will clarify the PSD permit review procedures for new and modified major stationary sources near these non-Federal class I areas. EPA seeks to develop clarifying PSD permit application procedures that are effective, efficient, and equitable.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3919.

In 7/16/96 letters to Governors of MI and WI the Administrator committed to completing the ANPRM "shortly."

Agency Contact: David LaRoche, Environmental Protection Agency, Air

and Radiation, (6102), Washington, DC 20460

Phone: 202 260-7652

Fax: 202 260-8509

Email: dlaroche@epamail.epa.gov

RIN: 2060-AH01

3800. METAL FURNITURE COATINGS INTEGRATED REGULATION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Dr. Mohamed Serageldin

Phone: 919 541-2379

Fax: 919 541-5689

Email:

serageldin.mohamed@epamail.epa.gov

RIN: 2060-AG55

3801. • FLATWOOD PANELING (SURFACE COATING) INTEGRATED RULE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: None

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAP) emitted by the flatwood paneling surface coating industry, and the reduction of volatile organic compound (VOC) emissions from coatings used by these industry. The Agency will study the various HAP and VOC pollutants emitted by the industry and will evaluate pollution prevention and control techniques which can reduce these emissions. Although separate rulemakings will be required to meet the statutory requirements for HAP emission reduction (section 183(e) of the Clean Air Act), the development of the individual rules will be integrated to maximize resources and avoid duplication of data gathering efforts.

EPA—CAA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	05/00/99	

Small Entities Affected: Businesses
Government Levels Affected: None
Additional Information: SAN No. 3904.

Agency Contact: Paul Almodovar,
 Environmental Protection Agency, Air
 and Radiation, MD-13, Research
 Triangle Park, NC 27711
 Phone: 919 541-0283
 Fax: 919 541-5689
RIN: 2060-AH02

3802. SURFACE COATING OF MISCELLANEOUS METAL PARTS AND PRODUCTS—INTEGRATED

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses
Government Levels Affected: State, Local

Agency Contact: Bruce Moore
 Phone: 919 541-5460
 Fax: 919 541-5689

Email: moore.bruce@epamail.epa.gov
RIN: 2060-AG56

3803. PLASTIC PARTS COATING INTEGRATED RULE FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND HAZARDOUS AIR POLLUTANTS (HAPS)

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 59; 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses
Government Levels Affected: State, Local

Agency Contact: Ellen Ducey
 Phone: 919 541-5408
 Fax: 919 541-5689
 Email: ducey.ellen@epamail.epa.gov
RIN: 2060-AG57

3804. INTEGRATED RULE FOR PAPER, FILM AND FOIL COATING AND COATINGS: MACT FOR NESHAP; AND BAC FOR NATIONAL VOC RULE

Priority: Substantive, Nonsignificant.
 Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses
Government Levels Affected: State, Federal

Agency Contact: Daniel Brown
 Phone: 919 541-5303
 Fax: 919 541-5689
 Email: brown.dan@epamail.epa.gov

RIN: 2060-AG58

3805. REGULATIONS GOVERNING PRIOR NOTICE OF CITIZEN SUITS BROUGHT UNDER SECTION 304 OF THE CLEAN AIR ACT

Priority: Info./Admin./Other

CFR Citation: 40 CFR 54

Timetable:

Action	Date	FR Cite
NPRM	02/10/93	58 FR 7870
Final Action	00/00/00	

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined

Agency Contact: Marie Miller
 Phone: 202 564-2260

RIN: 2060-AD80

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
 Clean Air Act (CAA)**

Completed Actions

3806. FEDERAL OPERATING PERMIT RULES

Priority: Economically Significant

CFR Citation: 40 CFR 71

Completed:

Reason	Date	FR Cite
Final Action	07/01/96	61 FR 34202

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Candace Carraway
 Phone: 919 541-3189

RIN: 2060-AD68

3807. INSPECTION/MAINTENANCE PROGRAM REQUIREMENTS—ONBOARD DIAGNOSTIC CHECKS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 51; 40 CFR 85

Completed:

Reason	Date	FR Cite
Final Action	08/06/96	61 FR 40940

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Eugene J. Tierney
 Phone: 313 668-4456

RIN: 2060-AE19

3808. COMPLIANCE APPLICATION GUIDANCE FOR 40 CFR 194

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 191; 40 CFR 194

Completed:

Reason	Date	FR Cite
Notice of Availability of Final Guidance	05/01/96	61 FR 19283

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Agnes Ortiz
 Phone: 202 233-9466

RIN: 2060-AG09

EPA—CAA

Completed Actions

3809. DETERMINING CONFORMITY OF GENERAL FEDERAL ACTIONS TO STATE OR FEDERAL IMPLEMENTATION PLANS (FOR ATTAINMENT AND UNCLASSIFIABLE AREAS)**Priority:** Economically Significant**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 51; 40 CFR 93**Completed:**

Reason	Date	FR Cite
Withdrawn The Agency plans no further action on this rule.	10/10/96	

Small Entities Affected: None**Government Levels Affected:** Federal**Agency Contact:** Gary Blais
Phone: 202 260-4491**RIN:** 2060-AG10**3810. REVISION TO THE MAXIMUM OXYGEN STANDARD FOR REFORMULATED GASOLINE****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 80.41(g)**Completed:**

Reason	Date	FR Cite
FINAL	03/25/96	61 FR 12030

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Christine Brunner
Phone: 313 668-4287**RIN:** 2060-AG17**3811. AMENDMENTS TO THE FINAL RULES NESHAP FOR CHROMIUM ELECTROPLATING, NESHAP FOR COMMERCIAL STERILIZATION, NESHAP FOR DRY CLEANERS, AND NESHAP FOR SECONDARY LEAD SMELTERS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Final Action	06/03/96	61 FR 27785

Small Entities Affected: Businesses**Government Levels Affected:** State, Federal**Agency Contact:** Lalit Banker
Phone: 919 541-5420**RIN:** 2060-AG36**3812. REGULATION OF FUEL AND FUEL ADDITIVES: CONTROLS APPLICABLE TO GASOLINE RETAILERS AND WHOLESALE PURCHASER-CONSUMERS; 10 GALLON PER MINUTE FUEL DISPENSING LIMIT REQUIREMENT****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**CFR Citation:** 40 CFR 80**Completed:**

Reason	Date	FR Cite
Direct Final	06/26/96	61 FR 33034

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Karl J. Simon
Phone: 202 233-9299
Fax: 202 233-9596**RIN:** 2060-AG45**3813. REVISION TO APPENDIX W OF 40 CFR PART 51****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 51.112; 40 CFR 51.160; 40 CFR 52.166; 40 CFR 52.21**Completed:**

Reason	Date	FR Cite
Interim/Direct Final	08/12/96	61 FR 41837

Small Entities Affected: None**Government Levels Affected:** State, Local**Agency Contact:** Tom Coulter
Phone: 919 541-0832
Fax: 919 541-0044
Email: coulter.tom@epamail.epa.gov**RIN:** 2060-AG71**3814. REVISIONS TO PART 35, SUBPART A SECTION 105 AIR GRANT REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 35, subpart A**Completed:**

Reason	Date	FR Cite
Interim Final Rule	01/04/95	60 FR 366

Small Entities Affected: None**Government Levels Affected:** State, Local, Tribal**Agency Contact:** William Houck
Phone: 202 260-1754**RIN:** 2060-AF03**3815. NSPS: MUNICIPAL SOLID WASTE LANDFILLS****Priority:** Economically Significant**CFR Citation:** 40 CFR 60**Completed:**

Reason	Date	FR Cite
Final Action	03/12/96	61 FR 9905

Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Agency Contact:** Martha Smith
Phone: 919 541-2421**RIN:** 2060-AC42**3816. RADIONUCLIDE MAJOR SOURCE DEFINITION****Priority:** Other Significant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency does not plan any further action.	10/15/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Gale Bonanno
Phone: 202 233-9219**RIN:** 2060-AD60**3817. NESHAP: PRINTING/PUBLISHING INDUSTRY****Priority:** Other Significant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Final Action	05/30/96	61 FR 27132

Small Entities Affected: Businesses**Government Levels Affected:** State, Local, Federal**Agency Contact:** David Salman
Phone: 919 541-0859**RIN:** 2060-AD95

EPA—CAA

Completed Actions

3818. NESHAP: POLYMERS AND RESINS, GROUP I

Priority: Other Significant
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 63
Completed:

Reason	Date	FR Cite
Final Action	09/05/96	61 FR 46985

Small Entities Affected: None
Government Levels Affected: State, Federal
Agency Contact: Robert Rosensteel
 Phone: 919 541-5608
RIN: 2060-AD96

3819. NESHAP FOR OFF-SITE WASTE AND RECOVERY OPERATIONS

Priority: Other Significant
CFR Citation: 40 CFR 63
Completed:

Reason	Date	FR Cite
Final Action	07/01/96	61 FR 34140

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Michele Aston
 Phone: 919 541-5032
RIN: 2060-AE05

3820. NESHAP: POLYMERS AND RESINS, GROUP IV

Priority: Other Significant
Unfunded Mandates: Undetermined
CFR Citation: 40 CFR 63
Completed:

Reason	Date	FR Cite
Final Action	09/12/96	61 FR 48208

Small Entities Affected: None
Government Levels Affected: State, Federal
Agency Contact: Robert Rosensteel
 Phone: 919 541-5608
RIN: 2060-AE37

3821. DELISTING OF SOURCE CATEGORIES UNDER 112(C): STAINLESS AND NON-STAINLESS STEEL MANUFACTURING AND ELECTRIC ARC FURNACE (EAF) OPERATION, WOOD TREATMENT, AND CHROMIUM CHEMICALS

Priority: Substantive, Nonsignificant
CFR Citation: None

Completed:

Reason	Date	FR Cite
Final Action	06/04/96	61 FR 28197

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: David Svendsgaard
 Phone: 919 541-2380
RIN: 2060-AF11

3822. DECISION ON THE PETITION TO REMOVE CAPROLACTAM FROM THE LIST OF HAZARDOUS AIR POLLUTANTS

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Final Action	06/18/96	61 FR 30816

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Nancy Pate
 Phone: 919 541-5347
RIN: 2060-AF33

3823. REVISION TO THE RULE FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHROITIES, AND NEW RULE FOR PARTIAL DELEGATION OF FEDERAL AUTHORITIES AND PARTIAL APPROVAL OF STATE

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 63 subpart E

Completed:

Reason	Date	FR Cite
Direct Final	07/10/96	61 FR 36295

Small Entities Affected: None
Government Levels Affected: State, Local, Tribal, Federal
Agency Contact: Sheila Milliken
 Phone: 919 541-2625
 Fax: 919 541-5509
RIN: 2060-AG61

3824. ADJUSTMENT OF REID VAPOR PRESSURE LOWER LIMIT FOR REFORMULATED GASOLINE SOLD IN THE STATE OF CALIFORNIA

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
CFR Citation: 40 CFR 80.42(c)(1)

Completed:

Reason	Date	FR Cite
Direct Final Action	05/08/96	61 FR 20738

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Anne Pastorkovich
 Phone: 202 233-9013
 Fax: 202 233-9556
 Email: Pastorkovich.Anne-Marie@EPAMail.EPA.Gov
RIN: 2060-AG82

3825. AEROSOL SPRAY PAINTS VOC RULE

Priority: Other Significant
CFR Citation: 40 CFR 59

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency does not plan any further action.	10/04/96	

Small Entities Affected: Businesses
Government Levels Affected: State, Local, Federal
Agency Contact: Paul Almodovar
 Phone: 919 541-0283
RIN: 2060-AF61

3826. REVISED LIGHT-DUTY DURABILITY PROCEDURES FOR MODEL YEAR 1999 AND LATER

Priority: Other Significant
CFR Citation: 40 CFR 86

Completed:

Reason	Date	FR Cite
Withdrawn The Agency does not plan any further action.	10/16/96	

Small Entities Affected: None
Government Levels Affected: Federal

EPA—CAA

Completed Actions

Agency Contact: Eldert Boutekoe
Phone: 313 668-4442
RIN: 2060-AE06

3827. ON-BOARD DIAGNOSTICS: REVISION TO REQUIREMENTS FOR STORAGE OF ENGINE CONDITIONS ASSOCIATED WITH EXTINGUISHING A MALFUNCTION INDICATOR LIGHT

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 86

Completed:

Reason	Date	FR Cite
Final Action	08/02/95	60 FR 39264

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Todd Sherwood
Phone: 313 668-4405
RIN: 2060-AF20

3828. ALTERNATIVE TEST PROCEDURE FOR THE VOLUNTARY AFTERMARKET PART CERTIFICATION PROGRAM

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 85

Completed:

Reason	Date	FR Cite
NPRM (Supplemental)	01/30/91	56 FR 3746

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John L. Wehrly
Phone: 313 668-4286
RIN: 2060-AC50

3829. REGULATION OF FUEL AND FUEL ADDITIVES: CERTIFICATION REQUIREMENTS FOR DEPOSIT CONTROL ADDITIVES

Priority: Substantive, Nonsignificant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

CFR Citation: 40 CFR 80

Completed:

Reason	Date	FR Cite
Final Action	07/05/96	61 FR 35309

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Jeff Herzog
Phone: 313 668-4227
Fax: 313 741-7869

RIN: 2060-AG06

3830. EMISSION STANDARDS FOR GASOLINE SPARK-IGNITION AND DIESEL COMPRESSION-IGNITION MARINE ENGINES

Priority: Economically Significant

CFR Citation: 40 CFR 91

Completed:

Reason	Date	FR Cite
Final Action	10/04/96	61 FR 52087

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Deanne North
Phone: 313 668-4331

RIN: 2060-AE54

3831. TECHNICAL AMENDMENT TO REGULATIONS PROMULGATED UNDER SECTION 608 OF THE CLEAN AIR ACT AMENDMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 82

Completed:

Reason	Date	FR Cite
Withdrawn -This action has been combined with RIN 2060-AG20, SAN 3673.	10/22/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cindy Newberg
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RIN: 2060-AG47

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Superfund (CERCLA)

3832. ● STREAMLINING THE PREAUTHORIZATION MIXED FUNDING FOR APPLICATION AND IMPLEMENTATION OF CLAIMS AGAINST SUPERFUND

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 9601

CFR Citation: 40 CFR 307

Legal Deadline: None

Abstract: Current regulations at 40 CFR part 307 provide for the preauthorization of claims against the Superfund in instances where the

Agency makes a determination that mixed funding is appropriate. This process has been labeled by many stakeholders as overly burdensome. The Agency has reviewed the current process in order to identify areas in which burdens may be lessened and requirements may be streamlined. As a result, the Agency proposes to amend the current regulation to: streamline the application process by eliminating duplicative information requirements; minimize the requirements related to management, oversight, and reporting of the cleanup, by removing the requirement to be guided by the Federal Acquisition Requirements, and replacing the requirement of maximum free and open competition with a "bright-line" standard; allow claimants to provide independent certification of

claims and supporting documentation; streamline the actual payment process by taking advantage of the electronic funds transfer process; ensure that cost recovery concerns are addressed by requiring claimants, within a settlement document, to reimburse the Fund for costs not recovered (only in the event cost recovery is initiated), due to claimants' failure to provide adequate documentary support or upon a determination that response costs expended (and claimed) were not reasonable or not incurred consistent with the NCP; and ensure proper accounting by requiring offsets for funds owed to the Agency by claimants.

EPA—CERCLA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3885.

Agency Contact: Seth Bruckner, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703-603-8766
Fax: 703-603-9100

Email: Bruckner.Seth@epamail.epa.gov

RIN: 2050-AE38

3833. GRANTS FOR TECHNICAL ASSISTANCE RULE REFORM - 40 CFR PART 35 SUBPART M

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 9617(e)/CERCLA 117

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: The proposed revisions to the Technical Assistance Grants (TAG) Rule contain four main components that will simplify the application and administrative processes. The first component to the TAG Rule would eliminate the condition that response action be underway or scheduled to begin for EPA to provide formal notice that a grant may soon be awarded. TAG eligibility would be triggered once the site is proposed for listing on the NPL. A second component would eliminate the requirement that budget periods may not exceed 3 years. Budget periods would be negotiated with TAG applicants so that they have flexibility to synchronize the period of time during which the recipient anticipates having a technical advisor involved with the schedule of work at a site. A third component would eliminate the 20 percent ceiling for administrative costs of a grant so that recipients do not need to differentiate between programmatic and administrative cost. This will reduce information collection burden. A fourth component to the TAG Rule is the elimination of the distinction between sole and multiple

applicants, since both must meet identical criteria. The requirement that the applicant demonstrate that there is an actual or potential health threat posed to group members by the site would also be deleted since EPA believes that there is a potential health threat at all Superfund sites. EPA also believes that all Superfund sites pose potential economic and recreational threats to adjacent communities, and that there is no need for the applicant to provide evidence of those threats. Furthermore, EPA may already have sufficient information from various sources concerning the potential health, economic, and recreational threats posed by Superfund sites.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3806.

Agency Contact: Nicole Lacoste, Environmental Protection Agency, Solid Waste and Emergency Response, 5203G, Washington, DC 20460
Phone: 703 603-8842
Fax: 703 603-9100

RIN: 2050-AE33

3834. REPORTABLE QUANTITY ADJUSTMENTS FOR CARBAMATES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 96-510, sec 102(a); PL 99-499

CFR Citation: 40 CFR 302

Legal Deadline: None

Abstract: EPA has listed carbamate waste streams as hazardous wastes under the Resource Conservation and Recovery Act (RCRA). RCRA listed wastes, by statute, automatically become hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and are assigned a one pound statutory reportable quantity (RQ) unless EPA adjusts them. These substances also become subject to

reporting requirements under the Emergency Planning and Community Right to Know Act (EPCRA) with a one pound threshold. EPA, in this action, will propose RQ adjustments for the carbamates. Most RQ adjustments are expected to be greater than one pound. Raising the RQs for these substances would decrease the burden on 1) the regulated community for complying with the reporting requirements under CERCLA and EPCRA; 2) Federal, State, and local authorities for program implementation; and 3) Federal, State, or local authorities, if they release hazardous substances at the RQ level or greater.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3423.

Agency Contact: Frank Avvisato, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703 603-8949

RIN: 2050-AE12

3835. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES: PROPOSED AND FINAL RULES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 9605/CERCLA 105

CFR Citation: 40 CFR 300.425

Legal Deadline: None

Abstract: This action proposes to revise the sites included on the National Priorities List (NPL) of uncontrolled waste sites in the National Contingency Plan (NCP). CERCLA requires that the Agency revise the NPL at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substance releases and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR Cite
NPRM Proposal 17	08/23/94	59 FR 43314
Final Action Final 13	12/16/94	59 FR 65206
NPRM Proposal 18	02/13/95	60 FR 8212
Final Action Final 14	04/25/95	60 FR 20330

EPA—CERCLA

Proposed Rule Stage

Action	Date	FR Cite
Final Action (Southern Shipbuilding)	05/26/95	60 FR 27896
Final 15	09/29/95	60 FR 50435
NPRM Proposal 19	10/02/95	60 FR 51390
NPRM Proposal 20	06/17/96	61 FR 30575
Final 16	06/17/96	61 FR 30510
NPRM Proposal 21	11/00/96	
Final 17	11/00/96	

Small Entities Affected: Undetermined
Government Levels Affected: State, Local, Federal
Additional Information: SAN No. 3439.
Agency Contact: Terry Keidan, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
 Phone: 703 603-8852
RIN: 2050-AD75

3836. AMENDMENTS TO THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT, SECTIONS 302 THROUGH 312
Priority: Other Significant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: PL 99-499
CFR Citation: 40 CFR 355; 40 CFR 370
Legal Deadline: None
Abstract: This proposal will include a modification to the chemical inventory reporting forms under Section 312 of the Emergency Planning and Community Right-to-Know Act, as well

as modifications to other sections (302-312) of the law.
Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions
Government Levels Affected: State, Local, Tribal, Federal
Additional Information: SAN No. 3215.
Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, (5101), Washington, DC 20460
 Phone: 202 260-4043
RIN: 2050-AE17

ENVIRONMENTAL PROTECTION AGENCY (EPA) Superfund (CERCLA)

Final Rule Stage

3837. • LIST OF REGULATED SUBSTANCES AND THRESHOLDS FOR ACCIDENTAL RELEASE PREVENTION
Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 42 USC 7412(r); 42 USC 7601
CFR Citation: 40 CFR 68
Legal Deadline: None
Abstract: The Environmental Protection Agency (EPA) is proposing several modifications to provisions of the rule listing regulated substances and threshold quantities under section 112(r) of the Clean Air Act as Amended. EPA is proposing to delete the category of explosives listed by DOT as Division 1.1 from the list of regulated substances. Flammable substances in gasoline used as fuel and in naturally occurring hydrocarbon mixtures prior to initial processing are proposed for exemption under the threshold quantity determinations. Modifications to the definition of stationary source are proposed to clarify the exemption of transportation and storage incident to transportation and to clarify that naturally occurring hydrocarbon

reservoirs are not stationary sources or parts of stationary sources. EPA proposes to clarify that 40 CFR part 68 does not apply to facilities located on the Outer Continental Shelf. EPA believes these changes will better focus on the high hazard/high risk substances and operations covered under the Risk Management Program rule for accidental release prevention. These changes will reduce the number of stationary sources subject to the requirements of the risk management program rule and decrease the burden on the regulated community.
Timetable:

Action	Date	FR Cite
NPRM	04/15/96	61 FR 16598
Final Action	09/00/97	

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3787.
Agency Contact: Vanessa Rodriguez, Environmental Protection Agency, Solid Waste and Emergency Response, (5101), Washington, DC 20460
 Phone: 202-260-7913
 Fax: 202-260-0927
RIN: 2050-AE35

3838. • REVISION OF THE LOCAL GOVERNMENT REIMBURSEMENT REGULATION
Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.
Legal Authority: 42 USC 9600
CFR Citation: 40 CFR 310
Legal Deadline: None
Abstract: Local governments play an important role in protecting human health and the environment. Local governments are usually the first government representatives on the scene of an environmental emergency response action. They play a critical role in carrying out temporary emergency measures to prevent or mitigate releases or threatened releases of hazardous substances. Conducting such measures has placed a significant financial burden on local governments. EPA is charged with alleviating that burden by reimbursing governments for certain emergency response activities. The rules for reimbursement were originally set forth by the Agency in January of 1993. This rulemaking will revise those rules by: 1) eliminating several requirements that may broaden the number of eligible local governments and Indian Tribes; 2) streamlining the application process;

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and 3) reducing the burden on eligible local governments and Indian Tribes. There are a number of requirements that may change with this rulemaking; for example, EPA intends to eliminate the requirement that the local government contact the Agency within 24 hours. EPA will reduce the reporting burden on applicants by requesting that they certify in many cases rather than demonstrate compliance with the program requirements. The anticipated impact of this action is to provide a greater number of local governments and Indian Tribes with easier access to Federal funding, thereby improving their ability to protect human health and the environment.

Timetable:

Action	Date	FR Cite
Direct Final	12/00/96	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local, Tribal, Federal

Additional Information: SAN No. 3884.

Agency Contact: Lisa Boynton, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703-603-9052
Fax: 703-603-9012

RIN: 2050-AE36

3839. ADMINISTRATIVE REPORTING EXEMPTIONS FOR CERTAIN RADIONUCLIDE RELEASES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 9602 to 9604; 42 USC 9615; 33 USC 1321; 33 USC 1361

CFR Citation: 40 CFR 302.6(c); 40 CFR 355.40(a)(2)(vi)

Legal Deadline: None

Abstract: This rule affects the requirement in Superfund and the Emergency Planning and Community Right-to-Know Act that facilities immediately report to State, local and federal authorities the release of a hazardous substances in an amount that equals or exceeds a reportable quantity. In 1989, the Environmental Protection Agency (EPA) set reportable quantities for radionuclides (a category of hazardous substances) by regulation. In that same rule, EPA also established four exemptions to the general reporting requirement, to exclude from it certain releases of naturally occurring radionuclides for which the government does not need reports. These exemptions are for releases from: (1) large land holdings; (2) disturbances of land for purposes other than mining; (3) the dumping of coal and coal ash at utility and industrial facilities with coal-fired boilers; and (4) coal and ash piles at those facilities.

Later, a court ruled that the Agency had promulgated the four exemptions without giving the public opportunity to comment. The Agency subsequently provided the opportunity for public notice and comment on these exemptions. Based on those comments,

the Agency is now seeking further comments on the possibility of broadening the exemptions. Depending upon the Agency's analysis of comments received, it could in a final rule, either reaffirm or modify the exemptions. Modification of the exemptions would further reduce the burden on facilities which must report, and on the State and local authorities which must receive and evaluate reports to determine whether reported releases pose a threat to human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	11/30/92	57 FR 56726
Supplemental Notice	08/04/95	60 FR 40042
Final Action	02/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 49 Electric, Gas, and Sanitary Services; 16 Heavy Construction Other Than Building Construction-Contractors; 01 Agricultural Production-Crops; 10 Metal Mining

Additional Information: SAN No. 3054.

Agency Contact: Lynn Beasley, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), Washington, DC 20460
Phone: 703 603-9086

RIN: 2050-AD46

ENVIRONMENTAL PROTECTION AGENCY (EPA) Superfund (CERCLA)

Long-Term Actions

3840. REPORTING EXEMPTIONS FOR FEDERALLY-PERMITTED RELEASES OF HAZARDOUS SUBSTANCES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 355

Timetable:

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27268
Supplemental Notice	07/11/89	54 FR 29306
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
Phone: 703 603-9086

RIN: 2050-AB82

3841. DELETION OF SACCHARIN FROM THE LIST OF HAZARDOUS WASTES UNDER RCRA AND THE LIST OF HAZARDOUS SUBSTANCES UNDER CERCLA

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 40 CFR 261.33(f); 40 CFR 261; 40 CFR 302.4

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Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Wanda L. Levine

Phone: 703 308-0438

RIN: 2050-AD45

3842. REPORTABLE QUANTITY ADJUSTMENT FOR RADON-222

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 302

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
Phone: 703 603-9086

RIN: 2050-AE20

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
Superfund (CERCLA)**

Completed Actions

3843. RISK MANAGEMENT PROGRAM FOR CHEMICAL ACCIDENTAL RELEASE PREVENTION

Priority: Economically Significant

Unfunded Mandates: This action may affect State, local or tribal governments.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 68

Completed:

Reason	Date	FR Cite
Final Action	06/20/96	61 FR 31668

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Lyse Helsing
Phone: 202 260-6128

RIN: 2050-AD26

3844. AMENDMENTS TO THE EXTREMELY HAZARDOUS SUBSTANCES LIST UNDER SECTION 302 OF THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 40 CFR 355

Completed:

Reason	Date	FR Cite
Final Action	05/07/96	61 FR 20473

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: John Ferris
Phone: 202 260-4043

RIN: 2050-AD50

**ENVIRONMENTAL PROTECTION AGENCY (EPA)
General**

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3845. COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (CERCLA) COST RECOVERY

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 9665 to 9857/CERCLA 115; 33 USC 1321(c)(2)/CERCLA 107

CFR Citation: 40 CFR 308

Legal Deadline: None

Abstract: This rule would establish a new methodology for allocating EPA's indirect costs to individual Superfund sites for cost recovery. The proposed methodology would allocate 100% of recoverable indirect costs to sites for potential recovery, compared to the current methodology which allocates

approximately 33% of indirect costs to sites.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3765.

Agency Contact: Chad Littleton, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2273A), Washington, DC 20460
Phone: 703 603-9068

RIN: 2020-AA25

3846. RULES OF PRACTICE FOR ENFORCEMENT ACTIONS NOT GOVERNED BY THE ADMINISTRATIVE PROCEDURE ACT

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1319/CWA 309; 33 USC 1321/CWA 311; 42 USC 9609/CERCLA 109; 42 USC 7413/CAA 113; 42 USC 11045/EPCRA 325; 42 USC 300/SDWA 1423

CFR Citation: 40 CFR 22

Legal Deadline: None

Abstract: This action will consolidate and harmonize in a single regulation the various procedural guidances and regulations which EPA presently employs in response to Congressional direction to provide streamlined procedure for the assessment of certain administrative penalties. Although the

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substantive requirements of various statutes differ, each authorizes the Administrator to assess civil penalties without recourse to the Administrative Procedure Act.

Timetable:

Action	Date	FR Cite
NPRM	07/01/91	56 FR 29996
Reproposal	10/00/96	
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3486.

Agency Contact: Robert Kinney, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2243A), Washington, DC 20460
Phone: 202 564-3712

RIN: 2020-AA23

3847. INCORPORATION OF CLASS DEVIATION INTO EPAAR

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1506; 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

Abstract: The Agency has approved a number of class deviations (e.g. changes to reporting requirements and monthly progress reports) to the EPAAR since its promulgation in April 1994. This proposed rule would incorporate most of the class deviations to the EPAAR.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3580.

Agency Contact: Edward Chambers, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 260-6028

RIN: 2030-AA37

3848. EPA MENTOR-PROTEGE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1544; 48 CFR 1552

Legal Deadline: None

Abstract: This proposed rule will amend EPA's Acquisition Regulation (EPAAR) to establish a Mentor-Protege Program. Participating prime contractors serving as Mentors will provide technical and managerial support to Protege small disadvantaged business subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3629.

Agency Contact: Edward Chambers, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 260-6028

RIN: 2030-AA40

3849. • INCREMENTALLY FUNDING FIXED PRICE CONTRACTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 40 USC 486 (c)

CFR Citation: 48 CFR 1532

Legal Deadline: None

Abstract: This proposed rule will add subpart 1532.7, Contract Funding, to the Environmental Protection Agency's Acquisition Regulation (EPAAR). It also will revise Part 1552 of the EPAAR to include a clause for incrementally funding fixed price contracts.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3876.

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, Washington, DC 20460
Phone: 260 260-9948
Fax: 202 260-1203

RIN: 2030-AA50

3850. • REVISION OF EPA ACQUISITION REGULATIONS FOR QUALITY SYSTEMS FOR ENVIRONMENTAL PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1546.2

Legal Deadline: None

Abstract: EPA is updating the quality assurance requirements in its Acquisition Regulation (EPAAR). The Agency relies on environmental measurement data in many of its activities, including regulatory development, the application of regulations (e.g., permitting, enforcement actions), and research programs. The Agency must be ensured that the data are of appropriate type and quality to support the proposed use (that data meet the needs for rule-making, enforcement action, etc.) The extramural community has been using the existing EPAAR QA requirements since 1984 and recognizes the need to update these requirements to reflect the current understanding of quality systems.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

Additional Information: SAN No. 3874.

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Agency Contact: Linda Avellar,
Environmental Protection Agency,
Administration and Resource
Management, (3802F), Washington, DC
20460
Phone: 202-260-6800
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RIN: 2030-AA51

**3851. • NOTICE TO CLARIFY
EXISTING CONFLICT OF INTEREST
COVERAGE REGARDING
POLICY/RESPONSE ACTION
CONTRACTOR EXCLUSIONS**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Unfunded Mandates: This action may
affect the private sector under
PL 104-4.

Legal Authority: 40 USC 486 (c)

CFR Citation: 48 CFR 1552

Legal Deadline: None

Abstract: This proposed rule will
revise EPAAR coverage to clarify that
existing coverage prohibiting
Headquarters support contractors from
entering into response action contracts,
also prohibits Superfund response
action contractors from receiving
Headquarters support contracts.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-
related action for which there is no
statutory requirement. There is no
paperwork burden associated with this
action.

Additional Information: SAN No. 3875.

Agency Contact: Louise Senzel,
Environmental Protection Agency,
Administration and Resource
Management, (3802F), Washington, DC
20460
Phone: 202 260-6204
Fax: 202 260-1203

RIN: 2030-AA52

**3852. AGENCY IMPLEMENTATION OF
FEDERAL ACQUISITION
STREAMLINING ACT (FASA)
CHANGES TO TRUTH IN
NEGOTIATIONS ACT (TINA)**

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 390/EPAAR
205

CFR Citation: 48 CFR 1523

Legal Deadline: None

Abstract: The Federal Acquisition
Streamlining Act (FASA), P.L. 103-355,
changed the nature of contract pricing
information that contractors must
submit in their proposals. Specifically,
the term cost or pricing information is
being introduced and differentiated
from the current requirements for cost
or pricing data. This action will amend
EPA's acquisition rules and provide
guidance for contractors.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-
related action for which there is a
statutory requirement. There is no
paperwork burden associated with this
action.

Additional Information: SAN No. 3816.

Agency Contact: Larry Wyborski,
Environmental Protection Agency,
Administration and Resource
Management, (3802F), Washington, DC
20460
Phone: 202 260-6482
Fax: 202 260-1203

RIN: 2030-AA47

3853. • VALUE ENGINEERING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)/EPAAR
205(c) ; 63 Stat.390 as amended

CFR Citation: 48 CFR 1548; 48 CFR
1552

Legal Deadline: NPRM, Statutory,
February 10, 1997. Final, Statutory,
March 10, 1997.

Abstract: This rulemaking will add
coverage in the EPA Acquisition
Regulation on policy for using value
engineering technique in Agency
contracts, as required by the Federal
Acquisition Streamlining Act.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-
related action for which there is a
statutory requirement. There is no
paperwork burden associated with this
action.

Additional Information: SAN No. 3854.

Agency Contact: Paul Schaffer,
Environmental Protection Agency,
Administration and Resource
Management, (3802F), Washington, DC
20460
Phone: 202 260-9032
Fax: 202 260-1203

RIN: 2030-AA49

**3854. AMENDMENTS TO PART 22
CONSOLIDATED PROCEDURAL
RULES**

Priority: Info./Admin./Other

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.

Legal Authority: 7 USC 136l; 15 USC
2615(a); 15 USC 2647; 33 USC 1319(g);
33 USC 1415(a); 33 USC 1418; 42 USC
6912; 42 USC 7413(d)(1); 42 USC 7601;
42 USC 7607(a); 42 USC 9609; 42 USC
11045; 42 USC 300g-3(b)

CFR Citation: 40 CFR 22

Legal Deadline: None

Abstract: The Agency is proposing
amendments to the Consolidated Rules
of Practice under 40 CFR Part 22 which
are the procedural rules used in
administrative hearings and practice.
These amendments will include
technical corrections as well as
substantive amendments. The proposed
substantive amendments pertain to the
handling and use of Confidential
Business Information, burdens of proof,
motion practice, cross appeals, and
more.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

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Additional Information: SAN No. 2662.

Agency Contact: Helene Ambrosino, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2201A), Washington, DC 20460

Phone: 202 564-2626

RIN: 2020-AA13

3855. GOVERNMENTWIDE IMPLEMENTATION OF FEDERAL ACQUISITION STREAMLINING ACT (FASA) AND CHANGES TO OMB SUSPENSION AND DEBARMENT COMMON RULE

Priority: Info./Admin./Other

Legal Authority: EO 12549, EO 12689 and FASA

CFR Citation: 40 CFR 32

Legal Deadline: None

Abstract: Periodically OMB amends the Governmentwide Common Rule for Suspension and Debarment. All agencies must issue changes to their individual codified versions to conform to those changes. Currently, the Interagency Suspension and Debarment Coordinating Committee is considering changes that will conform to those made to the Federal Acquisition Regulation (FAR) as a result of the Federal Acquisition Streamlining Act (FASA). In addition, several proposals to reduce paperwork burden and improve the rule are being considered. If OMB approves those recommendations, a drafting committee would likely have a proposed rule ready for publication in the Federal Register by early to midsummer 1996.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3817.

Agency Contact: Robert F. Meunier, Environmental Protection Agency, Administration and Resource Management, (3901F), Washington, DC 20460

Phone: 202 260-8030

Fax: 202 260-9575

RIN: 2030-AA48

3856. CONSOLIDATION OF GOOD LABORATORY PRACTICE STANDARDS (GLPS) REGULATIONS CURRENTLY UNDER TSCA AND FIFRA INTO ONE RULE

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136 et seq; 15 USC 2601 et seq

CFR Citation: 40 CFR 160; 40 CFR 792

Legal Deadline: None

Abstract: On November 29, 1983, EPA published Good Laboratory Practice Standards (GLPS) regulations intended to help ensure data integrity for studies required to support marketing and research permits under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Toxic Substances Control Act (TSCA). These rules were last amended on August 17, 1989. GLPS data integrity measures can be applied to a wide variety of scientific studies. Although the TSCA and FIFRA GLPS contain identical provisions they were published as separate rules to account for statutory and program differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences of those programs without duplicating the entire GLP standard in two places.

This action is intended to consolidate EPA's GLPS into one rule. Program-specific requirements will be addressed in either separate sections of the consolidated rule, or in separate rules as is determined appropriate. This action is not intended to change the requirements, applicability, or enforceability of GLPS with respect to any statute.

EPA has received comments from stakeholders regarding the understandability of many aspects of the GLPS, and over the years has issued numerous clarifications. EPA believes

that some clarifications, if included directly in the rule, would make the rule easier to understand and enhance compliance. Therefore, EPA intends to include such clarifications where appropriate in this rulemaking. Finally, in the interest of maintaining consistency between EPA's and Food and Drug Administration's regulations, EPA will determine any modifications that have occurred to the FDA GLP rule and consider incorporation of such changes into the EPA rule. This action will serve to reduce the total regulatory text in the Code of Federal Regulations by an estimated ten pages, by consolidating 23 pages of text to approximately 13. In the process it will provide a generic GLP rule that may be used by other programs in the Agency.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	02/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3807.

Agency Contact: Stephen J. Howie, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2225A), Washington, DC 20460

Phone: 202 564-4146

Fax: 202 564-0028

Email: howie.stephen@epamail.epa.gov

RIN: 2020-AA26

3857. FIFRA BOOKS AND RECORDS OF PESTICIDE PRODUCTION AND DISTRIBUTION (REVISION)

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136f/FIFRA 8

CFR Citation: 40 CFR 169

Legal Deadline: None

Abstract: This action would amend the recordkeeping requirements for registrants and applicants for registration under FIFRA Section 8. It will also examine recordkeeping affected by the 1988 amendments to FIFRA and amend 40 CFR 169, as necessary.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	01/00/97	

Small Entities Affected: Undetermined

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Government Levels Affected: State, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2725.

Agency Contact: Steve Howie, Environmental Protection Agency, Office of Enforcement and Compliance

Assurance, 2225A, Washington, DC 20460

Phone: 703 308-8383

Email: Howie,Steve

RIN: 2070-AC07

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

General

3858. FINAL GUIDELINES FOR REPRODUCTIVE TOXICITY RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not applicable

CFR Citation: None

Legal Deadline: None

Abstract: The final Guidelines for Reproductive Toxicity Risk Assessment (hereafter Guidelines) are intended to guide Agency evaluation of suspect reproductive toxicants in line with the policies and procedures established in the statutes administered by the EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines emphasize that risk assessments will be conducted on a case-by-case basis, giving full consideration to all relevant scientific information. This case-by-case approach means that Agency experts study scientific information on each chemical under review and use the most scientifically appropriate interpretation to assess risk. The Guidelines also stress that this information will be fully presented in Agency risk assessment documents, and that Agency scientists will identify the strengths and weaknesses of each assessment by describing uncertainties, assumptions, and limitations, as well as the scientific basis and rationale for each assessment. They incorporate current scientific thinking and sound science policies based on evaluation of the currently available information.

Timetable:

Action	Date	FR Cite
Proposed Guidelines for Females	06/30/88	53 FR 24834
Proposed Guidelines for Males	06/30/88	53 FR 24850
Final Guidelines for Males and Females	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3923.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, Risk Assessment Forum (8103), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080-AA05

3859. GUIDELINES FOR CARCINOGEN RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not applicable

CFR Citation: None

Legal Deadline: None

Abstract: The Agency will use these guidelines to evaluate suspect carcinogens in line with the policies and procedures established in the statutes administered by the EPA. These guidelines revise and replace EPA Guidelines for Carcinogen Risk Assessment published at 51 FR 33992, September 24, 1986. These guidelines provide EPA staff and decision-makers with the directions and perspectives necessary to develop and use risk assessments. The guidelines also provide the general public with basic information about the Agency's approaches to risk assessment.

To develop guidelines the Agency must find a balance between consistency and innovation. Consistent risk assessments provide consistent bases to support regulatory decision-making. On other hand, innovation is necessary so the Agency will base its decisions on current scientific thinking. In balancing these and other science policies, the Agency relies on input from the general scientific community through established scientific peer review processes. The guidelines incorporate basic principles and science policies based on evaluation of the currently available information. The revisions

place increased emphasis on the role of carcinogenic mechanisms in risk assessment and clearer explication of underlying assumptions in risk assessment.

These Guidelines will have minimal to no impact on small businesses or state, local, and tribal governments.

Timetable:

Action	Date	FR Cite
Proposed Guidelines	08/27/86	51 FR 33992
Reproposed Guidelines	04/23/96	61 FR 17960
Implementation Policy	06/25/96	61 FR 32799
Final Guidelines	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3671.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, Risk Assessment Forum (8103), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080-AA06

3860. PROPOSED GUIDELINES FOR ECOLOGICAL RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not applicable

CFR Citation: None

Legal Deadline: None

Abstract: The Guidelines for Ecological Risk Assessment are intended to guide Agency evaluations of ecological risks in line with the policies and procedures established in the statutes administered by EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines expand on the general ecological risk assessment process described in the Agency report "Framework for Ecological Risk Assessment," (EPA/630/R-92/001) and

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covers a broad range of ecological concerns. The Guideline stresses the need for sound initial planning of the ecological risk assessment as well as appropriate characterization of the risks, including identification of the major assumptions, uncertainties, and limitations of the assessment.

These guidelines will have minimal to no impact on small businesses or state, local and tribal governments.

Timetable:

Action	Date	FR Cite
Proposed Guidelines	09/09/96	61 FR 47552
Final Guidelines	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3670.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, Risk Assessment Forum (8103), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080-AA07

3861. GUIDELINES FOR NEUROTOXICITY RISK ASSESSMENT

Priority: Other Significant

Legal Authority: Not applicable

CFR Citation: None

Legal Deadline: None

Abstract: These proposed Guidelines for Neurotoxicity Risk Assessment (hereafter Guidelines) are intended to guide Agency evaluation of suspect neurotoxicants in line with the policies and procedures established in the statutes administered by the EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines emphasize that risk assessments will be conducted on a case-by-case basis, giving full consideration to all relevant scientific information. This case-by-case approach means that Agency experts study scientific information on each chemical under review and use the most scientifically appropriate interpretation to assess risk. The Guidelines also stress that this information will be fully presented in Agency risk assessment documents, and

that Agency scientists will identify the strengths and weaknesses of each assessment by describing uncertainties, assumptions, and limitations, as well as the scientific basis and rationale for each assessment.

Timetable:

Action	Date	FR Cite
Proposed Guidelines	10/04/96	61 FR 52032
Final Guidelines	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3624.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, (8103), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080-AA08

3862. PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552; 7 USC 136 et seq; 33 USC 1251 et seq; 42 USC 300f et seq; 42 USC 6901 et seq; 42 USC 7401 et seq; 42 USC 9601 et seq; 42 USC 11001 et seq; 15 USC 2601 et seq; 42 USC 4912; 33 USC 1414; 21 USC 346; 15 USC 2005

CFR Citation: 40 CFR 2; 40 CFR 57; 40 CFR 122; 40 CFR 123; 40 CFR 145; 40 CFR 233; 40 CFR 260; 40 CFR 270; 40 CFR 271; 40 CFR 281; 40 CFR 350; 40 CFR 403; 40 CFR 85; 40 CFR 86

Legal Deadline: None

Abstract: EPA regulations at 40 CFR part 2, subpart B, provide procedures for handling and disclosing information claimed as CBI. Although these regulations have succeeded in protecting business information, changes in Agency workload, practice, and statutory authority have outstripped the ability of these regulations to cut down on unnecessary procedures, expedite activities involving confidential business information, and simplify the regulations. In addition, EPA would consolidate confidentiality provisions from other Parts of 40 CFR.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60446
Final Action	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 3240.

Agency Contact: Donald A. Sadowsky, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of General Counsel (2379), Washington, DC 20460
Phone: 202 260-5469

RIN: 2020-AA21

3863. PESTICIDE MANAGEMENT AND DISPOSAL

Priority: Other Significant

Legal Authority: 7 USC 136 et seq

CFR Citation: 40 CFR 165

Legal Deadline: None

Abstract: This action develops procedures for mandatory and voluntary recall actions under section 19(b) of FIFRA and would establish criteria for acceptable storage and disposal plans which registrants may submit to this Agency to become eligible for reimbursement of storage costs. This action establishes procedures for indemnification of owners of suspended and cancelled pesticides for disposal.

Timetable:

Action	Date	FR Cite
NPRM	05/05/93	58 FR 26856
Final Action	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3432.

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2225-A), Washington, DC 20460

Phone: 202 564-4162

RIN: 2070-AC81

3864. AMEND SUBPART H SUPPLEMENTAL RULES TO ENSURE 40 CFR PART 22 RULE CONFORMS TO THE NEW FEDERAL FACILITY COMPLIANCE ACT

Priority: Info./Admin./Other

Legal Authority: 42 USC 6961(b)(2)

CFR Citation: 40 CFR 22.37(g)

Legal Deadline: None

Abstract: In October 1992, Congress passed the FFCA which amended the

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Resource Conservation and Recovery Act (RCRA). The FFCA provided EPA with administrative order authority. When issuing these orders, EPA will use the 40 CFR section 22 hearing procedures. In the part 22 procedures, Sections 31 and 32, the Environmental Appeals Board (EAB) issues a final order. However, in the FFCA, Congress stated that no order would be final until the Federal agency has an opportunity to confer with the Administrator. As the procedures are currently structured, the Federal agency

only has the opportunity to confer after appealing to the EAB. Thus, there is a direct contradiction between the rules promulgated and the FFCA. We would propose an amendment to state that, in the case of a Federal agency, an EAB order is not final for purposes of the FFCA.

Timetable:

Action	Date	FR Cite
NPRM	03/22/95	60 FR 15208
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3367.

Agency Contact: Sally Dalzell, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2232), Washington, DC 20460

Phone: 202 260-9808

RIN: 2020-AA22

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

General

3865. CONFORMING AMENDMENTS TO THE EPAAR FROM THE FEDERAL ACQUISITION STREAMLINING ACT

Priority: Info./Admin./Other

CFR Citation: 48 CFR 1523

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no

paperwork burden associated with this action.

Agency Contact: Larry Wyborski
Phone: 202 260-6482

Fax: 202 260-1203

RIN: 2030-AA46

3866. ADMINISTRATIVE HEARING PROCEDURES FOR CLASS II PENALTIES UNDER CERCLA AND EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Priority: Info./Admin./Other

CFR Citation: 40 CFR 22

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/16/89	54 FR 21174
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Sandra Connors
Phone: 202 564-4200

RIN: 2050-AC39

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

General

3867. COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (CERCLA) COST RECOVERY

Priority: Economically Significant

CFR Citation: 40 CFR 300; 40 CFR 308

Completed:

Reason	Date	FR Cite
Withdrawn Combined with RIN: 2020-AA25.	10/24/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lisa Comer
Phone: 703 603-9068

RIN: 2050-AC98

3868. REVISION TO SUBMISSION OF INVOICES CLAUSE

Priority: Info./Admin./Other

CFR Citation: 48 CFR 1532; 48 CFR 1552

Completed:

Reason	Date	FR Cite
Final Action	06/10/96	61 FR 29314

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Larry Wyborski
Phone: 202 260-6482

RIN: 2030-AA35

3869. EPA POLICIES FOR INFORMATION RESOURCES MANAGEMENT

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 1552

Completed:

Reason	Date	FR Cite
Final Action	06/28/96	61 FR 33693

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Edward Chambers
Phone: 202 260-6028

RIN: 2030-AA36

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Completed Actions

3870. MERGER OF 40 CFR PARTS 15 AND 32 INTO A SINGLE REGULATION

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 40 CFR 15; 40 CFR 32

Completed:

Reason	Date	FR Cite
Final Action	06/06/96	61 FR 28755

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert F. Meunier
Phone: 202 260-8030

RIN: 2030-AA38

3871. SOURCE SELECTION PROCEDURES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 1515

Completed:

Reason	Date	FR Cite
Final	09/06/96	61 FR 47065

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Louise Senzel
Phone: 202 260-6204

RIN: 2030-AA29

[FR Doc. 96-28201 Filed 11-27-96; 8:45 am]

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