

- Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (Adopted 5/13/94)
- Rule 1146.1 Emission of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (Adopted 5/13/94)
- Rule 1148 Thermally Enhanced Oil Recovery Wells (Adopted 11/5/82)
- Rule 1149 Storage Tank Degassing (Adopted 4/1/88)
- Rule 1168 Control of Volatile Organic Compound Emissions from Adhesive Application (Adopted 4/11/97)
- Rule 1171 Solvent Cleaning Operations (Adopted 9/13/96)
- Rule 1173 Fugitive Emissions of Volatile Organic Compounds (Adopted 5/13/94)
- Rule 1176 VOC Emissions from Wastewater Systems (Adopted 9/13/96)
- Rule 1301 General (Adopted 6/28/90)
- Rule 1302 Definitions (Adopted 5/3/91)
- Rule 1303 Requirements (Adopted 5/10/96)
- Rule 1304 Exemptions (Adopted 6/14/96)
- Rule 1306 Emission Calculations (Adopted 6/14/96)
- Rule 1313 Permits to Operate (Adopted 6/28/90)
- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (Adopted 4/8/94)
- Rule 1605 Credits for the Voluntary Repair of On-Road Vehicles Identified Through Remote Sensing Devices (Adopted 10/11/96)
- Rule 1610 Old-Vehicle Scrapping (Adopted 5/5/97)
- Rule 1701 General (Adopted 1/6/89)
- Rule 1702 Definitions (Adopted 1/6/89)
- Rule 1703 PSD Analysis (Adopted 10/7/88)
- Rule 1704 Exemptions (Adopted 1/6/89)
- Rule 1706 Emission Calculations (Adopted 1/6/89)
- Rule 1713 Source Obligation (Adopted 10/7/88)
- Regulation XVII Appendix (effective 1977)
- Rule 1901 General Conformity (Adopted 9/9/94)
- Rule 2000 General (Adopted 4/11/97)
- Rule 2001 Applicability (Adopted 2/14/97)
- Rule 2002 Allocations for Oxides of Nitrogen (NO_x) and Oxides of Sulfur (SO_x) Emissions (Adopted 2/14/97)
- Rule 2004 Requirements (Adopted 7/12/96) except (1) (2 and 3)
- Rule 2005 New Source Review for RECLAIM (Adopted 2/14/97) except (i)
- Rule 2006 Permits (Adopted 10/15/93)
- Rule 2007 Trading Requirements (Adopted 10/15/93)
- Rule 2008 Mobile Source Credits (Adopted 10/15/93)
- Rule 2010 Administrative Remedies and Sanctions (Adopted 10/15/93)
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO_x) Emissions (Adopted 4/11/97)
- Appendix A Volume IV—(Protocol for oxides of sulfur) (Adopted 3/10/95)
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions (Adopted 4/11/97)

- Appendix A Volume V—(Protocol for oxides of nitrogen) (Adopted 3/10/95)
- Rule 2015 Backstop Provisions (Adopted 2/14/97) except (b)(1)(G) and (b)(3)(B)
- Rule 2100 Registration of Portable Equipment (Adopted 7/1/97)
- XXX Title V Permits (Adopted 8/11/95)
- XXXI Acid Rain Permit Program (Adopted 2/10/95)

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 440

[WH-FRL-5937-6]

Withdrawal of Amendment to Ore Mining and Dressing Point Source Category; Effluent Limitations Guidelines and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; withdrawal.

SUMMARY: EPA is withdrawing a proposed rule published in the **Federal Register** on February 12, 1996 (61 FR 5364). The proposed rule would have amended the applicability of certain effluent limitations guidelines and new source performance standards governing mines with froth-flotation mills to the Alaska-Juneau (A-J) gold mine project near Juneau, Alaska. Specifically, EPA proposed to exempt dewatered tailings produced by the proposed A-J mine and mill from effluent guidelines based on best practicable control technology (BPT) and best available control technology economically achievable (BAT), and from new source performance standards (NSPS) that appear at 40 CFR part 440, subpart J. EPA also proposed that a definition of "dewatered tailings" be added to 40 CFR part 440, subpart L.

DATES: This proposed rule is withdrawn as of January 16, 1998.

ADDRESSES: Supporting information used in developing the proposed rule, including studies prepared as part of a supplemental environmental impact statement prepared on the A-J project and comments received during the period for public comment on the proposed rule, are available for public inspection and copying at the EPA Water Docket at Headquarters, Waterside Mall, Room M2616, 401 M Street, SW., Washington DC 20460. For

access to the Docket materials, call (202) 260-3027 between 9:00 a.m. and 3:30 p.m. for an appointment. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

For information concerning the proposed rule that is being withdrawn, you may contact Ronald G. Kirby, Address: Engineering and Analysis Division (Mail Code 4303), 401 M Street SW., Washington, DC 20460; Telephone Number: (202) 260-7168; Facsimile Number: (202) 260-7185 or by e-mail at kirby.ronald@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The proposed rule would have excluded mill tailings from the definition of process wastewater, thereby exempting dewatered tailings from the no discharge requirement and in turn allow consideration of other disposal technologies. Process wastewaters separated from the dewatered tailings and mine drainage wastewater would have continued to be covered by the Subpart. In addition, EPA solicited comments on whether other mine sites exhibit extreme environmental conditions such as those at the A-J mine site. This information was requested because the A-J mine site was the only site known to EPA that might warrant an exemption from the current Subpart J regulations as a result of extreme environmental conditions. In addition, EPA solicited information on the types of criteria that could be used to establish a more general exemption from the requirements of subpart J than that proposed for the A-J site, in the event that additional, potentially eligible sites were identified. However, very little information was submitted during the comment period that warrants further EPA review regarding any other site or criteria.

On January 14, 1997, Echo Bay Mines announced that it would terminate its development plans for the A-J mine project. EPA has concluded, in light of the closure of the A-J mine project and the lack of information about other mine sites exhibiting similarly extreme environmental conditions, that it is unnecessary to continue this rulemaking. Therefore, EPA withdraws the proposed rule.

Dated: December 15, 1997.

Carol M. Browner,
Administrator.

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