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Monday  
May 8, 1995

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**Part XXII**

**Environmental  
Protection Agency**

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Semiannual Regulatory Agenda

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**ENVIRONMENTAL PROTECTION AGENCY (EPA)**


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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Ch. I**

[FRL-5189-9]

**Regulatory Agenda****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** EPA's regulatory agenda is published each April and October. It serves as a semiannual summary of current and projected rulemakings, reviews of existing regulations, and Agency actions completed since the previous publication of the agenda. By providing the public with current and advance information about regulatory actions scheduled to take place within the following year, the Agency hopes to encourage more effective public participation in the regulatory process.

**ADDRESSES:** To be placed on the mailing list for future agendas, contact Bridgette Dent, Regulatory Development Branch (2136), EPA, 401 M Street SW., Washington, DC 20460, (202) 260-5475.

If you have suggestions to improve this publication 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 detailed information about a particular entry, the name, address, and telephone number of an agency contact who is most familiar with the subject matter is listed for each action.

**SUPPLEMENTARY INFORMATION:****Reinventing Environmental Regulation**

The Environmental Protection Agency is committed to reinventing environmental regulation so as to offer greater protection for less cost. To further this goal, the President has directed EPA to take immediate steps to improve the current regulatory system through a comprehensive review of all existing regulations. To meet this goal, the Agency is performing a comprehensive reexamination of the Code of Federal Regulations (CFR) to identify rules that are obsolete or no longer applicable or which could be modified or simplified to reduce compliance costs while still protecting human health and the environment. By

June 1, the Agency expects to identify those regulations that can be removed from the CFR in whole or in part, as well as those that are scheduled for modification or for further study. At the same time, EPA is subjecting its paperwork requirements to rigorous reexamination. The Agency has set a target of reducing paperwork burden on the public by 25 percent. Toward this end, the Agency is responding to the President's instruction to reduce reporting requirements by half wherever legal and appropriate.

Additionally, EPA is building and enhancing partnerships with the regulated community through increased stakeholder outreach and involvement. The Agency is seeking to increase participation by the private sector and other governmental entities in its efforts to improve its regulatory programs. In this respect, the President recently announced a program of 25 substantial actions EPA will take to carry out its mission of environmental protection in more flexible and publicly responsive ways. These initiatives include such varied steps as expanding the use of market incentives to promote environmentally responsible behavior, addressing the most stringent regulation and enforcement to problems posing the highest public risks, and experimenting with novel solutions to the real environmental problems posed by an industry or locality when generally applicable mandates may prove ineffective or inefficient in a specific application.

This agenda will not fully reflect these efforts because the Agency is still working with many public organizations to define their nature and scope. The October edition of the agenda will more comprehensively describe the actions EPA is taking to meet the goals described above.

**How the Agenda Is Organized**

Each agenda entry includes the title, legal authority, CFR reference, legal deadline, abstract, schedule for completion, any analysis under way, and an Agency contact person for each action under way.

EPA's agenda entries also comply with the requirements of Executive Order 12866. Each entry indicates in the "Priority" section if the action was published in the November 1994 Regulatory Plan. This means that this action is a priority for the Agency and

has been or will be reviewed by OMB under Executive Order 12866. Actions that do not indicate that they are part of the Regulatory Plan may also be subject to OMB review if they are deemed "significant" as defined in the Executive order.

EPA also seeks 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.

The Regulatory Flexibility Act (RFA) requires the identification of those regulations which are likely to have a "significant economic impact on a substantial number of small entities" (i.e., small governments, small businesses, and small nonprofit organizations). Under the requirements of the Act, such regulations are subject to a "regulatory flexibility analysis." This analysis must consider the likely economic impacts on small entities, as well as any significant alternatives to the rule which accomplish the objectives of applicable statutes and which minimize significant economic impacts of the rulemaking on small entities.

In April 1992, EPA adopted a policy which exceeds the requirements of the RFA (this policy applies to rulemakings that were initiated on or after April 9, 1992). For rulemakings subject to this policy, EPA will perform a regulatory flexibility analysis if the rule is likely to have *any* economic impact on *any* small entity. For rulemakings *not* subject to this policy (i.e., initiated prior to April 9, 1992), a regulatory flexibility analysis will be conducted only if the rulemaking will meet the RFA's standard of having a "significant impact on a substantial number of small entities."

Each rulemaking listed in this agenda indicates in the "Analysis" section whether EPA expects to conduct a regulatory flexibility analysis. If EPA believes small entities will be affected by a rulemaking, this is indicated under the "Small Entities Affected" and/or the "Government Levels Affected" section of the summary for each listed rule. EPA invites public comment regarding EPA's assessment of which of the listed rulemakings are appropriate for regulatory flexibility analysis. (See "Small Entities Index to the Environmental Protection Agency

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Agenda” at the end of this document. It lists the regulatory actions EPA believes may have effects on small businesses, small governmental jurisdictions, or small organizations.)

The RFA requires that existing regulations with significant economic impact on a substantial number of small entities are to be reviewed within 10 years of promulgation of the regulations. While, as described above, EPA is currently reexamining all of its existing regulations, the Agency recognizes that many rules will require detailed study before they may be appropriately modified or retained. As part of that process, as well as under the requirements of the Regulatory Flexibility Act, EPA invites public comment identifying any existing EPA rules believed to have a significant economic impact on a substantial number of small entities. Comments should be provided in the following format:

- Title
- Authorizing statute and CFR citation
- Description of economic effects on small entities, especially on the commenting person or organization
- Recommendations for changes

Any additional detailed comments or data are welcome.

When EPA completes its review of an existing rule, it 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 of the regulations

upon a substantial number of small entities.

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

**I. Prerulemakings**

Prerulemaking actions are activities intended to determine whether to initiate rulemaking. These activities 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 preregulatory policy proposals.

**II. Proposed and Final Rules**

This section includes all substantial EPA regulations. To focus the public’s attention on the most timely actions, EPA lists regulations in this category of the agenda 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).

The Agency has attempted to list all regulations and regulatory reviews except those considered as minor, routine, or repetitive actions. There is no legal significance to the inadvertent omission of an item from the listing. The agenda reflects dates for actions on each item; these dates are estimates that should not be construed as an 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. Items in this agenda may be deleted, or new items may be added, as a result of that review.

**III. Completed or Long-Term Actions**

This section contains actions that appeared in the previous agenda but which EPA is deleting because they are completed or no longer under consideration for rulemaking. This section also includes previously listed actions with publication dates beyond the next 12 months. Please note that the Agency will continue to work with the public to develop partnerships and information necessary to support these rulemakings with long-term publication dates.

**Dated:** April 6, 1995.

**Thomas E. Kelly,**

*Director, Office of Regulatory Management and Evaluation.*

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

Sequence Number	Title	Regulation Identifier Number
3546	SAN No. 3430. Pesticides; Tolerance Program Revisions .....	2070-AC74

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

Sequence Number	Title	Regulation Identifier Number
3547	SAN No. 3154. Revocation of Pesticide Food Additive Tolerances Subject to the Delaney Clause .....	2070-AC55
3548	SAN No. 2687. Pesticide Data Requirements for Registration (Revision) .....	2070-AC12
3549	SAN No. 3222. Pesticides and Groundwater State Management Plan Regulation .....	2070-AC46
3550	SAN No. 3636. Pesticide Labeling Claims .....	2070-AC85
3551	SAN No. 2337. Procedures To Make Restricted Use Pesticides Available to Noncertified Persons for Use by Certified Applicators .....	2070-AB48
3552	SAN No. 2725. FIFRA Books and Records of Pesticide Production and Distribution (Revision) .....	2070-AC07

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

Sequence Number	Title	Regulation Identifier Number
3553	SAN No. 2639. Child-Resistant Packaging Regulations (Revision) .....	2070-AB96
3554	SAN No. 3318. Exemption of Sterilant Pesticide Products From Regulation Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) .....	2070-AC58

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

Sequence Number	Title	Regulation Identifier Number
3555	SAN No. 2444. Pesticide Tolerances; Portion of Food Commodities To Be Analyzed for Pesticide Residues .....	2070-AC45
3556	SAN No. 3113. Endangered Species Protection Program .....	2070-AC42
3557	SAN No. 3429. Pesticide Worker Protection Standard; Training Provisions for Workers .....	2070-AC69
3558	SAN No. 3558. Worker Protection Standard: Revision of Crop Advisor Requirements .....	2070-AC82
3559	SAN No. 2684. Regulation of Plant-Produced Pesticides Under FIFRA and FFDCa .....	2070-AC02
3560	SAN No. 3135. Pesticide Flammability Labeling Requirements for Total Release Foggers .....	2070-AC60
3561	SAN No. 2371. Restricted Use Criteria for Pesticides in Ground Water .....	2070-AB60
3562	SAN No. 1640. Worker Protection Standards; Pesticide Hazard Communication .....	2070-AC34
3563	SAN No. 2446. Certification of Pesticide Applicators (Revision) .....	2070-AB75
3564	SAN No. 2338. Reporting Requirements for Risk/Benefit Information (Revision) .....	2070-AB50
3565	SAN No. 2720. Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration .....	2070-AC08
3566	SAN No. 2351. Classification of Certain Pesticides for Restricted Use Due to Groundwater Concerns .....	2070-AC33
3567	SAN No. 3141. Revision to Crop Grouping Regulations .....	2070-AC52
3568	SAN No. 2659. Pesticide Management and Disposal: Standards for Pesticide Containers and Containment .....	2070-AB95
3569	SAN No. 3432. Pesticide Management and Disposal .....	2070-AC81
3570	SAN No. 3320. Regulatory Relief for Low-Risk Pesticides .....	2070-AC67

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

Sequence Number	Title	Regulation Identifier Number
3571	SAN No. 3199. Interpretation of Raw Agricultural Commodity .....	2070-AC54
3572	SAN No. 3019. Microbiological Water Purifiers; Labeling Claims .....	2070-AC43

Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3573	SAN No. 3504. Hazardous Air Pollutants Test Rule .....	2070-AC76
3574	SAN No. 3301. TSCA Chemical Use Inventory Project .....	2070-AC61
3575	SAN No. 3034. Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-to-Know .....	2070-AC71
3576	SAN No. 3388. Deletion of Isopropyl Alcohol; Toxic Chemical Release Reporting; Community Right-to-Know .....	2070-AC77
3577	SAN No. 2847. Mandatory Pollution Prevention Reporting for Toxic Release Inventory (TRI) .....	2070-AC24
3578	SAN No. 3243. Lead Hazard Standards .....	2070-AC63
3579	SAN No. 3508. TSCA Requirements for the Disposal of Lead-Based Abatement Waste .....	2070-AC72
3580	SAN No. 3480. Development of Guidance as Mandated by Executive Order 12873, Section 503 on "Environmentally Preferable Products" .....	2070-AC78
3581	SAN No. 3631. Evaluation of Products for Lead-Based Paint Activities .....	2070-AC88
3582	SAN No. 3494. Proposed Decisions on Test Rules .....	2070-AB07
3583	SAN No. 2245. Negotiated Consent Order Procedural Test Rule (Revision) .....	2070-AB30
3584	SAN No. 2563. ATSDR Substances Test Rule .....	2070-AB79
3585	SAN No. 2865. Multi-Chemical Endpoint Test Rule; Chemical Fate and Environmental Effects .....	2070-AC36
3586	SAN No. 1923. Follow-up Rules on Existing Chemicals .....	2070-AA58

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

Sequence Number	Title	Regulation Identifier Number
3587	SAN No. 2848/3252. Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use .....	2070-AC21
3588	SAN No. 3047. Amendments to the Asbestos-Containing Materials in Schools Rule .....	2070-AC62
3589	SAN No. 1923. Significant New Use Rules on National Program Chemicals; Asbestos, Lead, and Refractory Ceramic Fibers .....	2070-AC37
3590	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
3591	SAN No. 3557. Lead-Based Paint Activities, Training and Certification: Renovation and Remodeling .....	2070-AC83

## Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3592	SAN No. 3007. Chemical List Expansion; Emergency Planning and Community Right-To-Know Act Section 313 ..	2070-AC47
3593	SAN No. 3499. Lead-Based Paint Hazard Information Requirements at the Transfer of Target Housing (Section 1018); Joint Rule With the Dept. of HUD .....	2070-AC75
3594	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
3595	SAN No. 3244. Lead-Based Paint Activities Rules; Training, Accreditation and Certification Rule and Model State Plan Rule .....	2070-AC64
3596	SAN No. 3242. Lead-Based Paint Disclosure Requirements at Renovation of Target Housing .....	2070-AC65
3597	SAN No. 2249. Amendments to the Asbestos Worker Protection Rule .....	2070-AC66
3598	SAN No. 3493. Final Decisions on Test Rules .....	2070-AB94
3599	SAN No. 2865. Multi-Chemical Endpoint(s) Test Rule; Developmental and Reproductive Toxicity, and Neurotoxicity .....	2070-AC27
3600	SAN No. 1976. Follow-up Rules on Non-5(e) New Chemical Substances .....	2070-AA59
3601	SAN No. 3495. Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders .....	2070-AB27
3602	SAN No. 2247. Generic Significant New Use Rule (SNUR) for Acrylate Compounds .....	2070-AB56
3603	SAN No. 2326. Rulemaking Concerning Certain Microbial Products ("Biotechnology") Under the Toxic Substances Control Act (TSCA) .....	2070-AB61
3604	SAN No. 2760. Premanufacture Notification (PMN) Rule Amendments .....	2070-AC14
3605	SAN No. 2150. Polychlorinated Biphenyls (PCBs): Applications for Exemptions From the Ban on Manufacturing, Processing, and Distribution .....	2070-AB20
3606	SAN No. 2779. Use of Acrylamide and N-Methylolacrylamide (NMA) for Grouting .....	2070-AC17
3607	SAN No. 3021. Polychlorinated Biphenyls (PCBs) Transformer Reclassification Rule .....	2070-AC39
3608	SAN No. 3148. Revised Asbestos Model Accreditation Plan .....	2070-AC51
3609	SAN No. 2178. Section 8(a) Preliminary Assessment Information Rules .....	2070-AB08
3610	SAN No. 1139. Section 8(d) Health and Safety Data Reporting Rules .....	2070-AB11
3611	SAN No. 3118. TSCA Section 8(e); Notice of Clarification and Solicitation of Public Comment .....	2070-AC80

## Toxic Substances Control Act (TSCA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3612	SAN No. 3507. Small Source Exemption Considerations; Toxic Release Reporting; Community Right-to-Know ....	2070-AC70
3613	SAN No. 2146. Regulatory Investigation of Formaldehyde .....	2070-AB14
3614	SAN No. 2560. Procedures and Criteria for Termination of Polychlorinated Biphenyls (PCBs) Disposal Permits ....	2070-AB81
3615	SAN No. 2878. Polychlorinated Biphenyls (PCBs) Disposal Amendments .....	2070-AC01
3616	SAN No. 2844. Regulatory Investigation of Dioxin in Pulp and Paper Mill Sludge .....	2070-AC05
3617	SAN No. 3190. Amendment to the TSCA Section 8(a) Comprehensive Assessment Information Rule (CAIR) .....	2070-AC19

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## Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3618	SAN No. 3700. Revision to the Water Quality Planning and Management Regulation .....	2040-AC65

## Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3619	SAN No. 3497. Amendments to Round I Final Sewage Sludge Use and Disposal Rule - Phase One .....	2040-AC29
3620	SAN No. 3504. Establishment of Numeric Criteria for Priority Toxic Pollutants and Toxicity for the State of California .....	2040-AC44
3621	SAN No. 3581. Leather Tanning and Finishing Effluent Guidelines - Pretreatment Standards for Existing and New Sources .....	2040-AC48
3622	SAN No. 3618. Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act .....	2040-AC54
3623	SAN No. 1427. Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category .....	2040-AA13
3624	SAN No. 2806. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phase I .....	2040-AB79
3625	SAN No. 3517. Water Quality Standards To Replace Portions of Florida's Existing State Water Quality Standards, i.e., State Antidegradation Policy .....	2040-AC37
3626	SAN No. 3625. Streamlined Procedures for Developing and Maintaining Approved Publicly-Owned Treatment Works Pretreatment Programs .....	2040-AC57
3627	SAN No. 3617. Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants under the Clean Water Act .....	2040-AC63
3628	SAN No. 3621. Marine Sanitation Device: Establishment of Drinking Water Intake Zones in Two Portions of the Hudson River, New York State .....	2040-AC51
3629	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
3630	SAN No. 2501. NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal .....	2040-AB39
3631	SAN No. 3234. Revision of NPDES Industrial Permit Application Requirements and Form 2C - Wastewater Discharge Information .....	2040-AC26
3632	SAN No. 3665. Amendment to Requirements for National Pollutant Discharge Elimination System (NPDES) Permits for Storm Water Discharges (Phase II) .....	2040-AC60
3633	SAN No. 2804. Clean Water Act Section 404 Program Definition of the Waters of the U.S.—Isolated Waters and Artificial Waters .....	2040-AB74
3634	SAN No. 3442. Continuous Emission Monitoring and Other Pollutant Limitation and Monitoring Regulations for Sewage Sludge Incinerators .....	2040-AC46
3635	SAN No. 2737. Revisions to Ocean Dumping Regulations for Dredged Material .....	2040-AB62

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

Sequence Number	Title	Regulation Identifier Number
3636	SAN No. 3562. Formerly titled "Clarification of Standing Amendments to Requirements for Authorized State Permit Programs Under Section 402 of the Clean Water Act .....	2040-AC43
3637	SAN No. 3582. Guidelines Establishing Test of Whole Effluent Toxicity (WET) Test Procedures for the Analysis of Pollutants Under the Clean Water Act .....	2040-AC49
3638	SAN No. 3391. Effluent Guidelines and Standards for Pesticide Formulating, Packaging and Repackaging .....	2040-AC21
3639	SAN No. 3567. 301(k) Innovative Technology Time Extensions .....	2040-AC42
3640	SAN No. 3661. Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance .....	2040-AC55
3641	SAN No. 3679. Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Di-Benzo Furans under the Clean Water Act .....	2040-AC64
3642	SAN No. 3224. Comparison of Dredged Material to Reference Sediment .....	2040-AC14
3643	SAN No. 2820. Shore Protection Act, Section 4103(b) Regulations .....	2040-AB85

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Clean Water Act (CWA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3644	SAN No. 3448. Standards for the Use or Disposal of Sewage Sludge (Round II) .....	2040-AC25
3645	SAN No. 3441. Guidance on the Eligibility of Multiple Purpose Activities Under the State Revolving Fund Program .....	2040-AC31
3646	SAN No. 3203. Water Quality Guidance for the Great Lakes System .....	2040-AC08
3647	SAN No. 2712. Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category .....	2040-AB53
3648	SAN No. 2747. Effluent Guidelines and Standards for the Coastal Subcategory of the Oil and Gas Extraction Category .....	2040-AB72
3649	SAN No. 2805. Effluent Guidelines and Standards for the Centralized Waste Treatment Industry .....	2040-AB78
3650	SAN No. 3209. Effluent Guidelines and Standards for the Industrial Laundries Category .....	2040-AB97
3651	SAN No. 3204. Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category .....	2040-AB98
3652	SAN No. 3489. Effluent Guidelines and Standards for Landfills and Incinerators .....	2040-AC23
3653	SAN No. 3496. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phase II .....	2040-AC30
3654	SAN No. 3503. San Francisco Bay/Delta Water Quality Standards .....	2040-AC35
3655	SAN No. 3518. Federal Water Quality Standards for Surface Waters of the United States in New Mexico .....	2040-AC38
3656	SAN No. 2304. Effluent Guidelines Plan .....	2040-AC20
3657	SAN No. 3583. Revised Recreational Water Quality Criteria For Microorganisms .....	2040-AC50
3658	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
3659	SAN No. 3564. Technical Amendment to National Estuary Program Financial Assistance Regulation .....	2040-AC40
3660	SAN No. 3371. Definition of Wetlands; Revisions to the Federal Manual for Identifying and Delineating Jurisdictional Wetlands .....	2040-AC03
3661	SAN No. 3443. 1996 Needs Survey .....	2040-AC33
3662	SAN No. 2736. Reorganization and Corrections to List of Ocean Dumping Sites .....	2040-AB63

Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3664	SAN No. 3602. Protective Action Guidance for Drinking Water .....	2060-AF39
3665	SAN No. 1727. Environmental Protection Standards for Low-Level Radioactive Waste .....	2060-AA04
3666	SAN No. 2073. Radiation Site Cleanup .....	2060-AB31

Atomic Energy Act (AEA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3667	SAN No. 3232. Criteria for the Certif. and Determination of the Waste Isolation Pilot Plant's Compliance w/Environmental Stnds. for the Mgmt. and Disposal of Spent Nuclear Fuel, High-Level, & Transuranic .....	2060-AE30
3668	SAN No. 3321 (was 2073). Federal Radiation Protection Guidance for Exposure of the General Public .....	2060-AE61

Atomic Energy Act (AEA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3669	SAN No. 3568. Environmental Radiation Protection Standards for Yucca Mountain, Nevada .....	2060-AF38
3670	SAN No. 1166. Groundwater Protection Standards for Inactive Uranium Tailing Sites .....	2060-AC03

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Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3671	SAN No. 3440. National Primary Drinking Water Regulations for Lead and Copper (Revision) .....	2040-AC27
3672	SAN No. 2340. National Primary Drinking Water Regulations: Groundwater Disinfection .....	2040-AA97
3673	SAN No. 2807. National Primary Drinking Water Regulations: Arsenic .....	2040-AB75
3674	SAN No. 3238. National Primary Drinking Water Standards (NPDWRs) for Aldicarb .....	2040-AC13
3675	SAN No. 3509. National Primary Drinking Water Regulations: 25 Contaminants From Drinking Water Priority List (Phase VI-B)—Organic and Inorganic Contaminants .....	2040-AC22
3676	SAN No. 3563. Reformatting of Drinking Water Regulations .....	2040-AC41
3677	SAN No. 3565. Revision of Current Regulatory Requirements for Triggering Increased Drinking Water Monitoring .....	2040-AC52
3678	SAN No. 2784. Revisions to SDWA; Underground Injection Control Program Regulations for Class II (Oil and Gas-Related) Wells .....	2040-AB77
3679	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)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3680	SAN No. 2281. National Primary Drinking Water Regulation: Radionuclides .....	2040-AA94
3681	SAN No. 3445. Drinking Water Microbial and Disinfection By-Product Monitoring Rule (Formerly Called the "Information Collection Disinfection Byproducts Rule") .....	2040-AC24
3682	SAN No. 3359. Drinking Water Primacy Withdrawal Regulation (Revision) .....	2040-AC19

Safe Drinking Water Act (SDWA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3683	SAN No. 3268. Analytical Methods for Regulated Drinking Water Contaminants .....	2040-AC12
3684	SAN No. 2772/2304. National Primary Drinking Water Regulations: 25 Contaminants From Drinking Water Priority List (Phase VIA) - Disinfection Byproducts Rule and Enhanced Surface Water Treatment Rule .....	2040-AB82
3685	SAN No. 3176. National Primary Drinking Water Regulations: Sulfate .....	2040-AC07

Noise Control Act (NCA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3686	SAN No. 2046. Withdrawal of Products From the Agency's Reports Identifying Major Noise Sources and Withdrawal of Proposed Rules .....	2060-AB24

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3687	SAN No. 2390. Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities .....	2050-AB80

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

Sequence Number	Title	Regulation Identifier Number
3688	SAN No. 3425. Facility Response Planning for Delegated Offshore Facilities .....	2050-AE18

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

Sequence Number	Title	Regulation Identifier Number
3689	SAN No. 3546. Alternatives for Ground-Water Monitoring at Small, Dry/Remote Municipal Solid Waste Landfills ..	2050-AE24
3690	SAN No. 3668. Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards .....	2050-AE28
3691	SAN No. 3328. Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste .....	2050-AE07
3692	SAN No. 3134. Spent Solvents Listing Determination .....	2050-AD84
3693	SAN No. 3151. Chlorinated Aliphatics Listing Determination .....	2050-AD85
3694	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
3695	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
3696	SAN No. 3064. Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes .....	2050-AD88
3697	SAN No. 3333. Revised Technical Standards for Hazardous Waste Combustion Facilities .....	2050-AE01
3698	SAN No. 3334. Cement Kiln Dust .....	2050-AE02
3699	SAN No. 3366. Land Disposal Restrictions—Phase IV: Treatment Standards for Certain Mineral Processing Wastes; TC metals; Newly-Listed Wastes From Wood Preserving and Dyes and Pigments .....	2050-AE05
3700	SAN No. 2982. Identification and Listing of Hazardous Wastes; Hazardous Waste Identification Rule (HWIR): Contaminated Media .....	2050-AE22
3701	SAN No. 3147. Hazardous Waste Manifest Regulation .....	2050-AE21
3702	SAN No. 3235. Rule Identifying When Military Munitions Become Hazardous Wastes and Management Standards for Such Wastes .....	2050-AD90
3703	SAN No. 2827. RCRA Subtitle C Indian Program Authorization .....	2050-AD07
3704	SAN No. 2751. RCRA Subtitle D Solid Waste Facilities; State/Tribal Permit Program—Determination of Adequacy	2050-AD03

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

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3705	SAN No. 2870. Modifications of the Hazardous Waste Recycling Regulations: Universal Wastes .....	2050-AD19
3706	SAN No. 3042. Hazardous Waste Management System: Post-Closure Requirements .....	2050-AD55
3707	SAN No. 3065. Listing Determination for Hazardous Wastes - Organobromines Chemical Industry .....	2050-AD79
3708	SAN No. 3179. RCRA Subtitle D Corporate Financial Test and Guarantee .....	2050-AD77
3709	SAN No. 2826. New and Revised Testing Methods Approved for RCRA Subtitle C Hazardous Waste Testing Manual SW-846, Third Edition, Update II .....	2050-AD06
3710	SAN No. 3189. Final Determination of the Applicability of the Toxicity Characteristic Rule to Underground Storage Tanks Contaminated Media and Debris .....	2050-AD69
3711	SAN No. 3066/3068/3069. Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments .....	2050-AD80
3712	SAN No. 3114. Imports and Exports of Hazardous Waste: Implementation of the OECD Decision for Recyclable Wastes .....	2050-AD87
3713	SAN No. 3315. RCRA Expanded Public Participation and Revisions to Combustion Permitting Procedures .....	2050-AD97
3714	SAN No. 3365. Land Disposal Restrictions—Phase III: Standards for Decharacterized Wastes and Treatment Standards for Newly-Listed Carbamate, Organobromine Wastes, and Spent Aluminum Potliners .....	2050-AD38
3715	SAN No. 2761. Financial Test for Local Governments That Own/Operate Municipal Solid Waste Landfills .....	2050-AD04
3716	SAN No. 3032. Guideline for Federal Procurement of Paper and Paper Products Containing Recovered Materials	2050-AD41
3717	SAN No. 3384. Comprehensive Guideline for Procurement of Products Containing Recovered Materials .....	2050-AE16
3718	SAN No. 3149. Underground Storage Tanks—Lender Liability .....	2050-AD67

## Resource Conservation and Recovery Act (RCRA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3719	SAN No. 2634. Revisions to the Oil Pollution Prevention Regulation .....	2050-AC62
3720	SAN No. 3426. Regulations To Control Imports and Exports of Hazardous and Other Wastes .....	2050-AE13

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Sequence Number	Title	Regulation Identifier Number
3721	SAN No. 3428. Standards for the Management and Use of Slag Residues Derived From HTMR Treatment of KO61, KO62, and FOO6 Wastes (Encapsulated Uses) .....	2050-AE15
3722	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
3723	SAN No. 3585. Financial Assurance Effective Date for Owners and Operators of Municipal Solid Waste Landfill Facilities .....	2050-AE27
3724	SAN No. 2872. Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General .....	2050-AD18
3725	SAN No. 2524. No-Migration Variance for Prohibited Hazardous Waste Land Disposal .....	2050-AC44
3726	SAN No. 2780. Causes for Permit Modifications to Hazardous Waste Management Facilities .....	2050-AD05
3727	SAN No. 2622. Hazardous Waste Management System, Amendment to Subpart C Rulemaking Petitions: Use of Groundwater Data in Delisting Decisions .....	2050-AC65
3728	SAN No. 3033. Identification and Listing of Hazardous Waste: Carbamate Chemicals Production Wastes .....	2050-AD59
3729	SAN No. 3178. Removal of Pentachlorophenol From F027; Restore It as U242; Change Toxicity Designation of F021; and Clarify Basis for Listing Criteria .....	2050-AD78
3730	SAN No. 3201. Regulatory Determination on Remaining Wastes From the Combustion of Fossil Fuels .....	2050-AD91
3731	SAN No. 3211. RCRA Fees: Handler Notifications and Waste Export Notifications .....	2050-AD92
3732	SAN No. 3237. Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps .....	2050-AD93
3733	SAN No. 2303. Location Standards for Hazardous Waste Facilities .....	2050-AB42
3734	SAN No. 2647. RCRA Subtitle C Financial Test Criteria (Revision) .....	2050-AC71
3735	SAN No. 2240. Treatment, Storage, and Disposal Facility—RCRA Air Emission Standards .....	2050-AD62
3736	SAN No. 3368. Hazardous Waste Management System; Amendment to Generic Exclusion Level for KO61, KO62 and FOO6 HTMR Residuals (Non-Encapsulated Uses); Final Rule .....	2050-AE09
3737	SAN No. 3218. Streamline Permitting for Mixed Waste .....	2050-AD65
3738	SAN No. 3094. Extension of States' Interim Authorization Option To Carry Out Post-HSWA Regulations .....	2050-AD57
3739	SAN No. 3150. Field Filtering of Ground-Water Samples .....	2050-AD86
3740	SAN No. 3545. Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials .....	2050-AE23
3741	SAN No. 3433. Underground Storage Tanks Containing Hazardous Substances - Financial Responsibility Requirements .....	2050-AC15

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Sequence Number	Title	Regulation Identifier Number
3742	SAN No. 3468. Establishment of Lesser Quantity Emission Rates for Hazardous Air Pollutants .....	2060-AE98
3743	SAN No. 3552. Regional Haze Protection .....	2060-AF32
3744	SAN No. 3037. Report to Congress and Prioritized Category List for Regulation of VOC Emissions From Consumer and Commercial Products .....	2060-AE24
3745	SAN No. 3645. Control of Nitrogen Oxide and Particulate Emissions From Vehicles and Motor Fuels .....	2060-AF76
3746	SAN No. 3389. Fuels and Fuel Additives Waiver Application Criteria .....	2060-AE68

Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3747	SAN No. 2909. Revisions to the New Source Review Regulations .....	2060-AD13
3748	SAN No. 2961. Locomotive Emissions Standards .....	2060-AD33
3749	SAN No. 3111. Prohibition of Leaded Gasoline for Highway Use .....	2060-AD55
3750	SAN No. 3369. Federal Operating Permit Rules .....	2060-AD68
3751	SAN No. 3259. New Source Review (NSR) Reform .....	2060-AE11
3752	SAN No. 3264. Inspection/Maintenance Program Requirements—Onboard Diagnostic Checks .....	2060-AE19
3753	SAN No. 3263. Performance Warranty and Inspection/Maintenance Test Procedures .....	2060-AE20
3754	SAN No. 3262. Inspection/Maintenance Recall Requirements .....	2060-AE22

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Sequence Number	Title	Regulation Identifier Number
3755	SAN No. 3302. Consolidated Emission Reporting .....	2060-AE32
3756	SAN No. 3314. Addition of Test Method 205 to Appendix M of 40 CFR Part 51 .....	2060-AE33
3757	SAN No. 3354. State Implementation Plan Completeness Criteria .....	2060-AE58
3758	SAN No. 3500. Application of Mandatory Sanctions Under Title V of the Clean Air Act .....	2060-AE96
3759	SAN No. 3407. Method 301: Field Validation of Pollution Measurement Methods for Various Medias .....	2060-AF00
3760	SAN No. 3506. Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources .....	2060-AF02
3761	SAN No. 3259. New Source Review (NSR) Reform Rulemaking .....	2060-AF21
3762	SAN No. 3474. Ammonia Test Method, 40 CFR Part 51, Appendix M .....	2060-AF22
3763	SAN No. 3472. Technical Corrections to 40 CFR 60, Appendix A and to 40 CFR 61, Appendix .....	2060-AF24
3764	SAN No. 3569. Federal Implementation Plan To Control Emissions From Two Power Stations Located on Navajo Nation Lands .....	2060-AF42
3765	SAN No. 3572. Acid Rain Program: Revisions to Applicability, Exemptions, Allocations, and Small Diesel Refineries .....	2060-AF45
3766	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
3767	SAN No. 3576. Control of Air Pollution From Aircraft and Aircraft Engines; Emission Standards and Test Procedures .....	2060-AF50
3768	SAN No. 3412. Operating Permits: Revisions (Part 70) .....	2060-AF70
3769	SAN No. 3637. Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation .....	2060-AF84
3770	SAN No. 3643. Sales Volume Limit Provisions for Small-Volume Manufacture Certification for Clean Fuel and Conventional Vehicle Conversions .....	2060-AF87
3771	SAN No. 3598. Amendment of Enhanced Inspection/Maintenance Performance Standard .....	2060-AG07
3772	SAN No. 3599. Fourier Transform Infrared Spectroscopy (FTIR) Extractive Test Method - Self-Validating Procedure and CEM Performance Specification .....	2060-AG08
3773	Determining Conformity of General Federal Actions to State or Federal Implementation Plans (for Attainment and Unclassifiable Areas) .....	2060-AG10
3774	SAN No. 1004. NAAQS: Nitrogen Dioxide (Review) .....	2060-AC06
3775	SAN No. 3470. Next Revision to the Guideline on Air Quality Modeling .....	2060-AF01
3776	SAN No. 2719. NSPS: Medical Waste Incinerators .....	2060-AE73
3777	SAN No. 3105 (was 2914). Integrated NESHAP and Effluent Guideline: Pulp and Paper .....	2060-AD03
3778	SAN No. 3077. NESHAP: Printing/Publishing Industry .....	2060-AD95
3779	SAN No. 3166. NESHAP: Polymers and Resins, Group I .....	2060-AD96
3780	SAN No. 3229. NESHAP: Oil and Natural Gas Production .....	2060-AE34
3781	SAN No. 3187. NESHAP: Polymers and Resins, Group IV .....	2060-AE37
3782	SAN No. 3303. NESHAP—Phosphoric Acid Manufacturing .....	2060-AE40
3783	SAN No. 3345. NESHAP—Steel Pickling, HC1 Process .....	2060-AE41
3784	SAN No. 3304. NESHAP—Phosphate Fertilizers Production .....	2060-AE44
3785	SAN No. 3340. NESHAP—Primary Copper Smelters .....	2060-AE46
3786	SAN No. 3342. NESHAP—Wood Treatment Industry .....	2060-AE47
3787	SAN No. 3072. NESHAP: Primary Aluminum Plants .....	2060-AE76
3788	SAN No. 3079. NESHAP: Portland Cement Manufacturing .....	2060-AE78
3789	SAN No. 3453. NESHAP: Combustion Sources in the Sulfite Pulping Industry .....	2060-AE80
3790	SAN No. 3449. NESHAP: Chlorine Production .....	2060-AE85
3791	SAN No. 3338. NESHAP: Flexible Polyurethane Foam Production .....	2060-AE86
3792	SAN No. 3469. NESHAP: Manufacture of Tetrahydrobenzaldehyde .....	2060-AE99
3793	SAN No. 2547. National Emission Standard for Radon Emissions from Phosphogypsum Stacks .....	2060-AF04
3794	SAN No. 3466. Delisting of Source Categories Under 112(c): Stainless and Non-Stainless Steel Manufacturing and Electric Arc Furnace (EAF) Operation .....	2060-AF11
3795	SAN No. 3377. Publicly Owned Treatment Works (POTW) NESHAP .....	2060-AF26
3796	SAN No. 3550. NESHAP: Baker's Yeast Manufacturing Industry .....	2060-AF30
3797	SAN No. 3551. Amendments to General Provisions for 40 CFR 63 .....	2060-AF31
3798	SAN No. 3046. Decision on the Petition To Remove Caprolactam From the List of Hazardous Air Pollutants .....	2060-AF33
3799	SAN No. 3459. Criteria and Procedures for Determining Transportation Conformity in Attainment Areas .....	2060-AE90
3800	SAN No. 3478. Transportation Conformity Rule Amendments: Miscellaneous Revisions .....	2060-AF25
3801	SAN No. 3623. Inspection/Maintenance Implementation Flexibility .....	2060-AF94
3802	SAN No. 3281. VOC Regulation for Automobile and Truck Refinishing Coatings .....	2060-AE35
3803	SAN No. 3351. VOC Regulation for Architectural Coatings .....	2060-AE55

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3804	SAN No. 3658. Consumer Products Rule (24 Categories) .....	2060-AF62
3805	SAN NO. 3660 SAN 3660 Open Market Trading Rule for Ozone Precursors .....	2060-AF60
3806	SAN No. 2869. Revised Light-Duty Durability Procedures for Model Year 1999 and Later .....	2060-AE06
3807	SAN No. 3646. National 49-State Low Emission Vehicles .....	2060-AF75
3808	SAN No. 3139. Amendment Concerning the Location of Selective Enforcement Audits of Foreign Manufactured Vehicles and Engines .....	2060-AD90
3809	SAN No. 3091. "Substantially Similar" Definition for Diesel Fuels .....	2060-AD77
3810	SAN No. 3352. NSPS for Nitrogen Oxides (NOx) - Revision .....	2060-AE56
3811	SAN No. 3460. Protection of Stratospheric Ozone: Supplemental Rule To Amend Leak Repair Provisions, Equipment Standards and Scope of Chemicals to Be Recycled Under Section 608 of the Amended CAA .....	2060-AE92
3812	SAN No. 3555. Amendment to the MVAC Rule To Include All Refrigerants .....	2060-AF35
3813	SAN No. 3556. Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608 .....	2060-AF36
3814	SAN No. 3560. Amendment to the Refrigerant Recycling Rule To Include All Refrigerants .....	2060-AF37
3815	SAN No. 3640. Supplemental Rule To Require Certain Products Made With HCFCs To Bear Warning Label .....	2060-AF93

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3816	SAN No. 3009/3357. Acid Rain Opt-In Regulations .....	2060-AD43
3817	SAN No. 3018. Standards for Deposit Control Gasoline Additives .....	2060-AD71
3818	SAN No. 2939. Regulations Governing Awards Under Section 113(f) of the Clean Air Act .....	2060-AD81
3819	SAN No. 2887. National Emissions Standards for Hazardous Air Pollutants as It Applies to Nuclear Power Reactors Licensed by the Nuclear Regulatory Commission .....	2060-AE38
3820	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
3821	SAN No. 3347. Protection of Stratospheric Ozone: Mobile Air-Conditioning Recover-Only Standard; Supplemental Rule .....	2060-AE52
3822	SAN No. 3457. On-Board Diagnostics Service Information Available .....	2060-AE93
3823	SAN No. 3380. NSPS: Synthetic Organic Chemicals Manufacturing Industry - Wastewater .....	2060-AE94
3824	SAN No. 3570. Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act .....	2060-AF43
3825	SAN No. 3573. Acid Rain Program: Deletion of Certain Units .....	2060-AF46
3826	SAN No. 3540. Technical Amendments to Evaporative Emission Procedure .....	2060-AF49
3827	SAN No. 3257. Ambient Air-Quality Surveillance Siting Criteria for Open Path Analyzers .....	2060-AF88
3828	SAN No. 3614. Standards of Performance for New Stationary Sources: Industrial-Commercial-Institutional Steam Generating Units - Revision .....	2060-AF92
3829	SAN No. 3542. Revised Regulatory Requirements for Air Quality Modeling (Supplemental C) .....	2060-AG04
3830	SAN No. 3446. Revisions to Part 35, Subpart A Section 105 Air Grant Regulations .....	2060-AF03
3831	SAN No. 3087. Indian Tribes: Air Quality Planning and Management .....	2060-AF79
3832	SAN No. 1002 and 3588 (Implementation). NAAQS: Sulfur Dioxide (Review) .....	2060-AA61
3833	SAN No. 2535. NSPS: Municipal Solid Waste Landfills .....	2060-AC42
3834	SAN No. 2916. NSPS: Municipal Waste Combustion—Phase II and Phase III .....	2060-AD00
3835	SAN No. 3379. NSPS: Starch Production Facilities .....	2060-AE65
3836	SAN No. 3382. New Source Performance Standards for Cold-Cleaning Operations .....	2060-AF08
3837	SAN No. 2892. NESHAP: Asbestos Processing .....	2060-AB51
3838	SAN No. 2932. Guidance for the Implementation of Section 112(g)—Modifications .....	2060-AD06
3839	SAN No. 2965. NESHAP for Wood Furniture Manufacturing .....	2060-AD57
3840	SAN No. 3168. NESHAP: Petroleum Refining - Other Sources Not Distinctly Listed .....	2060-AD94
3841	SAN No. 3074. NESHAP: Surface Coating Operations in Shipbuilding and Ship Repair .....	2060-AD98
3842	SAN No. 3075. NESHAP: Aerospace Industry .....	2060-AE02
3843	SAN No. 3193. NESHAP: Secondary Lead Smelting .....	2060-AE04
3844	SAN No. 3159. NESHAP for Off-Site Waste and Recovery Operations .....	2060-AE05
3845	SAN No. 3341. NESHAP—Cyanide Chemical Manufacturing .....	2060-AE45
3846	SAN No. 3479. Amendments to Part 63 To Establish Provisions for Determining Potential To Emit .....	2060-AE63
3847	SAN No. 2937. Field Citation Program .....	2060-AD82

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3848	SAN No. 3104. Standards for Tank Vessel Loading Operations .....	2060-AD02
3849	Control Technology Guidelines (CTG) .....	2060-AD05
3850	SAN No. 3541. On-Board Diagnostics: Revision to Requirements for Storage of Engine Conditions Associated with Extinguishing a Malfunction Indicator Light .....	2060-AF20
3851	SAN No. 2665. Amendments to Regulations Governing the Importation of Nonconforming Vehicles .....	2060-AC58
3852	SAN No. 3097. Nonconformance Penalties for 1998 Model Year Emission Standards for Heavy-Duty Engines and Vehicles .....	2060-AE07
3853	SAN No. 3323. Review of the Federal Test Procedure for Emissions From Motor Vehicles and Motor Vehicle Engines .....	2060-AE27
3854	SAN No. 2637. Alternative Test Procedure for the Voluntary Aftermarket Part Certification Program .....	2060-AC50
3855	SAN No. 3597. Regulation of Fuel and Fuel Additives: Certification Requirements for Deposit Control Additives ...	2060-AG06
3856	SAN No. 3350. Emission Standards for Gasoline Spark-Ignition and Diesel Compression-Ignition Marine Engines	2060-AE54
3857	SAN No. 3300. Air Pollutant Emission Regulations for Spark-Ignited Nonroad Engines 25 Horsepower and Below - Phase I .....	2060-AF78
3858	SAN No. 2940 SAN No. 2940. Regulations Governing Prior Notice of Citizen Suits Brought Under Section 304 of the Clean Air Act .....	2060-AD80
3859	SAN No. 2888. Acid Rain Nitrogen Oxides Control Regulation .....	2060-AD45
3860	SAN No. 3462. Protection of Stratospheric Ozone: Administrative Changes to the Final Rule To Phase Out Ozone-Depleting Chemicals .....	2060-AE70
3861	SAN No. 3603. User Fees for Radon Proficiency Programs Rule - Amendment .....	2060-AF40

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Sequence Number	Title	Regulation Identifier Number
3862	SAN No. 2942. Enhanced Monitoring Program .....	2060-AD18
3863	SAN No. 2955. Registration and Testing of Lead Substitute Gasoline Additives .....	2060-AD29
3864	SAN No. 2951. Emission Standards for Clean-Fuel Vehicles and Engines, Requirements for Clean-Fuel Vehicle Conversions and California Pilot Test Program .....	2060-AD32
3865	SAN No. 3221. Administration of the Clean Air Act and the Clean Water Act With Respect to Contracts, Grants, and Loans—List of Facilities Ineligible for Federal Procurement and Nonprocurement Programs .....	2060-AD83
3866	SAN No. 3286. Mobile-Stationary Source Trading Program .....	2060-AD85
3867	SAN No. 3285-2763. Emission Standards for Gaseous-Fueled Vehicles and Certification Procedures for Aftermarket Conversions .....	2060-AD86
3868	SAN No. 3186. Amendments to the Emission Defect Reporting Requirements .....	2060-AE16
3869	SAN No. 3261. Inspection/Maintenance Program Requirements—Provisions for Redesignation .....	2060-AE21
3870	SAN No. 3355. Federal Implementation Plans To Achieve the National Ambient Air Quality Standard for Ozone in the Sacramento Metropolitan Area, SCAQMD, and Ventura County, California, Nonattainment Areas .....	2060-AE25
3871	SAN No. 3353. NAAQS: Ozone (Review) .....	2060-AE57
3872	SAN No. 3319. Acid Rain Program, Revisions of Substitution and Reduced Utilization Regulations .....	2060-AE59
3873	SAN No. 3448. NAAQS: Particulate Matter (Review) .....	2060-AE66
3874	SAN No. 3276. Standards for Emissions from Ethanol-Fueled Motor Vehicles and Motor Vehicle Engines .....	2060-AE67
3875	SAN No. 3524. Regulation of Fuels and Fuel Additives: Individual Foreign Refinery Baseline Requirements for Reformulated Gasoline .....	2060-AF13
3876	SAN No. 3526. Ozone Transport Commission; Emission Vehicle Program for the Northeast Ozone Transport Region .....	2060-AF15
3877	SAN No. 3473. Test Method 302, Appendix M, 40 CFR Part 51 .....	2060-AF23
3878	SAN No. 3549. NESHAP: Petroleum Refineries - FCC Units, Reformers and Sulfur Plants .....	2060-AF28
3879	SAN No. 3082. NESHAP: Ferroalloy Industry .....	2060-AF29
3880	SAN No. 3553. Requirements for Preparation, Adoption, and Submittal of Ozone State Implementation Plans .....	2060-AF34
3881	SAN No. 3516. Comprehensive Radiation Waste Management Rule .....	2060-AF41
3882	SAN No. 3519. Conventional Gasoline Marker .....	2060-AF53
3883	SAN No. 3543. Revisions to the Acid Rain Permit Regulations Under Title IV of the Clean Air Act Concerning Substitution Units .....	2060-AF55
3884	SAN No. 2915. Methods for Measurement of Visible Emissions - The addition of Methods 203A, 203B, and 203c to Appendix M of Part 51 .....	2060-AF83

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3885	SAN No. 3605. On-Board Diagnostics: Acceptance of Revised California OBD II Requirements; OBD Relief for Alternative Fueled Vehicles; and Revisions for Consistency Between Federal OBD & California OBD II .....	2060-AF86
3886	SAN No. 3016. Revise Capture Efficiency Guidelines .....	2060-AD84
3887	SAN No. 2719. Medical Waste Incinerators .....	2060-AC62
3888	SAN No. 3106. NSPS for Sulfur Dioxide (SO <sub>2</sub> ) - Revision .....	2060-AD04
3889	SAN No. 3515. Revision to Standards of Performance for New Stationary Sources: Automobile and Light Duty Truck Surface Coating Operation .....	2060-AF14
3890	SAN No. 2841. NESHAP: Chromium Electroplating .....	2060-AC14
3891	SAN No. 2484. NESHAP: Ethylene Oxide From Commercial Sterilization .....	2060-AC28
3892	SAN No. 1695. NESHAP: Halogenated Solvent Cleaning .....	2060-AC31
3893	SAN No. 3373/2993. Radionuclide Major Source Definition .....	2060-AD60
3894	SAN No. 2926. NESHAP: Stage I Gasoline Distribution Facilities .....	2060-AD93
3895	SAN No. 2945. NESHAP: Polymers and Resins, Group II .....	2060-AD97
3896	SAN No. 2946. NESHAP: Magnetic Tape Manufacturing Operations .....	2060-AD99
3897	SAN No. 3215. NESHAP: Mineral Wool Production Industry .....	2060-AE08
3898	SAN No. 3228. NESHAP for Formaldehyde-Based Resins .....	2060-AE36
3899	SAN No. 3344. NESHAP—Chromium Chemical Manufacturing .....	2060-AE42
3900	SAN No. 3343. NESHAP—Iron Foundries and Steel Foundries .....	2060-AE43
3901	SAN No. 3346. NESHAP—Integrated Iron and Steel .....	2060-AE48
3902	SAN No. 3123. NESHAP: Wool Fiberglass Manufacturing Industry .....	2060-AE75
3903	SAN No. 3078. NESHAP: Secondary Aluminum Industry .....	2060-AE77
3904	SAN No. 3326. NESHAP: Reinforced Plastic Composites Production .....	2060-AE79
3905	SAN No. 3408. NESHAP: Polyether Polyol Production .....	2060-AE81
3906	SAN No. 3452. NESHAP: Non-SOCMI Organic Chemical Production .....	2060-AE82
3907	SAN No. 3451. NESHAP: Pharmaceuticals Production .....	2060-AE83
3908	SAN No. 3450. NESHAP: Production of Agricultural Chemicals .....	2060-AE84
3909	SAN No. 3467. NESHAP: Primary Lead Smelters .....	2060-AE97
3910	SAN No. 3378. NESHAP: Manufacturers of Acrylic/Modacrylic Fibers .....	2060-AF06
3911	SAN No. 3465. NESHAP: Polycarbonates Production .....	2060-AF09
3912	SAN No. 3192. Permits for Early Reductions Sources .....	2060-AF10
3913	SAN No. 3548. NESHAP: Nylon 6 Production .....	2060-AF27
3914	SAN No. 3613. New Source Performance Standards (NSPS) and Emission Guidelines for Industrial and Commercial Waste Incinerators .....	2060-AF91
3915	SAN No. 3610. Transportation Conformity Amendments: Transition to the Control Strategy Period .....	2060-AF95
3916	SAN No. 3191. Cold Temperature Carbon Monoxide Emissions Averaging .....	2060-AE13
3917	SAN No. 3456. Tier 2 Emission Standards .....	2060-AE87
3918	SAN No. 3454. Control of Motor Vehicle Evaporative Emissions .....	2060-AE89
3919	SAN No. 2727. Emission Design and Defect Warranty and Parts List .....	2060-AD56
3920	SAN No. 2728. Revisions to Regulations on Registration of Fuels and Fuel Additives .....	2060-AC74
3921	SAN No. 2769. Control of Air Toxics Emissions From Motor Vehicles .....	2060-AC75
3922	SAN No. 3455. Standards for Methanol Vehicle Fillnecks and Methanol Fuel Dispensers, and Specifications for Methanol Vehicle Fuel .....	2060-AE88
3923	SAN No. 3361. Emission Standards for New Nonroad Spark-Ignition Engines at and Below 19 Kilowatts (25 Horsepower) (Phase 2) .....	2060-AE29
3924	SAN No. 3458. Emission Standards for Nonroad Recreational Vehicles and Revision of On-Highway Motorcycle Emission Standards .....	2060-AE91
3925	SAN No. 3175. Restrictions on Motor Vehicle and Non-Road Engines .....	2060-AD72
3926	SAN No. 3325. Urban Bus Pass/Fail Rate Rulemaking .....	2060-AE71
3927	SAN No. 3571. Acid Rain Program: Revised Group 1, Phase II, NO <sub>x</sub> Emission Limitations .....	2060-AF44
3928	SAN No. 3575. NO <sub>x</sub> Emission Limitations for Group 2 Boilers .....	2060-AF48
3929	SAN No. 3463. Protection of Stratospheric Ozone: Supplemental Rule To Amend Grandfathering Requirements for the Technician Certification Program for National Recycling .....	2060-AF05
3930	SAN No. 3537. Protection of Stratospheric Ozone: Supplemental Rule To Amend Leak Repair Provisions, Equipment Standards and Scope of Chemicals To Be Recycled Under Section 608 of the Amended CAA .....	2060-AF52
3931	SAN No. 3348. Protection of Stratospheric Ozone: Labeling; Supplemental Rule .....	2060-AE51
3932	SAN No. 2690. User Fees for Radon Proficiency Programs .....	2060-AC66
3933	SAN No. 2240. Treatment, Storage, and Disposal Facility - RCRA Air Emission Standards .....	2060-AB94

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## Superfund (CERCLA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3934	SAN No. 3423. Reportable Quantity Adjustments for Carbamates .....	2050-AE12
3935	SAN No. 3054. Administrative Reporting Exemptions for Certain Radionuclide Releases .....	2050-AD46
3936	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
3937	SAN No. 2979. Risk Management Program For Chemical Accidental Release Prevention .....	2050-AD26
3938	SAN No. 3000. Designation Under CERCLA and Reportable Quantity Adjustments for Clean Air Act Hazardous Air Pollutants; Reportable Quantity Adjustments of Hazardous Wastes .....	2050-AD33
3939	SAN No. 2976. Amendment to the NCP Appendix: OSWER Procedures for Contract Laboratory Program (CLP) Investigations .....	2050-AD34
3940	SAN No. 3439. National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules .....	2050-AD75
3941	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

## Superfund (CERCLA)—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3942	SAN No. 3337. The National Priorities List for Uncontrolled Hazardous Waste Sites; Deletion Policy for Resource Conservation and Recovery (RCRA) Facilities .....	2050-AE04
3943	SAN No. 2394. Reporting Exemptions for Federally-Permitted Releases of Hazardous Substances .....	2050-AB82
3944	SAN No. 3050. Deletion of Saccharin From the List of Hazardous Wastes Under RCRA and the List of Hazardous Substances Under CERCLA .....	2050-AD45
3945	SAN No. 3424. Reportable Quantity Adjustment for Radon-222 .....	2050-AE20
3946	SAN No. 3422. Response Action Contractor Indemnification .....	2050-AE19

## General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3947	SAN No. 3600. Governmentwide Debarment and Suspension (Non-Procurement) .....	2030-AA39
3948	SAN No. 3670. Proposed Guidelines for Ecological Risk Assessment .....	2080-AA07
3949	SAN No. 3577. Grants and Cooperative Agreements With State, Local, and Indian Tribal Governments .....	2030-AA34
3950	SAN No. 3486. Non-APA Consolidated Rules of Practice for Administrative Assessment of Civil Penalties .....	2020-AA23
3951	SAN No. 3578. Revision to Submission of Invoices Clause .....	2030-AA35
3952	SAN No. 3579. EPA Policies for Information Resources Management .....	2030-AA36
3953	SAN No. 3580. Incorporation of Class Deviation into EPAAR .....	2030-AA37
3954	SAN No. 3587. Merger of 40 CFR Parts 15 and 32 Into a Single Regulation .....	2030-AA38
3955	SAN No. 3629. EPA Mentor-Protege Program .....	2030-AA40
3956	SAN No. 3628. Confidential Business Information Provisions and Clauses .....	2030-AA41
3957	SAN No. 3601. Use of Options .....	2030-AA43
3958	SAN No. 3098. Implementation of Procurement Integrity .....	2030-AA25
3959	SAN No. 3255. Source Selection Procedures .....	2030-AA29
3960	SAN No. 2662. Amendments to Part 22 Consolidated Procedural Rules .....	2020-AA13
3961	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

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General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3962	Final Guidelines for Reproductive Toxicity Risk Assessment .....	2080-AA05
3963	SAN No. 3671. Final Guidelines for Carcinogen Risk Assessment .....	2080-AA06
3964	SAN No. 3584. Enhanced Monitoring Program .....	2020-AA24
3965	SAN No. 2702. Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Cost Recovery .....	2050-AC98
3966	SAN No. 3438. Award Fee .....	2030-AA31
3967	SAN No. 3436. Uniform Administration Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations .....	2030-AA32
3968	SAN No. 3620. EPAAR Amendment: Revisions to Delegations of Authority in EPA's Internal Procedures for Acquisition .....	2030-AA42
3969	SAN No. 3240. Public Information and Confidentiality Regulations .....	2020-AA21
3970	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/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3971	SAN No. 3386. Indian Tribes: Eligibility of Indian Tribes for Program Authorization .....	2020-AA20
3972	SAN No. 3100. Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments .....	2030-AA27
3973	SAN No. 2218. Nondiscrimination on the Basis of Age in Programs Receiving Financial Assistance From the EPA (Revision) .....	2090-AA09
3974	SAN No. 3431. Privacy Act of 1974; Proposed Alteration of Existing New System of Records .....	2020-AA18
3975	SAN No. 2158. Compliance Monitoring and Enforcement Requirements for State Hazardous Waste Management Programs .....	2050-AB01

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3546. PESTICIDES; TOLERANCE PROGRAM REVISIONS

Priority: Regulatory Plan

Legal Authority: 21 USC 346 to 346(a); 21 USC 348

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

Legal Deadline: None

Abstract: EPA is reassessing the pesticide tolerance-setting process with

the goal of improving public health protection provided by the tolerance process, increasing public confidence in the safety of the food supply, clarifying and simplifying the process for all affected parties, and utilizing the most cost-efficient methods for implementation and compliance.

Timetable:

Action	Date	FR Cite
ANPRM	07/00/95	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3430.

Agency Contact: Chris Gillis, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7501C, Washington DC 20460, 703 305-5131

RIN: 2070-AC74

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3547. REVOCATION OF PESTICIDE FOOD ADDITIVE TOLERANCES SUBJECT TO THE DELANEY CLAUSE

Priority: Other Significant

Legal Authority: 21 USC 348/FFDCA 409

CFR Citation: 40 CFR 185; 40 CFR 186

Legal Deadline:

Abstract: The Agency is proposing to revoke food additive tolerances for a number of pesticide carcinogens in processed food because of the Delaney

clause. The Delaney clause prohibits chemicals in processed foods that induce cancer in man or lab animals. This rulemaking is the result of a decision by the Court of Appeals for the Ninth Circuit which ruled

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## Proposed Rule Stage

application of a strict interpretation of the Delaney clause. EPA will issue these proposals in a phased manner to facilitate science and policy issues and comments.

**Timetable:****Phase I (Group A)**

NPRM 07/01/94 (59 FR 33941)  
Final Action 12/00/95

**Phase II (Group B/D)**

NPRM 01/18/95 (60 FR 3602)  
Final Action 06/00/96

**Phase III (Group C)**

NPRM 08/00/95

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 3154.

**Agency Contact:** Niloufar Nazmi, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7508w, Washington, DC 20460, **703 308-8028**

**RIN:** 2070-AC55

### 3548. PESTICIDE DATA REQUIREMENTS FOR REGISTRATION (REVISION)

**Priority:** Other Significant

**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	12/00/95	

**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, **703 305-5989**

**RIN:** 2070-AC12

### 3549. PESTICIDES AND GROUNDWATER STATE MANAGEMENT PLAN REGULATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136a(d); 7 USC 136i(e); 7 USC 136j

**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	07/00/95	

**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, **703 305-7099**

**RIN:** 2070-AC46

### 3550. • PESTICIDE LABELING CLAIMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136 - 136y/FIFRA 2, 3, and 25

**CFR Citation:** 40 CFR 156.10

**Legal Deadline:** None

**Abstract:** EPA proposes to modify its labeling regulations that currently prohibit various kinds of false or misleading statements to allow, in the Agency's discretion, certain types of claims to appear on pesticide labeling. The rule would not specify criteria or

claims that would be permitted. Permitted statements would be addressed through the registration program. By permitting certain types of claims or information on labels that currently is prohibited, EPA expects that pesticide users will be able to make better informed choices about products that are lower risk or more efficient or have environmentally preferable characteristics. This rule would not be proposed until after non-regulatory criteria or specific allowable types of claims are developed, and would be coordinated as needed with an ongoing Consumer Labeling Initiative addressing consumer pesticides and other chemicals.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	
Final Action	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3636.

**Agency Contact:** Melissa L. Chun, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7505W, Washington, DC 20460, **703 308-8318**

**RIN:** 2070-AC85

### 3551. PROCEDURES TO MAKE RESTRICTED USE PESTICIDES AVAILABLE TO NONCERTIFIED PERSONS FOR USE BY CERTIFIED APPLICATORS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136i/FIFRA 11; 7 USC 136j/FIFRA 12; 7 USC 136w/FIFRA 25

**CFR Citation:** 40 CFR 171

**Legal Deadline:** None

**Abstract:** This action is intended to develop regulations pursuant to FIFRA Section 12(a)(2)(F) to allow the sale of restricted use pesticides under certain circumstances to persons who are not certified applicators. Regulatory development will be coordinated with the review of State plans under FIFRA Section 11 to determine both need and compatibility with State authorities and programs.

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**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2337.

**Agency Contact:** Robert Bielarski, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7506C, Washington, DC 20460, **703 305-7371**

**RIN:** 2070-AB48

**3552. 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	12/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Undetermined

**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, SE., Washington, DC 20460, **703 308-8383**

**RIN:** 2070-AC07

**3553. CHILD-RESISTANT PACKAGING REGULATIONS (REVISION)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136/FIFRA 25

**CFR Citation:** 40 CFR 157

**Legal Deadline:** None

**Abstract:** These regulations will revise current Child Resistant Packaging regulations (CRP) to be consistent with CRP protocol testing revisions the CPSC is proposing in its regulations. Also, these regulations will discuss the implementation of these changes in terms of pesticide registrations.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** SAN No. 2639.

**Agency Contact:** Rosalind L. Gross, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7505W, Washington, DC 20460, **703 308-8354**

**RIN:** 2070-AB96

**3554. EXEMPTION OF STERILANT PESTICIDE PRODUCTS FROM REGULATION UNDER THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136w/FIFRA 25(b)

**CFR Citation:** 40 CFR 152.20

**Legal Deadline:** None

**Abstract:** EPA will propose to exempt from regulation under FIFRA sterilant products used to control microorganisms on treated environmental surfaces. EPA currently regulates sterilant products as pesticides; concurrently FDA regulates chemical germicides used as sterilants for medical devices under the Federal Food, Drug and Cosmetic Act (FFDCA). Under a Memorandum of Understanding signed June 4, 1993 and amended June 20, 1994 EPA and FDA agreed to eliminate this redundant regulatory jurisdiction. By exempting sterilants under FIFRA, sole jurisdiction will reside with FDA.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	
Final Action	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 3318.

**Agency Contact:** Michele E. Wingfield, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7505c, Washington DC 20460, **703 305-7470**

**RIN:** 2070-AC58

**ENVIRONMENTAL PROTECTION AGENCY (EPA)**

**Final Rule Stage**

**Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)**

**3555. PESTICIDE TOLERANCES; PORTION OF FOOD COMMODITIES TO BE ANALYZED FOR PESTICIDE RESIDUES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 346a/FFDCA 408; 21 USC 348/FFDCA 409

**CFR Citation:** 40 CFR 180

**Legal Deadline:** None

**Abstract:** EPA is proposing to amend its current pesticide tolerance

regulations to clarify how raw agricultural commodities are defined for conducting residue data development and analysis used in establishing and enforcing a tolerance. This proposed rule amendment restates, updates, clarifies, and makes more uniform the analytical practices that have been developed over the years, and therefore, should facilitate and improve efficiency in pesticide residue analysis on food commodities.

**Timetable:**

Action	Date	FR Cite
NPRM	09/29/93	58 FR 50888
Final Action	11/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 2444.

**Agency Contact:** Jean Frane, Environmental Protection Agency, Office of Prevention, Pesticides, and

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Toxic Substances, 7501c, Washington, DC 20460, **703 305-5944**

RIN: 2070-AC45

### 3556. ENDANGERED SPECIES PROTECTION PROGRAM

**Priority:** Economically Significant

**Legal Authority:** PL 100-478, Sec 1010

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** EPA will develop and implement an endangered species pesticide labeling program designed to conserve federally listed species and to minimize the impacts to persons who use pesticides. The program will include development of species maps and pesticide use limitation bulletins to be distributed as an extension of pesticide labels. Pesticides that are determined to cause harm to endangered species will require label changes which display precautionary statements and directions on how to obtain county bulletins. EPA will coordinate the program with the U.S. Fish and Wildlife Service of the Department of Interior and the U.S. Department of Agriculture.

**Timetable:**

Action	Date	FR Cite
Proposed Notice	07/03/89	54 FR 27984
Final Notice	03/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3113.

**Agency Contact:** Larry Turner, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7507C, Washington, DC 20460, **703 305-5007**

RIN: 2070-AC42

### 3557. PESTICIDE WORKER PROTECTION STANDARD; TRAINING PROVISIONS FOR WORKERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136w

**CFR Citation:** 40 CFR 170

**Legal Deadline:** None

**Abstract:** EPA is proposing to revise the Worker Protection Standard (WPS) for agricultural pesticides by revising the training grace period for workers, the interim grace period and the

retraining interval for workers and handlers. The proposal offers the options of shortening the grace period from the current 15 days to 0 days after a 1 year interim period, shortening the grace period to between 1 and 5 days without an interim period, or providing a weekly training session. Options proposed are to maintain the current 5 year retraining interval or to require retraining every 3 years or annually.

**Timetable:**

Action	Date	FR Cite
NPRM	01/11/95	60 FR 2820
Final Action	04/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3429.

**Agency Contact:** Jeanne Heying, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7506C, Washington DC 20460, **703 305-7164**

RIN: 2070-AC69

### 3558. WORKER PROTECTION STANDARD: REVISION OF CROP ADVISOR REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136w

**CFR Citation:** 40 CFR 170 (Revision)

**Legal Deadline:** None

**Abstract:** EPA is proposing to exempt certified or licensed crop advisors from the requirements of the Worker Protection Standard, and to exempt their employees from all requirements except pesticide safety training.

**Timetable:**

Action	Date	FR Cite
NPRM	01/11/95	60 FR 2826
Final Action	04/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3558.

**Agency Contact:** Donald Eckerman, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7506C, **703 305-5062**

RIN: 2070-AC82

### 3559. REGULATION OF PLANT-PRODUCED PESTICIDES UNDER FIFRA AND FFDCA

**Priority:** Other Significant

**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	11/13/94	50 FR 60496
Final Action	02/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2684.

**Agency Contact:** Bernice Slutsky, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-6900**

RIN: 2070-AC02

### 3560. PESTICIDE FLAMMABILITY LABELING REQUIREMENTS FOR TOTAL RELEASE FOGGERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136/FIFRA 2; 7 USC 136a/FIFRA 3

**CFR Citation:** 40 CFR 156.10

**Legal Deadline:** None

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**Abstract:** This rule would require that pesticide total release foggers be labeled with additional flammability precautionary statements (including possibly 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	08/00/95	

**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, **703 308-8319**

**RIN:** 2070-AC60

**3561. RESTRICTED USE CRITERIA FOR PESTICIDES IN GROUND WATER**

**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	01/00/96	

**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, **703 305-5131**

**RIN:** 2070-AB60

**3562. WORKER PROTECTION STANDARDS; PESTICIDE HAZARD COMMUNICATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136(w)/FIFRA 25

**CFR Citation:** 40 CFR 170

**Legal Deadline:** None

**Abstract:** This rule would require the provision of hazard information to agricultural workers covered by the Worker Protection Standard. The requirements as proposed were designed to be substantially equivalent to the Hazard Communication Standard promulgated by the Occupational Safety and Health Administration (OSHA). Specific hazard information would be made available to agricultural workers and pesticide handlers concerning the pesticides to which they are exposed.

**Timetable:**

Action	Date	FR Cite
NPRM	08/21/92	57 FR 38167
Final Action	10/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 1640.

**Agency Contact:** Kevin Keaney, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7506c, Washington, DC 20460, **703 305-7666**

**RIN:** 2070-AC34

**3563. CERTIFICATION OF PESTICIDE APPLICATORS (REVISION)**

**Priority:** Other Significant

**Legal Authority:** 7 USC 136i/FIFRA 11; 7 USC 136w/FIFRA 25

**CFR Citation:** 40 CFR 171

**Legal Deadline:** None

**Abstract:** This rule will revise regulations governing administration of pesticide certification programs by states, tribes, EPA and other Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	11/07/90	55 FR 46890
Final Action	12/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Tribal, Federal

**Additional Information:** SAN No. 2446.

**Agency Contact:** John MacDonald, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7506C, Washington, DC 20460, **703 305-7370**

**RIN:** 2070-AB75

**3564. REPORTING REQUIREMENTS FOR RISK/BENEFIT INFORMATION (REVISION)**

**Priority:** Other Significant

**Legal Authority:** 7 USC 136d/FIFRA 6

**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
Final Action	07/12/79	44 FR 40716
Final Action	09/20/85	50 FR 38115
NPRM	09/24/92	57 FR 44290
Final Action	07/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2338.

**Agency Contact:** James V. Roelofs, Environmental Protection Agency,

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Office of Prevention, Pesticides, and Toxic Substances, 7501C, Washington, DC 20460, **703 305-7102**

RIN: 2070-AB50

### 3565. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

**Priority:** Regulatory Plan

**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	10/00/95	

**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, **202 569-4162**

RIN: 2070-AC08

### 3566. CLASSIFICATION OF CERTAIN PESTICIDES FOR RESTRICTED USE DUE TO GROUNDWATER CONCERNS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136a(d); 136i(e); 136j

**CFR Citation:** 40 CFR 152.170

**Legal Deadline:** None

**Abstract:** This rule will apply previously established criteria (see RIN 2070-AB60) to select pesticides for restricted use classification (RU) due to ground-water concerns. Once promulgated, classified pesticides will be restricted to use by trained and certified operators.

#### Timetable:

Action	Date	FR Cite
NPRM	05/31/91	56 FR 22076
Final Action	11/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** SAN No. 2351.

**Agency Contact:** Chris Gillis, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7501C, Washington, DC 20460, **703 305-5131**

RIN: 2070-AC33

### 3567. REVISION TO CROP GROUPING REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 345a,371

**CFR Citation:** 40 CFR 180

**Legal Deadline:** None

**Abstract:** The current crop grouping regulations allow establishment of pesticide tolerances for multiple related crops based upon data for a representative set of crops. EPA has proposed to revise the crop grouping regulations by providing additional options for crop grouping. These revisions would promote greater utilization of crop grouping for tolerance-setting purposes. Revisions to the crop grouping scheme that would increase its utilization will reduce the regulatory burden associated with residue data development in support of pesticide tolerances and registration.

#### Timetable:

Action	Date	FR Cite
NPRM	08/25/93	58 FR 44990
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3141.

**Agency Contact:** Hoyt Jamerson, EPA, Office of Pesticide Program, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 401 M St. SW., Washington, DC 20460, 7505w, **703 308-8783**

RIN: 2070-AC52

### 3568. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT

**Priority:** Economically Significant

**Legal Authority:** 7 USC 136q/FIFRA 19; 7 USC 136a/FIFRA 3; 7 USC 136w/FIFRA 25

**CFR Citation:** 40 CFR 165; 40 CFR 156

**Legal Deadline:** Final, Statutory, December 24, 1991.

**Abstract:** The 1988 amendments to FIFRA section 19 significantly expand and strengthen EPA authority to regulate the management of pesticides and their containers, including storage, transportation and disposal. As proposed this rule would establish standards for removal of pesticides from containers and for rinsing containers; facilitate the safe use, refill, reuse, and disposal of pesticide containers by establishing standards for container design, labeling and refilling; and establish requirements for containment of stationary bulk containers and for containment of pesticide dispensing areas.

#### Timetable:

Action	Date	FR Cite
NPRM (Container Design, Residue Removal, Bulk Containment)	02/11/94	59 FR 6712
Final Action	07/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2659.

**Agency Contact:** Paul F. Schuda, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7507C, Washington, DC 20460, **703 305-7695**

RIN: 2070-AB95

### 3569. PESTICIDE MANAGEMENT AND DISPOSAL

**Priority:** Regulatory Plan

**Legal Authority:** 7 USC 136 et seq

**CFR Citation:** 40 CFR 165

**Legal Deadline:** None

**Abstract:** This action develops procedures for mandatory and

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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	12/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3432.

**Agency Contact:** David Stangel, Environmental Protection Agency,

Office of Enforcement and Compliance Assurance, (2225-A), Washington DC 20460, **202 569-4162**

**RIN:** 2070-AC81

**3570. REGULATORY RELIEF FOR LOW-RISK PESTICIDES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 136w(b)/FIFRA 25(b)

**CFR Citation:** 40 CFR 152

**Legal Deadline:** None

**Abstract:** Pesticides which are substances or mixtures intended to control or mitigate pests, are regulated under FIFRA and are required to be registered prior to sale or distribution in the United States. Some pesticides may also be widely used in foods or for other non-pesticidal purposes, e.g., natural cedar wood. These pesticides are considered innocuous or are otherwise of a character that do not

require registration. EPA proposes to exempt appropriate pesticides (to be cited in the proposal) from registration and develop criteria for future pesticides that may qualify for exemption from FIFRA requirements.

**Timetable:**

**List of Other Pesticides and Criteria**

NPRM 09/15/94 (59 FR 47289)  
Final Action 09/00/95

**Natural Cedar Pesticides**

NPRM 08/11/93 (58 FR 42711)  
Final Action 01/19/94 (59 FR 2748)

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3320.

**Agency Contact:** Susan Stantont, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, 7505c, Washington, DC 20460, **703 305-5446**

**RIN:** 2070-AC67

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed/Longterm Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

**3571. INTERPRETATION OF RAW AGRICULTURAL COMMODITY**

**CFR Citation:** 40 CFR 180.1; 40 CFR 180; 40 CFR 185

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action is expected in the next 12 months.	02/16/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jean Frane, **703 305-5944**

**RIN:** 2070-AC54

**3572. MICROBIOLOGICAL WATER PURIFIERS; LABELING CLAIMS**

**CFR Citation:** 40 CFR 156.10(a)(6)

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action is expected in the next 12 months.	02/16/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** D. Jean Jenkins, **703 305-7443**

**RIN:** 2070-AC43

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Toxic Substances Control Act (TSCA)

**3573. HAZARDOUS AIR POLLUTANTS TEST RULE**

**Priority:** Other Significant

**Legal Authority:** 15 USC 2603;/TSCA 4; 42 USC 7412, 7403;/CAA 112 & 103

**CFR Citation:** 40 CFR 789 to 795

**Legal Deadline:** None

Section 112 of the CAA indirectly imposes deadlines on this test rule, inasmuch as the test data is needed to carry out programs and activities that have statutory deadlines.

**Abstract:** A multi-chemical endpoint test rule will require the testing of many chemicals for a specific effect or endpoint. 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 testing while conserving Agency resources. EPA is proposing health effects testing under TSCA section 4 in support of programs and activities required under section 112 of the Clean Air Act (CAA), governing Hazardous

Air Pollutants (HAPs). Section 112 of the CAA directs EPA to determine the risk to health and the environment remaining after application of a technology-based standard to major and area sources. Section 112 also sets forth a mechanism for revising and modifying the statutory list of 189 HAPs under section 112(b), requirements for an accidental release control program, requirements for an urban air toxics program, a mechanism for ranking of hazards for offsets, and requirements for Great Waters studies.

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In order to implement these and other programs and requirements under section 112, EPA must identify the health and (cont)

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3504.

ABSTRACT CONT: environmental effects of potential concern from exposure to HAPs, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs. In addition, under section 103(d), EPA is required to conduct a research program on the short- and long-term effects of air pollutants on human health.

**Agency Contact:** Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AC76

### 3574. TSCA CHEMICAL USE INVENTORY PROJECT

**Priority:** Regulatory Plan

**Legal Authority:** 15 USC 2607(a)

**CFR Citation:** 40 CFR 710

**Legal Deadline:** None

**Abstract:** This action would require chemical manufacturers to report to EPA the industrial and consumer end uses of chemicals they produce. Currently, EPA requires chemical manufacturers to report the names of the chemicals they produce, as well as the locations of manufacturing facilities and the quantities produced. About 4,000 facilities reported data on about 8,000 unique chemicals during the last reporting cycle under the TSCA Inventory Update Rule (IUR). Data obtained would be used by EPA and others to: Better understand the potential for chemical exposures and then screen the chemicals now in commerce and identify those of highest concern; Establish priorities and goals for their chemical assessment, risk management and prevention programs and monitor their progress; Encourage pollution prevention by identifying potentially safer substitute chemicals

for uses of potential concern; and Enhance the effectiveness of chemical risk communication efforts. EPA has held meetings with representatives of the chemical industry, environmental groups, environmental justice leaders, labor groups, State governments and other Federal agencies to insure public involvement in the development of the Chemical Use Inventory project. In order to ensure that end use reporting is effective and minimizes reporting burdens, EPA plans to engage the regulated community and other stakeholders in a regulatory negotiation to generate a proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3301.

**Agency Contact:** Ward Penberthy, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-1664**

**RIN:** 2070-AC61

### 3575. FACILITY COVERAGE AMENDMENT; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

**Priority:** Economically Significant

**Legal Authority:** 42 USC 11013 EPCRA 313; 42 USC 11023; 42 USC 11048; 42 USC 11076

**CFR Citation:** 40 CFR 372

**Legal Deadline:** None

**Abstract:** Action is being taken in order to expand the reporting universe of the Toxics Release Inventory (TRI), pursuant to authority under the Emergency Planning and Community Right-to-Know Act (EPCRA) section 313. Additional industry sectors, as defined by SIC code, would be subject to the same reporting requirements as are currently reporting facilities. This increase in the number of reporting facilities will significantly enhance the public's right-to-know about toxic chemicals released in their communities. The additional data included in the TRI will provide a

more comprehensive portrait of toxic emissions in the U.S., thus enabling Federal, state, and local agencies to have adequate data for use in determining appropriate policies and regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3034.

**Agency Contact:** Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington DC 20460, **202 260-1024**

**RIN:** 2070-AC71

### 3576. DELETION OF ISOPROPYL ALCOHOL; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

**Priority:** Routine and Frequent

**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	12/00/95	
Final Action	05/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3388.

**Agency Contact:** Susan B. Hazen, Environmental Protection Agency,

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Office of Prevention, Pesticides, and Toxic Substances, SE., Washington DC 20460, **202 260-1024**

RIN: 2070-AC77

### 3577. MANDATORY POLLUTION PREVENTION REPORTING FOR TOXIC RELEASE INVENTORY (TRI)

**Priority:** Economically Significant

**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 following two years. The amounts must be estimated for the reporting year and the prior year. Facilities must also indicate changes in production from year to year and what source reduction activities were implemented.

**Timetable:**

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48475
Supplementary NPRM	07/00/95	
Finalization of Form R	12/00/95	

**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, SE., Washington, DC 20460, **202 260-1024**

RIN: 2070-AC24

### 3578. LEAD HAZARD STANDARDS

**Priority:** Regulatory Plan

**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	06/00/96	
Final Action	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Additional Information:** SAN No. 3243. Previously listed under RIN 2070-AC53.

**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington DC 20460, **202 260-1777**

RIN: 2070-AC63

### 3579. TSCA REQUIREMENTS FOR THE DISPOSAL OF LEAD-BASED ABATEMENT WASTE

**Priority:** Economically Significant

**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 Human Health 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 Pollution Prevention 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	09/00/95	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3508.

**Agency Contact:** Brian Cook, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington DC 20024, **202 260-1878**

RIN: 2070-AC72

### 3580. DEVELOPMENT OF GUIDANCE AS MANDATED BY EXECUTIVE ORDER 12873, SECTION 503 ON "ENVIRONMENTALLY PREFERABLE PRODUCTS"

**Priority:** Other Significant

**Legal Authority:** EO 12873

**CFR Citation:** None

**Legal Deadline:** None  
EO requests proposal by April 18, 1994.

**Abstract:** As mandated by Executive Order 12873, OPPTS is developing guidance to direct Federal agencies in their procurement of "Environmentally Preferable Products."

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	06/00/95	

**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.

**Additional Information:** SAN No. 3480.

**Agency Contact:** Eun-Sook Goidel, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-3296**

RIN: 2070-AC78

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**3581. • EVALUATION OF PRODUCTS FOR LEAD-BASED PAINT ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 102-550, sec 405(f)**CFR Citation:** None**Legal Deadline:** Final, Statutory, April 28, 1995.

**Abstract:** The Residential Lead-Based Paint Hazard Reduction Act of 1992 requires the President to establish by rule, criteria, testing protocols, and performance characteristics to ensure that lead-based paint hazard evaluation and reduction products are effective. The statute urges the use of independent testing laboratories in implementing the rule. The statute also allows the President to delegate authority for this rulemaking. While the authority has not yet been delegated, it is likely to be delegated to EPA.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal**Additional Information:** SAN No. 3631.

**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, (7404), Washington, DC 20460, **202 260-1777**

**RIN:** 2070-AC88**3582. PROPOSED DECISIONS ON TEST RULES****Priority:** Routine and Frequent**Legal Authority:** 15 USC 2603/TSCA 4**CFR Citation:** 40 CFR 799

**Legal Deadline:** NPRM, 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 06/00/95

**OSHA Chemicals with Insuf. Skin Absorption Data (ITC List 32)**  
NPRM or ECA 07/00/95

**OSHA Chemicals with No Skin Absorption Data (ITC List 31)**  
NPRM or ECA 07/00/95

**OSHA Chemicals with No Skin Absorption Data (ITC List 35)**  
NPRM or ECA 07/00/95

**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, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AB07**3583. NEGOTIATED CONSENT ORDER PROCEDURAL TEST RULE (REVISION)****Priority:** Informational**Legal Authority:** 15 USC 2603/TSCA 4**CFR Citation:** 40 CFR 790**Legal Deadline:** None

**Abstract:** This action will amend the testing consent order process to increase its 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.

**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	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** SAN No. 2245.

Includes SAN No. 2657.

**Agency Contact:** Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AB30**3584. 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	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 2563.

**Agency Contact:** Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AB79**3585. MULTI-CHEMICAL 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

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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 has evaluated chemicals on the Toxic Substances Control Act (TSCA) inventory for these characteristics and has identified chemicals for chemical fate and environmental effects testing for additional evaluation of their potential risks.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	

**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, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AC36

**3586. FOLLOW-UP RULES ON EXISTING CHEMICALS**

**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 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:**

<b>Aromatic Ether Diamines</b>	NPRM 05/30/90 (55 FR 21877) Final Action 08/23/94 (59 FR 43292)
<b>Benzidene-based Chemical Substances</b>	NPRM 07/00/95
<b>Chloranil</b>	NPRM 05/12/93 (58 FR 27980) Final Action 12/00/95
<b>Heavy Metal-Based Pigments in Aerosol Spray Paints</b>	NPRM 09/00/95
<b>2-Ethoxyethanol, 2-Methoxyethanol, &amp; 2-methoxyethanol Acetate</b>	NPRM 12/00/95
<b>2,4-Pentanedione</b>	NPRM 09/27/89 (54 FR 39548) Final Action 12/00/95

**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, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AA58

**3587. REGULATORY INVESTIGATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA) TO REDUCE LEAD (PB) CONSUMPTION AND USE**

**Priority:** Other Significant

**Legal Authority:** 15 USC 2604/TSCA 5; 15 USC 2605/TSCA 6

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

**Legal Deadline:** None

**Abstract:** This action initiates a regulatory investigation under the Toxic Substances Control Act (TSCA) section 6 to determine if uses of lead (Pb) present an unreasonable risk to human health and the environment. The investigation will involve examination of the potential sources of human or other exposure to lead throughout the life cycle. Based on information gathered EPA may propose TSCA section 6(a) rules to control existing or new uses of Pb which pose an unreasonable risk to human health or the environment, and to explore the desirability and feasibility of discouraging overall consumption of Pb in general. Currently, EPA has ongoing regulatory investigation on two uses of lead: plumbing fixtures and fishing sinkers.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/13/91	56 FR 22096
<b>Fishing Sinkers</b>	NPRM 03/09/94 (59 FR 11122) Final Action 01/00/96	
<b>Plumbing Fixtures</b>	NPRM 12/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2848/3252.

SAN No. 2848 (Lead Solder & Plumbing Fixtures). SAN No. 3252 (Lead Fishing Sinkers).

**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-1777**

**RIN:** 2070-AC21

**3588. AMENDMENTS TO THE ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 2605; 2607(c); 2647

**CFR Citation:** 40 CFR 763 subpart E

**Legal Deadline:** None

**Abstract:** EPA is proposing to amend the Asbestos-Containing Materials in Schools Rule in order to provide clarifications regarding several definitions, air clearance monitoring techniques, and response actions. For the first time, this rulemaking will be chaired by an EPA Regional office.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3047.

Additional Agency Contact: Robert Jordan; 7404; EPA; Washington DC 20460; (202) 260-2328

**Agency Contact:** Wolfgang Brandner, Environmental Protection Agency,

## EPA—TSCA

## Proposed Rule Stage

Office of Prevention, Pesticides, and Toxic Substances, 726 Minnesota Ave., Kansas City, Kansas 66101, 913 551-7381

RIN: 2070-AC62

**3589. SIGNIFICANT NEW USE RULES ON NATIONAL PROGRAM CHEMICALS; ASBESTOS, LEAD, AND REFRACTORY CERAMIC FIBERS**

**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 instituted a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support 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 by the manufacturers, importers and/or processors of these chemicals. Proposed rules may be published on at least the chemicals listed on the timetable below.

**Timetable:**

**Asbestos**

NPRM 06/00/95

**Lead**

ANPRM 09/28/94 (59 FR 49484)

NPRM 12/00/95

**Refractory Ceramic Fiber**

NPRM 03/21/94 (59 FR 13294)

Final Action 12/00/95

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** SAN No. 1923.

**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, 202 260-1777

RIN: 2070-AC37

**3590. NOTICE OF TSCA SECTION 4 REIMBURSEMENT PERIOD AND TSCA SECTION 12(B) EXPORT NOTIFICATION PERIOD SUNSET DATES FOR TSCA SECTION 4 SUBSTANCES**

**Priority:** Informational

**Legal Authority:** 15 USC 2603 and 2611

**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 action regarding which required testing under rules or Enforceable Consent Orders have been completed. 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.

**Timetable:**

Action	Date	FR Cite
Solicitation	05/00/95	
Final Action	11/00/95	

**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., 202 260-8130

RIN: 2070-AC84

**3591. LEAD-BASED PAINT ACTIVITIES, TRAINING AND CERTIFICATION: RENOVATION AND REMODELING**

**Priority:** Economically Significant

**Legal Authority:** PL 102-550, sec 402(c)(3)

**CFR Citation:** 40 CFR 745

**Legal Deadline:** Final, Statutory, October 1996.

**Abstract:** Under TSCA title IV, section 402(c)(2) EPA is currently conducting a study to determine whether the activities of individuals engaged in renovation and remodeling activities result in lead exposure levels that may affect the health of workers, building occupants or the environment is at risk, the Agency must proceed to develop regulations under Section 402(c)(3). These regulations would require that individuals engaged in renovation and remodeling activities acquire training and obtain certification. These training and certification requirements would be similar to those that the Agency is developing for individuals performing lead-based paint abatement under Section 402(a) of TSCA, Title IV.

**Timetable:**

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

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3557.

**Agency Contact:** Brian Cook, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., 202 260-1878

RIN: 2070-AC83

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

## Toxic Substances Control Act (TSCA)

**3592. CHEMICAL LIST EXPANSION; EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT SECTION 313****Priority:** Economically Significant**Legal Authority:** 42 USC 11013; 42 USC 11023; 42 USC 11048; 42 USC 11076/EPCRA 313**CFR Citation:** 40 CFR 372**Legal Deadline:** None

**Abstract:** The original Toxics Release Inventory (TRI) chemical list consisted of 320 chemicals and chemical categories. In an effort to provide the public with a broader picture of chemicals that will have to submit information for the Toxics Release Inventory in their communities, EPA is expanding the original TRI chemical list. On January 12, 1994 (59 FR 1788), EPA published a proposed rule to add 313 chemicals and chemical categories to the TRI chemical list. Of the 313 chemicals and chemical categories proposed, there are approximately 160 pesticide active ingredients. The chemicals and chemical categories being proposed were selected from numerous other regulatory lists and meet the criteria for human health and environmental toxicity and in addition are extremely toxic to aquatic organisms, EPCRA section 313(d)(2). In addition, the chemicals passed a production volume screen to ensure that reports would be received if the substance is added to the TRI chemical list. Part of this activity included the review of 17 chemicals, previously described in RIN 2070-AC40, 16 of which are from a list of hazardous air pollutants subject to the requirements of the Clean Air Act Amendments of 1990, and one of which was considered for addition due to its extreme aquatic toxicity. Of these 17 chemicals, nine were included in the proposed rule. Linked to this rule is a possible small-source exemption that will provide some measure of relief to the reporting community. This exemption will allow facilities releasing small amounts of listed chemicals to be exempt from full TRI reporting requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	01/12/94	59 FR 1788
Final Action	11/30/94	59 FR 61432
Final Action Deferred	03/00/96	
Chemicals		

**Small Entities Affected:** Businesses**Government Levels Affected:** State, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3007.**Agency Contact:** Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-1024****RIN:** 2070-AC47**3593. LEAD-BASED PAINT HAZARD INFORMATION REQUIREMENTS AT THE TRANSFER OF TARGET HOUSING (SECTION 1018); JOINT RULE WITH THE DEPT. OF HUD****Priority:** Other Significant**Legal Authority:** PL 102-550, sec 1018**CFR Citation:** 40 CFR 745; 24 CFR 35**Legal Deadline:** Final, Statutory, October 28, 1994.

**Abstract:** This is a joint HUD/EPA regulation requiring the following before the sale or lease of pre-1978 housing: (1) disclosure of lead-based paint hazards, (2) provisions of a lead paint information brochure to the prospective buyer or renter and for buyers, (3) the opportunity to conduct a lead risk assessment or inspection.

**Timetable:**

Action	Date	FR Cite
NPRM	11/02/94	59 FR 54984
Final Action	10/00/95	

**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3499.**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, (7404), Washington, DC 20460, **202 260-1777****RIN:** 2070-AC75**3594. 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**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:****Acetone (delete)**NPRM 09/30/94 (59 FR 49888)  
Final 06/00/95**Alloys--Chromium, Nickel, and Copper in Alloys (modify)**

Response 06/00/95

**Ammonium Sulfate/Ammonia (delete/modify)**NPRM 03/30/90 (55 FR 12144)  
Final 06/00/95**Copper Pigments (delete)**NPRM 06/06/94 (59 FR 29252)  
Final 04/00/95**Di(2-ethylhexyl) Adipate (DEHA)**

Response 08/00/95

**Diethylphthalate (delete)**

Response 06/00/95

**Ethylene Glycol (delete)**

Response 04/00/95

**Hydrochloric Acid**

Response 04/00/95

**Manganese in Slags (delete)**

Response 06/00/95

**Mineral Acids (modify)**

Response 06/00/95

**Monosodium and disodium arsenate (delete)**

Response 05/00/95

**Phosphates and Phosphorous Acid**

NPRM 12/00/95

**Sulfuric Acid**NPRM 07/26/91 (56 FR 34156)  
Final 04/00/95**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2425.**Agency Contact:** Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-1024****RIN:** 2070-AC00

## EPA—TSCA

## Final Rule Stage

**3595. LEAD-BASED PAINT ACTIVITIES RULES; TRAINING, ACCREDITATION AND CERTIFICATION RULE AND MODEL STATE PLAN RULE****Priority:** Economically Significant**Legal Authority:** PL 102-550, sec 402; PL 102-550, sec 404; Title IV of TSCA**CFR Citation:** 40 CFR 745**Legal Deadline:** Final, Statutory, April 28, 1994.

**Abstract:** The Residential Lead-based Paint Hazard Reduction Act of 1992 mandates EPA to promulgate regulations governing lead-based paint activities to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that contractors engaged in such activities are certified. In addition, EPA must promulgate a Model State program which may be adopted by any State which seeks to administer and enforce a State Program.

**Timetable:**

Action	Date	FR Cite
NPRM	09/02/94	59 FR 45872
Final Action	10/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3244.

**Agency Contact:** Brian Cook, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington DC 20460, **202 260-1878**

**RIN:** 2070-AC64**3596. LEAD-BASED PAINT DISCLOSURE REQUIREMENTS AT RENOVATION OF TARGET HOUSING****Priority:** Other Significant**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	09/00/95	

**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, SE., Washington DC 20460, **202 260-1777**

**RIN:** 2070-AC65**3597. AMENDMENTS TO THE ASBESTOS WORKER PROTECTION RULE****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2605; 15 USC 2607(c)**CFR Citation:** 40 CFR 763 subpart G**Legal Deadline:** None

**Abstract:** EPA is proposing to amend the Asbestos Abatement Projects, Worker Protection Rule (WPR), by incorporating certain revisions to the Occupational Safety and Health Administration (OSHA) asbestos workplace standards issued since EPA's WPR was promulgated in 1987. The proposal would generally extend the coverage provided under the OSHA Asbestos Standard for Construction to State and local government employees who are not covered by OSHA or EPA-approved State plans. It would also extend coverage provided under OSHA's Asbestos Standard for general industry for brake and clutch repair to such employees, and would clarify that they include prisoners and students employed by the State and/or local government. EPA also proposes to delegate authority to grant or deny State exclusions under the WPR to EPA Regional Administrators and to add compliance and enforcement requirements for State exclusions. In addition, EPA is proposing to amend the Asbestos-Containing Materials in

Schools Rule by relocating certain worker protection provisions in the WPR. EPA plans to further update this rule to make it consistent with the most recent OSHA rule.

**Timetable:**

Action	Date	FR Cite
NPRM	11/01/94	59 FR 54746
Final Action	09/00/95	
NPRM (2)	03/00/96	
Final Action (2)	12/00/96	

**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2249.

**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington DC 20460, **202 260-1777**

**RIN:** 2070-AC66**3598. FINAL DECISIONS ON TEST RULES****Priority:** Routine and Frequent**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:**

<b>Alkyl (C 12-C 14) Glycidyl Ethers</b>	ECA 09/00/95
<b>Aryl Phosphates (ITC List 2)</b>	ANPRM 12/29/83 (48 FR 57452)
	NPRM 01/17/92 (57 FR 2138)
	FINAL ACTION (ECA) 05/00/95
<b>Bisphenol A Glycidyl Ethers</b>	ECA 08/01/94 (59 FR 38917)
<b>Brominated Flame Retardants</b>	NPRM 06/25/91 (56 FR 29140)
	FINAL ACTION (ECA) 11/00/95

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**Cyclohexane (ITC List 18)**

NPRM 05/20/87 (52 FR 19096)  
FINAL ACTION (ECA) 11/18/94 (59 FR 59660)

**Glycidyl Methacrylate**

FINAL ACTION (ECA) 01/26/95 (60 FR 5138)

**Hexamethylene Diisocyanate (ITC List 22)**

NPRM 05/17/89 (54 FR 21240)  
Final Action 03/00/96

**IRIS I Chemicals**

Final Action 12/00/95

**Mesityl Oxide**

Withdrawal of Test Rule 07/00/95

**Silicon Based Glycidyl Ethers**

Final Action 12/00/95

**TAME (OAR Request)**

ECA 04/00/95

**White Phosphorus (ITC List 34)**

ECA 02/00/96

**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, SE., Washington, DC  
20460, 202 260-8130

**RIN:** 2070-AB94

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**3599. MULTI-CHEMICAL ENDPOINT(S) TEST RULE; DEVELOPMENTAL AND REPRODUCTIVE TOXICITY, AND NEUROTOXICITY**

**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 on 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 for neurotoxicity testing will obtain base set neurotoxicity testing of ten high 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)  
Final Action 12/00/95

**Multi-Chemical Rule for Neurotoxicity**

NPRM 03/04/91 (56 FR 9105)  
Final Action 07/27/93 (58 FR 40238)  
Petition for Review Filed 10/06/93  
Proposed Revocation 06/27/94 (59 FR 33187)

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, SE., Washington, DC  
20460, 202 260-8130

**RIN:** 2070-AC27

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**3600. 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 08/00/95

**Aluminum Cross-linked Sodium Carboxymethylcellulose**

NPRM 06/11/93 (58 FR 32628)  
Final Action 08/00/95

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

NPRM 02/02/88 (53 FR 2857)  
Final Action 06/00/95

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

NPRM 12/08/87 (52 FR 46496)  
Final Action 06/00/95

**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, SE., Washington, DC  
20460, 202 260-1857

**RIN:** 2070-AA59

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**3601. 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

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(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 12/00/95

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

NPRM 05/27/93 (58 FR 30744)

Final Action 08/00/95

**Polyalkylene Polyamine**

NPRM 12/19/94 (59 FR 65248)

Final Action 12/00/95

**Polymer of Substituted Aryl Olephin (85-612)**

Final Action 08/02/94 (59 FR 39293)

**Pyridine Batch (modification: 50584 B)**

NPRM 06/08/93 (58 FR 32222)

Final Action 12/28/94 (59 FR 39293)

**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, SE., Washington, DC 20460, **202 260-1857**

**RIN:** 2070-AB27**3602. 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	06/00/95	

**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, SE., Washington, DC 20460, **202 260-1857**

**RIN:** 2070-AB56**3603. RULEMAKING CONCERNING CERTAIN MICROBIAL PRODUCTS ("BIOTECHNOLOGY") UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)****Priority:** Other Significant**Legal Authority:** 15 USC 2604/TSCA 5**CFR Citation:** 40 CFR 700; 40 CFR 720; 40 CFR 721**Legal Deadline:** None

**Abstract:** EPA is proposing a regulation under the Toxic Substances Control Act (TSCA) for the oversight of certain microbial products of biotechnology. The proposed 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 proposed rule will contain mechanisms for exemption as well as actual proposed 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	06/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2326. (PMN for Certain Biotech Products)

**Agency Contact:** Paul Campanella, Environmental Protection Agency,

Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-3725**

**RIN:** 2070-AB61**3604. PREMANUFACTURE NOTIFICATION (PMN) RULE AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2604; 15 USC 2607; 15 USC 2613/TSCA 5**CFR Citation:** 40 CFR 720 to 723**Legal Deadline:** None

**Abstract:** This action will amend the PMN rules (40 CFR 720 to 723) under Section 5 of the Toxic Substances Control Act (TSCA) to conform to current policy needs. These changes are necessary to increase efficiency and incorporate proposed program improvements. They are expected to reduce the administrative burdens/cost of the New Chemicals Program and the overall number of Section 5 submissions while maintaining an effective and environmentally sound program. EPA has identified "low-risk" categories that meet certain established criteria and can be screened out of the full PMN review process at an early date based on low health/environmental concern or low exposure scenarios. EPA would like to reduce the burden to PMN submitters and maximize the efficiency and resources of the program by modifying the rule to reduce reporting requirements for low-risk categories. This would enable the Agency to reduce the number of Section 5 submissions and concentrate its resources on PMNs with potential health or environmental concerns.

**Timetable:**

Action	Date	FR Cite
NPRM	02/08/93	58 FR 7646
Final Action	04/00/95	

**Small Entities Affected:** Businesses**Government Levels Affected:** None**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2760.

**Agency Contact:** Mary Cushmac, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-4443**

**RIN:** 2070-AC14

## EPA—TSCA

## Final Rule Stage

**3605. POLYCHLORINATED BIPHENYLS (PCBS): APPLICATIONS FOR EXEMPTIONS FROM THE BAN ON MANUFACTURING, PROCESSING, AND DISTRIBUTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2605/TSCA 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	12/00/95	

**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, SE., Washington, DC 20460, **202 260-3933**

**RIN:** 2070-AB20**3606. USE OF ACRYLAMIDE AND N-METHYLOLACRYLAMIDE (NMA) 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 proposed rule would prohibit the manufacture, distribution in commerce, and use of acrylamide grout; and would prohibit all uses of NMA grout, except its use for sewer

line repair. The proposed rule would also prohibit, after a period of three years, the manufacture and distribution in commerce of NMA grout for any purpose, and the use of NMA grout for sewer line repair. EPA will review the public comments and develop a final rule.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863
Final Action	05/00/95	

**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, SE., Washington, DC 20460, **202 260-3945**

**RIN:** 2070-AC17**3607. POLYCHLORINATED BIPHENYLS (PCBS) TRANSFORMER RECLASSIFICATION RULE****Priority:** Substantive, Nonsignificant**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	12/00/95	

**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, SE., Washington, DC 20460, **202 260-3935**

**RIN:** 2070-AC39**3608. REVISED ASBESTOS MODEL ACCREDITATION PLAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2646/TSCA 6**CFR Citation:** 40 CFR 763, app C to subpart E**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
Final Action	06/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 3148.

**Agency Contact:** Brian Cook, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-1878**

**RIN:** 2070-AC51**3609. 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

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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.

**Timetable:**

Action	Date	FR Cite
Final Action 34th ITC List Chemicals	11/28/94	59 FR 60716
Final Action 35th ITC List	04/00/95	
Final Action 36th ITC List	07/00/95	
Final Action 37th ITC List	12/00/95	

**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, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AB08

### 3610. 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. 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 34th ITC List Chemicals	11/28/94	59 FR 60716
Final Action 35th ITC List	04/00/95	
Final Action 36th ITC List	07/00/95	
Final Action 37th ITC List	12/00/95	

**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, SE., Washington, DC 20460, **202 260-8130**

**RIN:** 2070-AB11

### 3611. TSCA SECTION 8(E); NOTICE OF CLARIFICATION AND SOLICITATION OF PUBLIC COMMENT

**Priority:** Substantive, Nonsignificant

**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 (cont)

**Timetable:**

Action	Date	FR Cite
NPRM Final Action	07/13/93	58 FR 37735
	10/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3118.

**ABSTRACT CONT:** 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).

**Agency Contact:** Richard Hefter, Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, SE., Washington, DC 20460, **202 260-3470**

**RIN:** 2070-AC80

**ENVIRONMENTAL PROTECTION AGENCY (EPA)**

**Completed/Longterm Actions**

**Toxic Substances Control Act (TSCA)**

**3612. SMALL SOURCE EXEMPTION CONSIDERATIONS; TOXIC RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW**

CFR Citation: 40 CFR 372

**Completed:**

Reason	Date	FR Cite
Final Action	11/30/94	59 FR 61488

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** Susan B. Hazen, 202 260-1024

**RIN:** 2070-AC70

**3613. REGULATORY INVESTIGATION OF FORMALDEHYDE**

CFR Citation: 40 CFR 765

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action expected in the next 12 months.	02/28/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Frank Kover, 202 260-8130

**RIN:** 2070-AB14

**3614. PROCEDURES AND CRITERIA FOR TERMINATION OF POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL PERMITS**

CFR Citation: 40 CFR 761

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action expected in the next 12 months.	02/28/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Tony Baney, 202 260-3935

**RIN:** 2070-AB81

**3615. POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL AMENDMENTS**

CFR Citation: 40 CFR 761, subparts C, D, E, G

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Tony Baney, 202 260-3935

**RIN:** 2070-AC01

**3616. REGULATORY INVESTIGATION OF DIOXIN IN PULP AND PAPER MILL SLUDGE**

CFR Citation: 40 CFR 744

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action expected in the next 12 months.	02/28/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert McNally, 202 260-3945

**RIN:** 2070-AC05

**3617. AMENDMENT TO THE TSCA SECTION 8(A) COMPREHENSIVE ASSESSMENT INFORMATION RULE (CAIR)**

CFR Citation: 40 CFR 704 (Revision)

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action expected in the next 12 months.	02/15/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Frank Kover, 202 260-8130

**RIN:** 2070-AC19

**ENVIRONMENTAL PROTECTION AGENCY (EPA)**

**Prerule Stage**

**Clean Water Act (CWA)**

**3618. • REVISION TO THE WATER QUALITY PLANNING AND MANAGEMENT REGULATION**

**Priority:** Other Significant

**Legal Authority:** CWA 303(d)

CFR Citation: 40 CFR 130

**Legal Deadline:** None

**Abstract:** Section 303(d) of the Clean Water Act (CWA) requires States to identify waters still requiring Total Maximum Daily Loads (TMDLs). (The TMDL is a tool for achieving State water quality standards. The TMDL process provides a framework for solving point and nonpoint source pollution problems in an integrated fashion). Current regulations

implementing section 303(d) require States to submit their list of waters requiring TMDLs to EPA every two years. This action will revise existing regulations to require States to submit their 303(d) list of waters still requiring TMDLs to EPA every five years rather than every two years. This revision is part of EPA's goal to comprehensively characterize State waters every five years. Currently, waters are identified on a number of lists as required by the CWA sections 303(d), 305(b), 314(a), and 319(a). The Federal Register notice proposing the revision will also announce the availability of supplemental TMDL guidance which will clarify the definition of a TMDL.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/95	
NPRM	06/00/96	
Final Action	02/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3700.

**Agency Contact:** Mimi Dannel, Environmental Protection Agency, Water, (4503F), Washington, DC 20460, 202 260-1897

**RIN:** 2040-AC65

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

## Proposed Rule Stage

## Clean Water Act (CWA)

**3619. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE AND DISPOSAL RULE - PHASE ONE****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1251**CFR Citation:** 40 CFR 503**Legal Deadline:** None

**Abstract:** EPA is amending the Round I Final Sewage Sludge Use and Disposal Regulations in two phases (i.e., Phase One and Phase Two). Phase I will respond to minor comments received on the Final Sewage Sludge Use and Disposal Round I Rule (Part 503), correct some publication errors, and include some technical amendments. The technical amendments are minor changes to the regulatory text intended to clarify the technical requirements, not to change requirements or to impose new requirements. The proposed changes should not have any adverse impact on State, local or tribal government as well as small businesses since no additional requirements are being imposed. Phase Two will address litigation issues and will be proposed later.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	05/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3497.**Agency Contact:** Maria Gomez-Taylor, Environmental Protection Agency, Water, (4304), Washington, DC 20460, **202 260-1639****RIN:** 2040-AC29**3620. ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS AND TOXICITY FOR THE STATE OF CALIFORNIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1251 et seq; 33 USC 1313**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 has been ordered to rescind its plans. In the absence of approved State criteria, the Clean Water Act requires EPA to promulgate water quality criteria for priority toxic pollutants. EPA Region 9 will promulgate water quality criteria for priority toxic pollutants for the State of California.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/95	
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, **415 744-1988****RIN:** 2040-AC44**3621. LEATHER TANNING AND FINISHING EFFLUENT GUIDELINES - PRETREATMENT STANDARDS FOR EXISTING AND NEW SOURCES****Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Water Act**CFR Citation:** 40 CFR 425**Legal Deadline:** None

**Abstract:** This action is in response to an industry trade association petition for rulemaking. This is a minor technical amendment of previously promulgated pretreatment standards for existing sources (PSES) and for new sources (PSNS) to allow local POTWs to change (or delete) the upper pH limitation for plants in three subcategories.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	
Final Action	05/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3581.**Agency Contact:** Donald F. Anderson, Environmental Protection Agency, Water, SE., Washington, DC 20460, **202 260-7137****RIN:** 2040-AC48**3622. • 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 1316**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 modify existing methods. 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	09/00/95	
Final Action	02/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3618.**Agency Contact:** Debra Denton, Environmental Protection Agency, Water, 75 Hawthorne Street (W-5-1), San Francisco, CA 94105-3901, **415 744-1919****RIN:** 2040-AC54

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**3623. EFFLUENT GUIDELINES AND STANDARDS FOR THE PHARMACEUTICAL MANUFACTURING CATEGORY****Priority:** Economically 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 1995. Final, Judicial, August 1996.

Dates contained in Consent Decree (NRDC v. Reilly).

**Abstract:** The Agency will review and revise as appropriate the effluent limitation guidelines and standards for the pharmaceutical manufacturing industry. A major part of the review will consider the inclusion of limitations on toxic and non-conventional volatile organic pollutants. The 1983 proposal covering New Source Performance Standards (NSPS) for conventional pollutants will also be reevaluated.**Timetable:**

Action	Date	FR Cite
NPRM (NSPS)	10/27/83	48 FR 49832
NPRM	04/00/95	
Final Action	08/00/96	

**Small Entities Affected:** None**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 1427.**Agency Contact:** Frank Hund, Environmental Protection Agency, Water, (4303), Washington, DC 20460, 202 260-7182**RIN:** 2040-AA13**3624. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASE I****Priority:** Economically 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 438**Legal Deadline:** NPRM, Judicial, March 1995. Final, Judicial, September 1996. Dates contained in Consent Decree (NRDC v. Reilly)**Abstract:** 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 major industrial groups: Aircraft, Aerospace, Hardware (including Machine Tools, Screw Machines, Metal Forging and Stamping, Metal Springs, Heating Equipment, Fabricated Structural Metal), Ordnance, Stationary Industrial Equipment (including Electrical Equipment), Mobile Industrial Equipment, and Electronic Equipment (including Communication Equipment). This category was formerly called "Machinery Manufacturing and Rebuilding."

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	09/00/96	

**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2806.**Agency Contact:** Bill Cleary, Environmental Protection Agency, Water, (4303), Washington, DC 20460, 202 260-9817**RIN:** 2040-AB79**3625. WATER QUALITY STANDARDS TO REPLACE PORTIONS OF FLORIDA'S EXISTING STATE WATER QUALITY STANDARDS, I.E., STATE ANTIDegradation POLICY****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1251/CWA 303**CFR Citation:** 40 CFR 131**Legal Deadline:** Final, Judicial, June 1996.**Abstract:** EPA Region IV disapproved portions of Florida's water quality standards in October 1991. The Clean Water Act requires EPA to promptly promulgate replacement standards when a State fails to revise State standards to comply. This rulemaking will establish Federal standards to replace portions of the State's antidegradation policy and will serve to delete their portions of the policy. The State has adopted revisions which

may negate the need for this rule once the State's standards are submitted to Region IV for approval.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	06/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3517.**Agency Contact:** Fritz Wagener, Environmental Protection Agency, Water, Region IV, 345 Courtland St., Atlanta, GA 30365, 404 347-3555**RIN:** 2040-AC37**3626. • STREAMLINED PROCEDURES FOR DEVELOPING AND MAINTAINING APPROVED PUBLICLY-OWNED TREATMENT WORKS PRETREATMENT PROGRAMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1251/CWA 303**CFR Citation:** 40 CFR 403**Legal Deadline:** None**Abstract:** Under the current regulations, many changes to approved publicly owned treatment works (POTW) pretreatment program 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 must be 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 will include only certain significant elements of the approved POTW pretreatment program. EPA or the State will need to approve changes to the POTW 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

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the POTW pretreatment program will be required.

The new regulations will 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	09/00/95	
Final Action	09/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3625.

**Agency Contact:** Wendy Miller, Environmental Protection Agency, Water, (4203), Washington, DC 20460, **202 260-3716**

**RIN:** 2040-AC57

### 3627. ● GUIDELINES ESTABLISHING OIL AND GREASE TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

**Priority:** Routine and Frequent

**Legal Authority:** 33 USC 1316/CWA 304(h)

**CFR Citation:** 40 CFR 136

**Legal Deadline:** None

This proposed method responds to the requirement to phase out Freon under the Clean Air Act Amendments of 1990 and the Montreal Protocol.

**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 in order to meet 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 because these methods allow the use of CFC-113. Method 1664 is also being proposed for the determination of total petroleum hydrocarbons.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	11/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3617.

**Agency Contact:** William A. Telliard, Environmental Protection Agency, Water, (4304), Washington, DC 20460, **202 260-7120**

**RIN:** 2040-AC63

### 3628. ● MARINE SANITATION DEVICE: ESTABLISHMENT OF DRINKING WATER INTAKE ZONES IN TWO PORTIONS OF THE HUDSON RIVER, NEW YORK STATE

**Priority:** Routine and Frequent

**Legal Authority:** CWA section 312(f)(4)(B)

**CFR Citation:** 40 CFR 140.4(b)(1)

**Legal Deadline:** None

**Abstract:** Under current regulations, vessels are allowed to discharge from on-board toilets if equipped with a Coast Guard certified marine sanitation device. Section 312(f)(4)(B) of the Clean Water Act directs EPA to prohibit these discharges around intakes for public water supply in response to State petitions. Action on the NY petition for zones in the Hudson River will create the first drinking water intake zones established under this part of the Act. In these zones, vessel discharges of sewage will be completely prohibited. This means that recreational and commercial boats which have on-board toilets will have to either pump-out their sewage from holding tanks to pump-out and disposal facilities, or discharge in accordance with federal

marine sanitation device standards outside of the zones.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	06/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3621.

**Agency Contact:** Anne Reynolds, Environmental Protection Agency, Water, USEPA, Region II, 26 Federal Plaza, NY, NY 10278, **203 977-1542**

**RIN:** 2040-AC51

### 3629. ● 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:** Informational

**Legal Authority:** Clean Water Act, sec. 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 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

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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	07/00/95	
Final Action	11/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3666.

**Agency Contact:** Joel Salter, Environmental Protection Agency, Water, (4504F), Washington, DC 20460, **202 260-8484**

**RIN:** 2040-AC61

### 3630. NPDES WASTEWATER PERMIT APPLICATION FORMS AND REGULATORY REVISIONS FOR MUNICIPAL DISCHARGES AND SEWAGE SLUDGE USE OR DISPOSAL

**Priority:** Other Significant

**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 Treating Domestic Sewage (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 other 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	06/00/95	
Final Action	06/00/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2501.

**Agency Contact:** George Utting, Environmental Protection Agency, Water, (4203), Washington, DC 20460, **202 260-9530**

**RIN:** 2040-AB39

### 3631. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C - WASTEWATER DISCHARGE INFORMATION

**Priority:** Other Significant

**Legal Authority:** CWA 402

**CFR Citation:** 40 CFR 122.21(g)

**Legal Deadline:** None

**Abstract:** All existing manufacturing, commercial, mining, and silvicultural operations will be required to submit this revised application in order to obtain a National Pollutant Discharge Elimination System (NPDES) permit. The existing industrial application form has not been revised since 1984 and must be updated to reflect statutory and regulatory changes in the NPDES program, advances in scientific 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.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	
Final Action	01/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3234.

**Agency Contact:** Brian Bell, Environmental Protection Agency, Water, (4203), Washington, DC 20460, **202 260-6057**

**RIN:** 2040-AC26

### 3632. • AMENDMENT TO REQUIREMENTS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS FOR STORM WATER DISCHARGES (PHASE II)

**Priority:** Other Significant

**Legal Authority:** Clean Water Act, sec. 402(p)(6)

**CFR Citation:** 40 CFR 122.26

**Legal Deadline:** Final, Statutory, October 1, 1993.

**Abstract:** EPA is promulgating changes to its NPDES storm water permit application regulations to establish a sequential application process for all Phase II storm water discharges. Application deadlines will be in two tiers. The highest priority will be given to dischargers that the State or EPA determines are contributing to a water quality impairment or are a significant contributor of pollutants; these dischargers will have to apply for a permit within 180 days of being notified by the State or EPA, unless an extension is provided. All Phase II facilities that are not designated as needing to apply for a permit within

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180 days will have to apply to the permitting authority no later than six years from the effective date of this regulation. This rule has the effect of eliminating current liability for over 1 million potential Phase II storm water sources who may presently be discharging without a permit under the Clean Water Act. It also provides a six year timeframe for identifying environmental impacts and developing a risk-based targeted approach for cost effective pollution prevention measures. Sources whose current potential liability is being removed by this regulation include retail, commercial, light industry, and other sources of storm water discharges that are not presently covered under the first phase of the storm water program.

**Timetable:**

Action	Date	FR Cite
NPRM	04/07/95	60 FR 17958
Direct Final Rule	04/07/95	60 FR 17950
NPRM Comment Period End	06/06/95	60 FR 17958
Direct Final Rule Effective	08/02/95	60 FR 17950

**Small Entities Affected:** None

**Government Levels Affected:** State

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3665.

**Agency Contact:** Bill Swietlik, Environmental Protection Agency, Water, (4203), Washington, DC 20460, **202 260-9529**

**RIN:** 2040-AC60

### 3633. CLEAN WATER ACT SECTION 404 PROGRAM DEFINITION OF THE WATERS OF THE U.S.—ISOLATED WATERS AND ARTIFICIAL WATERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1344/CWA 404

**CFR Citation:** 40 CFR 232

**Legal Deadline:** None

**Abstract:** This joint action by EPA and Department of Army (Army) would clarify two aspects of the regulatory definition of "waters of the United States" under the Clean Water Act (CWA). First, EPA and Army are proposing to clarify CWA jurisdiction over isolated waters and wetlands by adding to the regulatory definition four examples of isolated waters and wetlands, the "use, degradation, or

destruction of which would or could affect interstate commerce." Second, the agencies are proposing to clarify that five specific categories of artificial waters created out of dry land are generally not considered to be waters of the United States and, therefore, not subject to permit requirements. This action is consistent with existing agency guidance interpreting the regulatory definition of "waters of the United States" and, therefore, will not change the agencies' interpretation of the definition as it currently applied to CWA regulatory programs. The purpose of this action is merely to incorporate this existing guidance within EPA's and Army's regulatory definitions.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	
Final Action	01/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 2804.

**Agency Contact:** Hazel Gromanek, Environmental Protection Agency, Water, (4502F), Washington, DC 20460, **202 260-8798**

**RIN:** 2040-AB74

### 3634. CONTINUOUS EMISSION MONITORING AND OTHER POLLUTANT LIMITATION AND MONITORING REGULATIONS FOR SEWAGE SLUDGE INCINERATORS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1345/CWA 405

**CFR Citation:** 40 CFR 503

**Legal Deadline:** None

**Abstract:** The standards for the use or disposal of sewage sludge provide that for incinerators, continuous emission monitoring and pollutant concentration calculations must be performed according to permitting authority specifications. This action will modify the existing regulation to make the portion governing sewage sludge incinerators self-implementing. This rulemaking will delete the "as specified" language and allow the regulated community of less than 200 incinerators flexibility in selecting among appropriate sewage sludge incinerator requirements. The language will be replaced with a requirement to use an appropriate approach in all

aspects of determining the pollutant concentrations and installing and operating the emissions monitoring equipment, and a requirement to notify the permitting authority of the chosen approach before proceeding. This action does not impose any new requirements on State, local, or tribal governments or small businesses. It allows sewage sludge incinerators to follow accepted industry practices and the guidance issued by EPA in July 1994 in determining how to install, calibrate, operate, and maintain the instruments for measuring total hydrocarbon emissions, oxygen emissions, and moisture content in the sewage sludge exit gas. This action is deregulatory in that the incinerator requirements will be self-implementing and the permitting authority will no longer be required to specify conditions for the incinerator operator.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	04/00/96	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3442.

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

**RIN:** 2040-AC46

### 3635. REVISIONS TO OCEAN DUMPING REGULATIONS FOR DREDGED MATERIAL

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1401 et seq/MPRSA

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

**Legal Deadline:** None

**Abstract:** This rulemaking would revise the regulations applicable to the ocean dumping of dredged material. Issuance of these regulations is necessary to respond to the decision in National Wildlife Federation vs. Costle, 629 F. 2d. 118 (DC Circuit 1980) and to incorporate program experience gained since 1977. The revisions will make

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necessary technical changes and will improve the clarity of the regulations, with supporting technical guidance on disposal site selection, site management, and site monitoring. These revisions will clarify issues that have caused delays in the evaluation of permit applications. The regulations will improve environmental assessments of permit applications, and improve the protection of benthic

communities in the vicinity of a dump site. The regulations will affect local governments if they run their Port Authority and are requesting a permit to dispose of dredged material in the ocean.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 2737.

**Agency Contact:** John Heisler, Environmental Protection Agency, Water, (4504F), Washington, DC 20460, **202 260-8448**

**RIN:** 2040-AB62

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Clean Water Act (CWA)

**3636. AMENDMENTS TO REQUIREMENTS FOR AUTHORIZED STATE PERMIT PROGRAMS UNDER SECTION 402 OF THE CLEAN WATER ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1251/CWA 303

**CFR Citation:** 40 CFR 123.25

**Legal Deadline:** None

**Abstract:** At present, not all States provide standing to citizens to challenge final State-issued NPDES permits in State courts. This rulemaking would amend EPA's existing regulations governing the approval of State programs to issue NPDES permits. These regulations are found at 40 CFR Part 123. The rulemaking would insert an explicit requirement that State law must grant any "interested person" in that State "standing" to bring an action in State court to challenge NPDES permits issued by the State. The new provision would make it clear that a State must provide standing in State courts to the same extent that standing is granted to citizens in Federal courts when EPA issues an NPDES permit. This approach would ensure that as EPA moves away from permit-by-permit oversight of State programs, there remains direct accountability on a permit-by-permit basis to the public.

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/95	60 FR 14588
Final Action	09/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3562. Formerly titled "Clarification of Standing Requirement for State NPDES Programs"

**Agency Contact:** Laura J. Phillips, Environmental Protection Agency, Water, (4203), Washington, DC 20460, **202 260-9522**

**RIN:** 2040-AC43

**3637. GUIDELINES ESTABLISHING TEST OF WHOLE EFFLUENT TOXICITY (WET) TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1314(h); 33 USC 1361(A)

**CFR Citation:** 40 CFR 136

**Legal Deadline:** None

**Abstract:** The purpose of this rule is to establish new, consistent biological testing procedures for the measurement of toxicity of effluents (mixtures) discharged from pipes (point sources), and toxicity in ambient surface waters. Other versions of these testing methods have been used by the states, local and Tribal governments, and National Pollutant Discharge Elimination System (NPDES) permit holders for 5 or more years. This rule will make the methods uniform, consistent and overall reduce variability. This rule would amend 40 CFR Part 136 by adding new biological measurements and whole effluent toxicity (WET) test procedures for the analysis of pollutants under section 304(h) of the Clean Water Act. The list of approved biological test methods would be amended by adding methods for measuring acute and chronic toxicity to freshwater and marine species exposed to pollutants in effluents and receiving waters. This

rule will not have a significant impact on State, local or Tribal governments or small businesses.

**Timetable:**

Action	Date	FR Cite
NPRM	12/04/89	54 FR 50216
Final Action	06/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3582.

**Agency Contact:** Margaret Heber, Environmental Protection Agency, Water, SE., Washington, DC 20460, **202 260-5389**

**RIN:** 2040-AC49

**3638. EFFLUENT GUIDELINES AND STANDARDS FOR PESTICIDE FORMULATING, PACKAGING AND REPACKAGING**

**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 455

**Legal Deadline:** NPRM, Judicial, March 1994. Final, Judicial, August 1995.

**Abstract:** EPA is developing effluent guidelines and standards for facilities that formulate, package, or repackage registered pesticide products, excluding the active ingredient sodium hypochlorite (bleach).

**Timetable:**

Action	Date	FR Cite
NPRM	04/14/94	59 FR 17850
Final Action	09/00/95	

**Small Entities Affected:** Businesses

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**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3391.

**Agency Contact:** Shari Zuskin, Environmental Protection Agency, Water, (4303), Washington, DC 20460, 202 260-7130

**RIN:** 2040-AC21

### 3639. 301(K) INNOVATIVE TECHNOLOGY TIME EXTENSIONS

**Priority:** Informational

**Legal Authority:** CWA section 301(k)

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

**Legal Deadline:** None

**Abstract:** Section 301(k) of the Clean Water Act allowed EPA to grant compliance extensions to any industrial facility subject to a permit under the National Pollutant Discharge Elimination System (NPDES) program if the facility installed innovative technology. The last date to which compliance could be extended under section 301(k) was March 31, 1991. The regulations were challenged in court and were remanded to EPA for review. In light of the expiration of the extension period, the court dismissed the case and ordered EPA to vacate the regulation.

**Timetable:**

Action	Date	FR Cite
Final Action	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3567.

**Agency Contact:** Traci Brown, Environmental Protection Agency, Water, (4203), Washington, DC 20460, 202 260-8487

**RIN:** 2040-AC42

### 3640. ● WATER QUALITY STANDARDS; ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS; STATES' COMPLIANCE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Water Act, sec. 303(c)

**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	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3661.

**Agency Contact:** Tim Kasten, Environmental Protection Agency, Water, SE., Washington, DC 20460, 202 260-5994

**RIN:** 2040-AC55

### 3641. ● GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF 2,3,7,8-SUBSTITUTED DIBENZO-P-DIOXINS AND DI-BENZO FURANS UNDER THE CLEAN WATER ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1251 et seq; 33 USC 1314(h); 33 USC 1361(a); PL 92-500; PL 95-217; PL 100-4

**CFR Citation:** 40 CFR 136; 40 CFR 122; 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 EPA Method 1613 for the determination of 2,3,7,8-substituted dibenzo-p-dioxins and dibenzofurans (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 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 2,3,7,8 Substituted Dibenzo-P-dioxins and dibenzo furans under the National 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	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3679.

**Agency Contact:** William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460, 202 260-7134

**RIN:** 2040-AC64

### 3642. COMPARISON OF DREDGED MATERIAL TO REFERENCE SEDIMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1344/CWA 404

**CFR Citation:** 40 CFR 230

**Legal Deadline:** None

**Abstract:** This action would revise the testing provisions of the Clean Water Act section 404(b)(1) Guidelines to provide for comparisons between dredged material proposed for discharge and reference sediment. "Reference sediment" would be defined as sediment that reflects conditions at the disposal site had no dredged material disposal ever occurred there. Because the disposal site itself is

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currently used as the point of comparison, this action would make a technical improvement in assessing cumulative impacts and make dredged material testing under section 404 consistent with that conducted for ocean disposal which currently employs a reference sediment approach. This action is not expected to have a significant impact on state, local, or tribal governments or small business, as the action will be limited to Corps projects and permit applications for which dredged material testing is necessary.

**Timetable:**

Action	Date	FR Cite
NPRM	01/04/95	60 FR 419
Final Action	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 3224.

**Agency Contact:** John Goodin, Environmental Protection Agency, Water, (4502F), Washington, DC 20460, 202 260-9910

**RIN:** 2040-AC14

**3643. 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. The regulations may require the adoption by each responsible party of a manual identifying 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 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	09/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Local

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2820.

**Agency Contact:** Joel Salter, Environmental Protection Agency, Water, (4504F), Washington, DC 20460, 202 260-8484

**RIN:** 2040-AB85

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

**Completed/Longterm Actions**

**3644. STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE (ROUND II)**

**CFR Citation:** 40 CFR 503

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Maria Gomez-Taylor, 202 260-1639

**RIN:** 2040-AC25

**3645. GUIDANCE ON THE ELIGIBILITY OF MULTIPLE PURPOSE ACTIVITIES UNDER THE STATE REVOLVING FUND PROGRAM**

**CFR Citation:** 40 CFR 35.3115

**Completed:**

Reason	Date	FR Cite
Withdrawn - Not a Rule.	02/27/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sheila Hoover, 202 260-7376

**RIN:** 2040-AC31

**3646. WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM**

**CFR Citation:** 40 CFR 132

**Completed:**

Reason	Date	FR Cite
Final Guidance	03/23/95	60 FR 15366

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Tribal

**Agency Contact:** Mark Morris, 202 260-0312

**RIN:** 2040-AC08

**3647. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY**

**CFR Citation:** 40 CFR 430; 40 CFR 431

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Debra Nicoll, 202 260-5386

**RIN:** 2040-AB53

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## Completed/Longterm Actions

**3648. EFFLUENT GUIDELINES AND STANDARDS FOR THE COASTAL SUBCATEGORY OF THE OIL AND GAS EXTRACTION CATEGORY**

CFR Citation: 40 CFR 435, subpart D

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Allison Wiedeman, 202 260-7179

RIN: 2040-AB72

**3649. EFFLUENT GUIDELINES AND STANDARDS FOR THE CENTRALIZED WASTE TREATMENT INDUSTRY**

CFR Citation: 40 CFR 437

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Debra DiCianna, 202 260-7141

RIN: 2040-AB78

**3650. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL LAUNDRIES CATEGORY**

CFR Citation: 40 CFR 441

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Susan Burris, 202 260-5379

RIN: 2040-AB97

**3651. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY**

CFR Citation: 40 CFR 442

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Gina Matthews, 202 260-6036

RIN: 2040-AB98

**3652. EFFLUENT GUIDELINES AND STANDARDS FOR LANDFILLS AND INCINERATORS**

CFR Citation: 40 CFR 437

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Samantha Hopkins, 202 260-7149

RIN: 2040-AC23

**3653. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASE II**

CFR Citation: 40 CFR 438

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Mark Ingle, 202 260-7191

RIN: 2040-AC30

**3654. SAN FRANCISCO BAY/DELTA WATER QUALITY STANDARDS**

CFR Citation: 40 CFR 137.37

**Completed:**

Reason	Date	FR Cite
Final Action	01/24/95	60 FR 4664

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Patrick Wright, 415 744-1993

RIN: 2040-AC35

**3655. FEDERAL WATER QUALITY STANDARDS FOR SURFACE WATERS OF THE UNITED STATES IN NEW MEXICO**

CFR Citation: 40 CFR 131

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned at this time.	02/27/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Russell Nelson, 214 655-6646

RIN: 2040-AC38

**3656. EFFLUENT GUIDELINES PLAN**

CFR Citation: None

**Completed:**

Reason	Date	FR Cite
Final Action	08/26/94	59 FR 44234

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sheila Frace r, 202 260-7114

RIN: 2040-AC20

**3657. REVISED RECREATIONAL WATER QUALITY CRITERIA FOR MICROORGANISMS**

CFR Citation: 40 CFR 134

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan any further action at this time.	02/27/95	

Small Entities Affected: None

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Completed/Longterm Actions

**Government Levels Affected:** None  
**Agency Contact:** Stephen Schaub, 202 260-7591  
**RIN:** 2040-AC50

**3658. CRITERIA AND STANDARDS REFLECTING BEST TECHNOLOGY AVAILABLE (BTA) FOR COOLING WATER INTAKE STRUCTURES UNDER SECTION 316(B) OF THE CLEAN WATER ACT**  
**CFR Citation:** 40 CFR 125; 40 CFR 401  
**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Brad Mahanes, 202 260-1056  
**RIN:** 2040-AC34

**3659. TECHNICAL AMENDMENT TO NATIONAL ESTUARY PROGRAM FINANCIAL ASSISTANCE REGULATION**  
**CFR Citation:** 40 CFR 35, subpart P

**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 61124

**Small Entities Affected:** None  
**Government Levels Affected:** Federal  
**Agency Contact:** Ruth Chemerys, 202 260-9038  
**RIN:** 2040-AC40

**3660. DEFINITION OF WETLANDS; REVISIONS TO THE FEDERAL MANUAL FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS**  
**CFR Citation:** 40 CFR 110; 40 CFR 116; 40 CFR 117; 40 CFR 122; 40 CFR 230; 40 CFR 232; 40 CFR 435

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency is awaiting results of NAS study	03/31/95	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Gregory E. Peck, 202 260-1799  
**RIN:** 2040-AC03

**3661. 1996 NEEDS SURVEY**  
**CFR Citation:** 40 CFR 35  
**Completed:**

Reason	Date	FR Cite
Withdrawn	02/27/95	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Leonard B. Fitch, 202 260-5858  
**RIN:** 2040-AC33

**3662. REORGANIZATION AND CORRECTIONS TO LIST OF OCEAN DUMPING SITES**  
**CFR Citation:** 40 CFR 228.12  
**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 61128

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Susan Hitch, 202 260-9178  
**RIN:** 2040-AB63

**NOTE:** Sequence No. 3663 was inadvertently skipped. There is no entry associated with this number.

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

**Proposed Rule Stage**

**3664. 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
Notice of Availability	07/00/95	
Submission to FRPCC for endorsement	09/30/95	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** SAN No. 3602.  
**Agency Contact:** Lisa Ratcliff, Office of Radiation and Indoor Air, Environmental Protection Agency, Air and Radiation, 6602J, 401 M Street SW., Washington, DC 20460, 202 233-9448  
**RIN:** 2060-AF39

## EPA—AEA

## Proposed Rule Stage

**3665. ENVIRONMENTAL PROTECTION STANDARDS FOR LOW-LEVEL RADIOACTIVE WASTE****Priority:** Other Significant**Legal Authority:** 42 USC 2201/AEA 274; 15 USC 2625/TSCA 6(a)(6)**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 under the purview of the Atomic Energy Act, as amended.**Timetable:**

Action	Date	FR Cite
ANPRM	08/31/83	48 FR 39563
NPRM	09/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Federal**Additional Information:** SAN No. 1727.**Agency Contact:** James M. Gruhlke, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460, **202 233-9310****RIN:** 2060-AA04**3666. RADIATION SITE CLEANUP****Priority:** Regulatory Plan**Legal Authority:** 42 USC 2201/AEA 161; 42 USC 2021/AEA 274; Reorganization Plan No. 3 of 1970**CFR Citation:** 40 CFR 196**Legal Deadline:** None**Abstract:** The Agency is developing regulations that set standards that limit the amount of radiation that members of the public might receive from a contaminated site if released from federal control or a Nuclear Regulatory Commission (NRC) license. The rule does not mandate the clean up of any site, nor does it provide remedy selection criteria on when cleanup is appropriate. The regulations will be designed to protect human health and

the environment from exposure to ionizing radioactive material subject to the Atomic Energy Act. These standards may also be used as "Relevant and Appropriate Requirements" at sites covered under the authority of the Comprehensive Environmental Response, Compensation Liability Act (i.e., Superfund sites).

**Timetable:**

Action	Date	FR Cite
ANPRM	10/21/93	58 FR 54474
NPRM	07/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Federal**Additional Information:** SAN No. 2073.**Agency Contact:** Amy Newman, Environmental Protection Agency, Air and Radiation, (6603J), Washington, DC 20460, **202 233-9340****RIN:** 2060-AB31**ENVIRONMENTAL PROTECTION AGENCY (EPA)  
Atomic Energy Act (AEA)**

## Final Rule Stage

**3667. CRITERIA FOR THE CERTIF. AND DETERMINATION OF THE WASTE ISOLATION PILOT PLANT'S COMPLIANCE W/ENVIRONMENTAL STNDS. FOR THE MGMT. AND DISPOSAL OF SPENT NUCLEAR FUEL, HIGH-LEVEL, & TRANSURANIC****Priority:** Other Significant**Legal Authority:** PL 102-579 Waste Isolation Pilot Plant Land Withdrawal Act**CFR Citation:** 40 CFR 194**Legal Deadline:** NPRM, Statutory, October 30, 1993. Final, Statutory, October 30, 1994.**Abstract:** This action will develop compliance criteria for the Waste Isolation Pilot Plant (WIPP). These criteria will be used by the Environmental Protection Agency in certifying whether or not the WIPP complies with disposal standards set forth in 40 CFR part 191. If a certification of compliance is given, then for the WIPP to continue to receive radioactive waste the Administrator must make a determination of compliance every five years thereafter.**Timetable:**

Action	Date	FR Cite
ANPRM	10/29/93	58 FR 8029
NPRM	01/30/95	60 FR 5766
Final Action	02/00/96	

**Small Entities Affected:** None**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3232.**Agency Contact:** Al Colli, Environmental Protection Agency, Air and Radiation, Office of Radiation and Indoor Air, Mail Code 6602J, Washington, DC 20460, **202 233-9310****RIN:** 2060-AE30

EPA—AEA

Final Rule Stage

**3668. 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. 2 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	09/00/95	

**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, **202 233-9213**

**RIN:** 2060-AE61

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed/Longterm Actions

Atomic Energy Act (AEA)

**3669. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR YUCCA MOUNTAIN, NEVADA**

**CFR Citation:** Not yet determined

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Ray Clark, **202 233-9310**

**RIN:** 2060-AF38

**Completed:**

Reason	Date	FR Cite
Final Action	01/11/95	60 FR 2854

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Allan Richardson, **202 233-9213**

**RIN:** 2060-AC03

**3670. GROUNDWATER PROTECTION STANDARDS FOR INACTIVE URANIUM TAILING SITES**

**CFR Citation:** 40 CFR 192

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Safe Drinking Water Act (SDWA)

**3671. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR LEAD AND COPPER (REVISION)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 300/SDWA 1401

**CFR Citation:** 40 CFR 141; 40 CFR 142

**Legal Deadline:** None

**Abstract:** EPA will propose 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 propose 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 propose 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 proposed 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 proposing a revised definition of "control" as it applies to lead service line replacement and to explain more fully the Agency's decision to exempt transient non-community water systems from coverage under the rule. Nationally, EPA estimates the proposed changes (cont)

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3440.

ABSTRACT CONT: will not affect the cost or benefits of the Lead and Copper Rule significantly. State governments and some local governments may experience a minor increase in costs as a result of these revisions. Many local and tribal governments and small businesses that operate public water systems should experience a decrease in annual costs.

**Agency Contact:** Judy Lebowich, Environmental Protection Agency, Water, (4604), Washington, DC 20460, **202 260-7595**

**RIN:** 2040-AC27

**3672. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUNDWATER DISINFECTION**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141; 40 CFR 142

## EPA—SDWA

## Proposed Rule Stage

**Legal Deadline:** NPRM, Judicial, August 30, 1995. Final, Statutory, June 18, 1989. Final, Judicial, August 30, 1997.

**Abstract:** In accordance with the 1986 SDWA amendments, EPA will propose that all public water systems using groundwater use disinfection treatment processes, unless they have natural disinfection or meet specified variance criteria. This rule will reduce microbial contamination risk from public water systems relying on groundwater as their drinking water source. The sources of microbial contamination are ubiquitous, and contamination can cause diarrhea, other gastrointestinal illness, hepatitis, and a variety of other illnesses. The approximately 180,000 public water systems that use groundwater not under direct influence of surface water, serving about 90 million people, will be affected by this regulation. Known treatment technologies include disinfection (through use of chlorine, chloramines, ozone, chlorine dioxide, or ultraviolet); source protection; well construction codes; and backflow prevention programs. No cost projections have yet been made. All States with primacy would be responsible for overseeing the implementation of the rule, including enforcement of monitoring, recordkeeping, reporting, public notification and treatment requirements. Local and tribal governments which own water systems are responsible for implementing the requirements of the rule.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	
Final Action	08/00/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2340.

EPA has notified the court that it cannot meet this schedule. A new schedule is being prepared.

**Agency Contact:** Bruce Macler, Environmental Protection Agency, Water, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, **415 744-1884**

**RIN:** 2040-AA97

**3673. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141; 40 CFR 142

**Legal Deadline:** NPRM, Judicial, November 30, 1995. Final, Statutory, June 19, 1989. Final, Judicial, November 30, 1997.

**Abstract:** This rule will set an MCLG and revised NPDWR for arsenic in drinking water, pursuant to the SDWA amendments of 1986. The SDWA requires EPA to promulgate national primary drinking water regulations for 83 specific contaminants of which arsenic is one. The SDWA directs EPA to promulgate MCLGs at a level at which, in the Administrator's judgment, "no known or anticipated adverse effects on the health of persons occur and which allows for an adequate margin of safety." MCLs are the federally enforceable standards and are set as close to the MCLGs as is feasible, taking costs into consideration. Arsenic poses a cancer risk. Arsenic is naturally occurring, predominantly in ground water. It is also used as a wood preservative and in the pharmaceutical, computer, ore smelting, and mining industries. Depending on the MCL selected, the arsenic regulation may affect as many as 13,000 systems or as few as 150 systems. In any case, small groundwater systems will be affected most. Treatment technology is expensive, household costs are expected to be high for those small systems which need treatment. Known treatment technologies include lime softening, coagulation filtration, ion exchange, reverse osmosis, pre-treatment and post treatment. EPA is also considering a unique two-stage treatment strategy. EPA has announced that it believes the risk is too uncertain given the potentially high cost of the rule. Accordingly, EPA is working with industry to develop and implement a research program designed to reduce uncertainty in the risk estimates.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	11/00/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2807.

EPA has announced that it intends to submit a new schedule to the court by September 1995.

**Agency Contact:** Heather Shank-Givens, Environmental Protection Agency, Water, (4603), Washington, DC 20460, **202 260-0063**

**RIN:** 2040-AB75

**3674. NATIONAL PRIMARY DRINKING WATER STANDARDS (NPDWRs) FOR ALDICARB**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141; 40 CFR 142

**Legal Deadline:** None

The effective date for aldicarb (Jan 1, 1993) has been stayed as of May 8, 1992.

**Abstract:** EPA is planning to repropose the NPDWRs for aldicarb, aldicarb sulfoxide and aldicarb sulfone and to propose a standard for total aldicarb. EPA decided to repropose these standards after new health data were submitted to the Agency and the Agency completed a revised risk assessment. Aldicarb affects the nervous system and can cause flu-like and more serious symptoms. Aldicarb is a pesticide applied on cotton, citrus, and peanuts. Aldicarb has a high leaching potential and can cause ground water contamination. Granulated activated charcoal is the only known treatment technology available. Current projections are that less than 400 drinking water systems, serving nearly 300,000 people, would be affected by the regulation. All states with primacy would be responsible for overseeing the implementation of the rule, including enforcement of monitoring, reporting, recordkeeping, public notification, and treatment requirements. Local and tribal governments which own water systems would be responsible for implementing the rule. In January 1995, EPA announced that it was initiating a reassessment of the drinking water program, including the current regulatory agenda, to ensure that resources available for protecting

## EPA—SDWA

## Proposed Rule Stage

drinking water accomplish the greatest risk reduction. The purpose of the effort is to clarify and change program priorities and realign resource allocations. Once this reassessment is completed, EPA will reconsider its schedule for aldicarb.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	00/00/00	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3238.

**Agency Contact:** Heather Shank-Givens, Environmental Protection Agency, Water, (4603), Washington, DC 20460, **202 260-0063**

**RIN:** 2040-AC13

### 3675. NATIONAL PRIMARY DRINKING WATER REGULATIONS: 25 CONTAMINANTS FROM DRINKING WATER PRIORITY LIST (PHASE VI-B)—ORGANIC AND INORGANIC CONTAMINANTS

**Priority:** Economically Significant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141; 40 CFR 142

**Legal Deadline:** NPRM, Statutory, January 1, 1990. NPRM, Judicial, February 28, 1995. Final, Statutory, January 1, 1991. Final, Judicial, February 28, 1997.

**Abstract:** EPA is scheduled to propose MCLGs and NPDWRs for 25 contaminants from the 1991 Drinking Water Priority List, as required by the SDWA of 1986. The SDWA requires regulation of at least 25 contaminants from the Drinking Water Priority List, which are known or anticipated to occur in public water systems, every 3 years starting in 1991. The SDWA directs EPA to promulgate MCLGs at a level at which, in the Administrator's judgment, "no known or anticipated adverse effects occur and which allows for an adequate margin of safety." MCLs are federally enforceable standards and are set as close to the MCLGs as is feasible, taking costs into

consideration. The 25 contaminants will be addressed in two rulemakings: Disinfection Byproducts (Phase VI-A) and Organic and Inorganic Contaminants (Phase VI-B). The Phase VI-B rule is intended to reduce cancer risk and other chronic toxicity exposures. (See separate entry for Phase VI-A.)

As required by SDWA Section 1412(b)(3), EPA plans to propose regulations for 19 organic and inorganic contaminants (including a number of pesticides) and to eventually set standards for approximately 12 of the 19 contaminants. These contaminants can cause a variety of health effects such as cancer, developmental effects, nervous system dysfunction, and liver and kidney toxicity. An estimated 7,700 to 9,500 water systems would be affected by the regulations. Preliminary benefits are that about 13 million people would have reduced exposure to the contaminants once the rule is implemented. Estimated national cost is \$600 million annually. Known treatment technologies vary by contaminants, but include packed tower aeration, conventional granular activated carbon, reverse osmosis, ion exchange, and lime softening.

All States with primacy would be responsible for overseeing the implementation of the rule, including enforcement of reporting, recordkeeping, public notification, monitoring, and treatment requirements. Local and tribal governments which own water systems are responsible for implementing the requirements of the rule.

In January, 1995, EPA announced that it was initiating a reassessment of the drinking water program, including the current regulatory agenda, to ensure that resources available for protecting drinking water accomplish the greatest risk reduction. The purpose of the effort is to clarify and change program priorities and realign resource allocation. To conduct this reassessment, EPA has initiated a request to defer activity on the VI-B rule and submit a revised schedule to the court by September 1995.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3509.

EPA is requesting a deferral of the schedule for this action and intends to submit a revised schedule to the court by September 1995.

**Agency Contact:** David Huber, Environmental Protection Agency, Water, (4603), Washington, DC 20460, **202 260-9566**

**RIN:** 2040-AC22

### 3676. REFORMATTING OF DRINKING WATER REGULATIONS

**Priority:** Informational

**Legal Authority:** 42 USC 300/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 the sense that it makes the rules easier to implement and thus facilitates their jobs.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

**Additional Information:** SAN No. 3563.

**Agency Contact:** Jan Auerbach, Environmental Protection Agency, Water, (4603), Washington, DC 20460, **202 260-7575**

**RIN:** 2040-AC41

### 3677. • REVISION OF CURRENT REGULATORY REQUIREMENTS FOR TRIGGERING INCREASED DRINKING WATER MONITORING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141

**Legal Deadline:** None

## EPA—SDWA

## Proposed Rule Stage

**Abstract:** The Safe Drinking Water Act requires EPA to establish National Primary Drinking Water Regulations for specific contaminants. The rules are to include analytical methods by which the contaminants can be measured. Monitoring requirements are also imposed by regulation. Monitoring frequencies can be increased or decreased by certain monitoring results. Regulations which have been promulgated already contain levels for triggering increased monitoring which are problematic, either because laboratories have difficulty detecting consistently at those levels or because the levels are well below those which might pose a health concern. This rule would revise the current trigger levels for increased monitoring for drinking water contaminants. It results from extensive discussions with State officials to define the problem(s) and identify potential solutions. While the proposal is still under development it is possible that requirements for some synthetic organic contaminants may be proposed to be relaxed whereas requirements for some inorganic contaminants and volatile organic contaminants may be proposed to be more stringent. All states with primacy would be responsible for overseeing the implementation of the rule, including enforcement of monitoring requirements. Local and tribal governments which own water systems are responsible for implementing the requirements of the rule.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	
Final Action	09/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3565.

**Agency Contact:** Bruce Macler, Environmental Protection Agency, Water, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, 415 744-1884

**RIN:** 2040-AC52

**3678. REVISIONS TO SDWA; UNDERGROUND INJECTION CONTROL PROGRAM REGULATIONS FOR CLASS II (OIL AND GAS-RELATED) WELLS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 300f/SDWA 1421 to 1425

**CFR Citation:** 40 CFR 144; 40 CFR 146

**Legal Deadline:** None

**Abstract:** EPA is examining whether additional controls are necessary for Class II (oil and gas related) wells, and whether changes to regulations are needed in order to impose these controls or whether guidance would suffice.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	
Final Action	08/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Tribal, Federal

**Sectors Affected:** 131 Crude Petroleum and Natural Gas; 132 Natural Gas Liquids; 138 Oil and Gas Field Services

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2784.

**Agency Contact:** Jeffrey Smith, Environmental Protection Agency, Water, (4602), Washington, DC 20460, 202 260-5586

**RIN:** 2040-AB77

**3679. MANAGEMENT OF CLASS V INJECTION WELLS UNDER PART C OF THE SAFE DRINKING WATER ACT**

**Priority:** Regulatory Plan

**Legal Authority:** 42 USC 300f/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:** EPA is examining whether and what types of specific controls should be imposed on shallow waste disposal wells defined as Class V wells in the UIC regulations. These wells are currently allowed to operate if they do not pose a threat to underground sources of drinking water.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	
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, (9602), Washington, DC 20460, 202 260-5532

**RIN:** 2040-AB83

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

## Final Rule Stage

## Safe Drinking Water Act (SDWA)

**3680. NATIONAL PRIMARY DRINKING WATER REGULATION: RADIONUCLIDES**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141; 40 CFR 142

**Legal Deadline:** NPRM, Judicial, June 15, 1991. Final, Statutory, June 19, 1989. Final, Judicial, April 30, 1995.

**Abstract:** EPA has proposed maximum contaminant level goals (MCLGs) and primary drinking water standards for radionuclides in drinking water. These radionuclides include radium, uranium, radon, total alpha, and beta particle and photon emitters (see RIN 2040-AB90,

SAN No. 2782). All of these contaminants were required to be regulated in the 1986 SDWA amendments. Radionuclides pose a cancer risk. Also, uranium poses a risk for kidney toxicity. Currently, EPA estimates that, at proposed levels, the regulation would avoid 126 cancer cases per year, and reduce exposure of 900,000 persons to the risk of kidney

EPA—SDWA

Final Rule Stage

toxicity. The number of systems affected at proposed levels would be 29,000 at a cost of \$660 million per year. All states with primacy would be responsible for overseeing the implementation of the rule including monitoring, recordkeeping, reporting, public notification, and treatment requirements. Local and tribal governments which own water systems are responsible for implementing the requirements.

In January 1995 EPA announced that it was initiating a reassessment of the drinking water program, including the current regulatory agenda, to ensure that resources available for protecting drinking water accomplish the greatest risk reduction. The purpose of the effort is to clarify and change program priorities and realign resource allocations. To conduct this reassessment, EPA has initiated a request to defer activity on the radionuclides rule and submit a revised schedule to the court by September 1995. Congress has already specifically prohibited EPA from promulgating a radon regulation during FY95.

**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

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2281.

EPA is requesting a deferral of the schedule for this action. EPA intends to submit a revised schedule to the court by September 1995.

**Agency Contact:** Dave Huber, Environmental Protection Agency,

Water, (4603), Washington, DC 20460, 202 260-9566

RIN: 2040-AA94

**3681. DRINKING WATER MICROBIAL AND DISINFECTION BY-PRODUCT MONITORING RULE (FORMERLY CALLED THE "INFORMATION COLLECTION DISINFECTION BYPRODUCTS RULE")**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 300/SDWA 1412

**CFR Citation:** 40 CFR 141

**Legal Deadline:** None

**Abstract:** EPA has negotiated two rules regulating disinfectants, disinfection byproducts, and microbial contaminants. As part of the negotiation, EPA also committed to promulgating Microbial and Disinfection By-Product Monitoring Rule to provide more occurrence and technology treatment data. The data will enable EPA to promulgate the Enhanced Surface Water Treatment Rule and will enable the negotiators to meet again to consider long term standards. This action fulfills that commitment. Public surface water systems serving 10,000 or more people and public ground water systems serving 50,000 or more people are required to generate data with the most extensive data requirements levied on systems serving 100,000 people or more. Governments are not affected by this rule unless they operate a public water system.

**Timetable:**

Action	Date	FR Cite
NPRM	02/10/94	59 FR 6332
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3445.

**Agency Contact:** Stig Regli, Environmental Protection Agency, Water, (4603), Washington, DC 20460, 202 260-7379

RIN: 2040-AC24

**3682. DRINKING WATER PRIMACY WITHDRAWAL REGULATION (REVISION)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 300/SDWA 1413

**CFR Citation:** 40 CFR 142

**Legal Deadline:** None

**Abstract:** EPA will promulgate revisions to the regulatory language which concerns EPA's initiation of proceedings that could result in withdrawal of State primary enforcement responsibility (primacy) for the Drinking Water Program. EPA is promulgating this revision, in part, in response to a remand in National Wildlife Federation v. EPA, 980 F.2D 765 (DC Circuit 1992). This action potentially impacts any State or Tribe with primacy for the drinking water program, as well as the public water systems within the State's or Tribe's jurisdiction. However, EPA notes that its current primacy withdrawal policy already is consistent with the revised language that EPA proposed on August 8, 1994 (59 FR 40458).

**Timetable:**

Action	Date	FR Cite
NPRM	08/08/94	59 FR 40458
Final Action	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal, Federal

**Additional Information:** SAN No. 3359.

**Agency Contact:** Judy Lebowich, Environmental Protection Agency, Water, (4604), Washington, DC 20460, 202 260-7595

RIN: 2040-AC19

**ENVIRONMENTAL PROTECTION AGENCY (EPA)  
Safe Drinking Water Act (SDWA)**

**Completed/Longterm Actions**

**3683. ANALYTICAL METHODS FOR REGULATED DRINKING WATER CONTAMINANTS**

**CFR Citation:** 40 CFR 141

**Completed:**

Reason	Date	FR Cite
Final Action	12/14/94	59 FR 62456

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

**EPA—SDWA**

**Completed/Longterm Actions**

**Agency Contact:** Jitendra Saxena, 202 260-9579  
**RIN:** 2040-AC12

**3684. NATIONAL PRIMARY DRINKING WATER REGULATIONS: 25 CONTAMINANTS FROM DRINKING WATER PRIORITY LIST (PHASE VIA) - DISINFECTION BYPRODUCTS RULE AND ENHANCED SURFACE WATER TREATMENT RULE**

**CFR Citation:** 40 CFR 141; 40 CFR 142  
**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Stig Regli, 202 260-7379  
**RIN:** 2040-AB82

**3685. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE**

**CFR Citation:** 40 CFR 141; 40 CFR 142

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Jan Auerbach, 202 260-7575  
**RIN:** 2040-AC07

**ENVIRONMENTAL PROTECTION AGENCY (EPA) Noise Control Act (NCA)**

**Completed/Longterm Actions**

**3686. WITHDRAWAL OF PRODUCTS FROM THE AGENCY'S REPORTS IDENTIFYING MAJOR NOISE SOURCES AND WITHDRAWAL OF PROPOSED RULES**

**CFR Citation:** Not applicable

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kenneth Feith, 202 260-4996  
**RIN:** 2060-AB24

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

**Prerule Stage**

**3687. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS (SWMUS) AT HAZARDOUS WASTE MANAGEMENT FACILITIES**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 6924/RCRA 3004(u), 3004(v)

**CFR Citation:** 40 CFR 264; 40 CFR 270

**Legal Deadline:** None

**Abstract:** Past and present waste management practices at RCRA facilities have resulted in releases from solid waste management units that frequently cause contamination of soils, ground water, surface water and air. This contamination may be harmful to human health and the environment. Final corrective action regulations (see above title) will provide enforceable requirements to identify the types of

wastes and constituents present, and describe the extent of the contamination, to ensure that the appropriate steps are taken to clean up the contamination. One problem that we are attempting to overcome in this rulemaking effort is the process which is taking too long and is too expensive. The agency is currently exploring options that will achieve cleanup goals for these sites such as: creating a more consistent, less compartmentalized approach to cleanup at RCRA Facilities; establishing protective but "common sense" cleanup expectations, shifting more responsibility for compliance to the regulated community; and creating a more cost-effective cleanup program.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/90	55 FR 30798

Action	Date	FR Cite
Final Rule (Phase I)	02/16/93	58 FR 8658
ANPRM	09/00/95	
NPRM	09/00/96	
Final Action	09/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2390.

**Agency Contact:** Guy Tomassoni, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460, 703 308-8622

**RIN:** 2050-AB80

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

Proposed Rule Stage

**3688. FACILITY RESPONSE  
PLANNING FOR DELEGATED  
OFFSHORE FACILITIES**
**Priority:** Other Significant

**Legal Authority:** 33 USC 1321/Clean Water Act; EO 12777

**CFR Citation:** 40 CFR 112

**Legal Deadline:** Final, Statutory, August 18, 1992.

**Abstract:** Some oil storage facilities have insufficient response planning and the necessary private response resources available to respond to worst case oil discharges that affect waters of the United States.

The Oil Pollution Act of 1990 (OPA) requires all oil facilities to prepare, submit and implement plans for responding to worst case oil discharges. This action would implement OPA requirements for offshore non-transportation related facilities located landward of the low water mark. In this rule, EPA plans to extend the applicability of its facility response plan rule for onshore facilities (July 1, 1994) to these offshore facilities. In a 2/3/94 Memorandum of Understanding, the Department of Interior/Minerals Management Service delegated authority to regulate these offshore facilities to EPA.

Part 112 continues to apply to small businesses as well as federal, state, local and tribal governments. The facility response plan program remains a federal program, with no implementation functions delegated to state or local governments.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	04/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal, Federal

**Sectors Affected:** 131 Crude Petroleum and Natural Gas

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3425.

**Agency Contact:** **Bobbie Lively-Diebold**, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), **703 356-8774**
**RIN:** 2050-AE18

**3689. ALTERNATIVES FOR GROUND-WATER MONITORING AT SMALL, DRY/REMOTE MUNICIPAL SOLID WASTE LANDFILLS**
**Priority:** Other Significant

**Legal Authority:** RCRA 4004, RCRA 1008, RCRA 2002, RCRA 4010

**CFR Citation:** 40 CFR 258

**Legal Deadline:** None

**Abstract:** Alternative strategies to conventional ground-water monitoring are under consideration by the Agency for use at certain small, dry/remote municipal solid waste landfills, as necessary to detect contamination on a site-specific basis. Examples of alternative strategies may include early detection vadose zone monitoring, analysis for indicator parameters and major ions in place of trace elements and volatile organic compounds, or exempting small landfills from ground-water monitoring requirements based on a demonstration that there is no potential for leachate migration to the uppermost aquifer. Examples of site-specific factors important to the alternative selection process include costs, hydrogeology, stratigraphy, climate, and availability of equipment and technical expertise. There are certain geographic areas where there may be no clear-cut effective alternatives to conventional ground-water monitoring, such as areas of Alaska with permafrost or in communities with extremely low per capita income. The Agency is considering alternatives as a result of a recent decision by the U.S. Court of Appeals for the District of Columbia Circuit that vacated the small landfill ground-water monitoring exemption under 40 CFR Part 258.50(b) and in consideration of the projected annual waste disposal costs per household for communities being served by these small landfills of full ground-water monitoring requirements. This rule would provide states and tribes with EPA-approved permit programs the flexibility they need to be able to allow landfill owners to use alternatives for ground-water monitoring. Local governments would still bear the costs of alternative ground-water monitoring. The Agency estimates that this rule could save \$5.9 million to \$22.2 million annually from the cost of baseline ground-water monitoring on a national basis. Science and engineering support would be needed by some

communities to implement most alternatives.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	10/00/95	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal

**Additional Information:** SAN No. 3546.

**Agency Contact:** **Andrew Teplitzky**, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460, **703 308-8300**
**RIN:** 2050-AE24

**3690. • HAZARDOUS WASTE  
MANAGEMENT SYSTEM:  
IDENTIFICATION AND LISTING OF  
HAZARDOUS WASTE; RECYCLED  
USED OIL MANAGEMENT  
STANDARDS**
**Priority:** Other Significant

**Legal Authority:** 42 USC 9601(37); 42 USC 9614(c); 42 USC 6905; 42 USC 6912(a); 42 USC 6921 through 6927, 6930, 6934, and 6974

**CFR Citation:** 40 CFR 279

**Legal Deadline:** None

**Abstract:** This action is being taken in response to a Court remand of mixture provisions contained in the Used Oil Management Standards. The remanded provisions exempt mixtures of used oil and characteristic hazardous waste (e.g., spent mineral spirits) from the Land Disposal Restrictions. The effect of the existing LDR exemption is to encourage mixing of used oil and characteristic hazardous waste and, consequently, to discourage segregation and recycling the used oil and spent solvents as separate waste streams. Mixtures of used oil and spent solvents are virtually always burned. This stay of the mixture provisions and proposed rule would address the applicability of the LDR to decharacterized mixtures of used oil and characteristic hazardous waste. We expect that any changes resulting from the proposed rule will have minimal impact on state/local/tribal governments and small businesses (e.g., service stations, quick lubes).

## EPA—RCRA

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**Timetable:**

Action	Date	FR Cite
Administrative Stay	05/00/95	
NPRM	11/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Additional Information:** SAN No. 3668.

**Agency Contact:** Eydie Pines, Environmental Protection Agency, Solid Waste and Emergency Response, SE., 202 260-3509

**RIN:** 2050-AE28

**3691. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: HAZARDOUS WASTE IDENTIFICATION RULE (HWIR); WASTE**

**Priority:** Regulatory Plan

**Legal Authority:** 42 USC 6905, 6912(a), 6921, 6922, and 6926

**CFR Citation:** 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 268

**Legal Deadline:** Final, Statutory, October 1, 1994.

**Abstract:** Under the current RCRA "mixture" and "derived from" rules, some low risk wastes are currently regulated by EPA's stringent hazardous waste regulations. To address this problem, this deregulatory action will make modifications the "mixture" and "derived from" rules, and establish new criteria that would exempt certain low risk wastes from the hazardous waste regulations. In developing this action, EPA is considering the views of all members of a Federal Advisory Committee Act (FACA) committee. This action will be implemented by EPA and authorized States; impacts on local governments and small businesses are undetermined.

**Timetable:**

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
NPRM Withdrawn	10/30/92	57 FR 49280
NPRM Reproposal	08/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3328.

**Agency Contact:** William A. Collins, Jr., Environmental Protection Agency, Solid Waste and Emergency Response,

(5304), Washington, DC 20460, 202 260-4791

**RIN:** 2050-AE07

**3692. SPENT SOLVENTS LISTING DETERMINATION**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6905/RCRA 1005; 42 USC 6912/RCRA 2002; 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002; 42 USC 6926/RCRA 3006; 42 USC 9602/RCRA 6002; 33 USC 1361/FWPCA 1361; 33 USC 1321/FWPCA 1321

**CFR Citation:** 40 CFR 261; 40 CFR 271; 40 CFR 302

**Legal Deadline:** NPRM, Judicial, March 31, 1995. Final, Statutory, February 8, 1986. Final, Judicial, May 31, 1996.

**Abstract:** This action addresses the potential human health and environmental risks posed by certain used solvents and waste residues from their recovery, and determines whether these wastes should be listed as hazardous wastes under RCRA. As part of this effort, EPA is also considering opportunities for pollution prevention and recycling. This action will be implemented by States authorized under RCRA. Impacts on local and tribal governments are not expected, and small business impacts are undetermined at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	
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, (5304), Washington, DC 20460, 202 260-4770

**RIN:** 2050-AD84

**3693. CHLORINATED ALIPHATICS LISTING DETERMINATION**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6922/RCRA 3001; 42 USC 9602/CERCLA 102; 33 USC 1321/FWPCA 311; 33 USC 1321/FWPCA 501

**CFR Citation:** 40 CFR 261; 40 CFR 271; 40 CFR 302

**Legal Deadline:** NPRM, Judicial, November 30, 1995. Final, Judicial, October 31, 1996.

**Abstract:** This action addresses the potential risks posed by wastes from the production of 25 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.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	10/00/96	

**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, 202 260-6607

**RIN:** 2050-AD85

**3694. 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

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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-related 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	04/00/95	
Final Action	09/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal, Federal

**Additional Information:** SAN No. 3427.

**Agency Contact:** Kim Kirkland, Environmental Protection Agency, Solid Waste and Emergency Response, (5304), Washington DC 20460, **202 260-6722**

**RIN:** 2050-AE14

**3695. REVISIONS TO CRITERIA APPLICABLE TO SOLID WASTE DISPOSAL FACILITIES THAT MAY ACCEPT CESQG HAZARDOUS WASTES EXCLUDING MUNICIPAL SOLID WASTE LANDFILLS**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6907, 6944, 6949/RCRA 4010, 1008, 2002, and 4004; 33 USC 1345

**CFR Citation:** 40 CFR 257

**Legal Deadline:** NPRM, Judicial, May 15, 1995. Final, Judicial, July 1, 1996.

**Abstract:** EPA will revise existing Criteria for facilities that may receive hazardous household wastes (HHW) or Conditionally Exempt Small Quantity Generator (CESQG) hazardous wastes. In October 1991, EPA promulgated the Municipal Solid Waste Landfill Criteria, thereby satisfying part of the statutory mandate. EPA is under a settlement agreement with the Sierra Club to fulfill the remainder of the statutory mandate by promulgating regulations pertaining to the disposal of CESQG hazardous wastes at solid waste disposal facilities. Depending on actual practices at specific facilities, these regulations might be applicable to commercial and private industrial waste facilities and construction and demolition waste facilities managing non-hazardous wastes.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	07/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3416.

**Agency Contact:** Paul F. Cassidy, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington DC 20460, **703 308-8600**

**RIN:** 2050-AE11

**3696. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: PETROLEUM REFINING PROCESS WASTES**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6921/RCRA 3001

**CFR Citation:** 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

**Legal Deadline:** NPRM, Judicial, August 31, 1995. 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 local and tribal governments are unknown and small business impacts are not expected.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal, Federal

**Additional Information:** SAN No. 3064.

**Agency Contact:** Maximo (Max) Diaz, Jr., Environmental Protection Agency,

Solid Waste and Emergency Response, (5304), Washington, DC 20460, **202 260-4770**

**RIN:** 2050-AD88

**3697. REVISED TECHNICAL STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES**

**Priority:** Economically Significant

**Legal Authority:** 42 USC /RCRA 3004(a)(q); RCRA 3005(a), CAAA section 112

**CFR Citation:** 40 CFR 264; 40 CFR 266

**Legal Deadline:** None

EPA has signed a settlement agreement to promulgate revised rules for industrial furnaces and incinerators by December 1996 and boilers by December 1999.

**Abstract:** The Draft Strategy for Combustion of Hazardous Waste and a settlement agreement commit EPA to upgrade its technical standards for burning hazardous waste in incinerators, boilers and industrial furnaces. These standards would be applicable during the construction and operation of these combustion facilities.

**Timetable:**

Action	Date	FR Cite
NPRM industrial furnaces and incinerators	09/00/95	
Final Action	12/00/96	
NPRM boilers	09/00/98	
Final Action	12/00/99	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3333.

**Agency Contact:** Larry Denyer, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460, **703 308-8770**

**RIN:** 2050-AE01

**3698. CEMENT KILN DUST**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6921/RCRA 3001(b)(3)(A)(iii); RCRA 8002(o)

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** EPA prepared a Cement Kiln Dust Report and submitted it to Congress. The report studies the

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sources and volumes of cement kiln dust, current and alternative waste management practices and their costs and economic impacts, documents damages to human health and the environment from cement kiln dust disposal, and discusses existing state and Federal regulation of these wastes. EPA used this information, after an opportunity for public comment, to make a final regulatory determination. In the determination the Agency decided that regulation under RCRA Subtitle C was warranted to protect the public from human health risks and to prevent environmental damage resulting from current disposal of this waste.

Under the terms of a consent decree, the Cement Kiln Dust Report to Congress was completed by December 31, 1993; the Regulatory Determination was completed on January 31, 1995. The Agency now plans to develop specific tailor-made regulations that are appropriate for the management of CKD.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/06/94	59 FR 709
Regulatory Determination	02/07/95	60 FR 7366
NPRM	12/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3334.

**Agency Contact:** William Schoenborn, Environmental Protection Agency, Solid Waste and Emergency Response, (5302W), Washington DC, 20460, **703 308-8483**

**RIN:** 2050-AE02

### 3699. LAND DISPOSAL RESTRICTIONS—PHASE IV: TREATMENT STANDARDS FOR CERTAIN MINERAL PROCESSING WASTES; TC METALS; NEWLY-LISTED WASTES FROM WOOD PRESERVING AND DYES AND PIGMENTS

**Priority:** Other Significant

**Legal Authority:** 42 USC 6905, 6912(a), 6921, 6924

**CFR Citation:** 40 CFR 268

**Legal Deadline:** NPRM, Judicial, June 1995. Final, Judicial, June 1996.

**Abstract:** The Hazardous and Solid Waste Amendments of 1984 require EPA to promulgate regulations establishing treatment standards that must be met before hazardous waste may be disposed of on land. The proposed rulemaking establishes treatment standards for certain characteristic mineral processing wastes, wood preserving wastes, and TC metals. It also addresses issues arising from a September 25, 1992 decision of the U.S. Court of Appeals in *Chemical Waste Management v. EPA*, 976 F. 2d (D.C. Cir. 1992) on the equivalency of treatment in wastewater treatment systems regulated under the Clean Water Act to treatment of wastes under RCRA.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/24/91	56 FR 55160
NPRM	06/00/95	
Final Action	06/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3366.

**ADDITIONAL AGENCY CONTACT:** Sue Slotnick, 703 308-8467.

**Agency Contact:** Sherri Stevens, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460, **703 308-8467**

**RIN:** 2050-AE05

### 3700. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES; HAZARDOUS WASTE IDENTIFICATION RULE (HWIR): CONTAMINATED MEDIA

**Priority:** Regulatory Plan

**Legal Authority:** 42 USC 6912(a)/RCRA 3001; 42 USC 6905; 42 USC 6921; 42 USC 6922; 42 USC 6926

**CFR Citation:** 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 268

**Legal Deadline:** None

**Abstract:** The overall goal of this regulation is to establish a new regulatory framework under RCRA for the management of contaminated media that are generated from remediating hazardous waste sites. The new regulations will reform the current

standards by creating more flexibility for Agency decisionmakers in setting cleanup requirements, and by better aligning the RCRA regulations with the actual risks posed by managing contaminated media. The rule will exempt certain longer risk contaminated media from the traditional, "prevention oriented" RCRA regulations and will set treatment standards for higher risk media that reflect the inherent differences between contaminated media (e.g., soils, ground water) and newly generated wastes. The regulations will also simplify and streamline RCRA permit requirements for cleanups that involve managing hazardous materials.

**Timetable:**

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
NPRM Withdrawal	10/30/92	57 FR 49280
Reproposal	09/00/95	
Final Action	09/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 2982.

**Agency Contact:** Carolyn Loomis, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460, **703 308-8626**

**RIN:** 2050-AE22

### 3701. HAZARDOUS WASTE MANIFEST REGULATION

**Priority:** Other Significant

**Legal Authority:** 42 USC 6922/RCRA 3002(a)(5)

**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

**Legal Deadline:** None

**Abstract:** The purpose of this rule is to amend the existing Uniform Hazardous Waste Manifest rule to make it truly "uniform" across the country. Presently what is supposed to be a "uniform" manifest is instead a patchwork of varying State manifests. Interstate shipments become quite burdensome when industry must deal with several different forms with varied requirements. This is compounded since States have difficulty tracking and verifying interstate loads.

## EPA—RCRA

## Proposed Rule Stage

EPA is developing a proposed rule, as part of regulatory negotiation, to make the form more uniform, while still addressing state data needs.

The costs of this action should be minimal to the regulated industry since the new Federal form will only add a few data elements that in most cases are already being required by the various State forms and uniformity in data required across the U.S. will have tremendous benefits to the transportation industry. Some States may have to modify their data system in response to this action.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	
Final Action	09/00/96	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Tribal, Federal

**Additional Information:** SAN No. 3147.

**Agency Contact:** Rick Westlund, Environmental Protection Agency, Solid Waste and Emergency Response, (2136), Washington, DC 20460, **202 260-2745**

**RIN:** 2050-AE21

### 3702. RULE IDENTIFYING WHEN MILITARY MUNITIONS BECOME HAZARDOUS WASTES AND MANAGEMENT STANDARDS FOR SUCH WASTES

**Priority:** Other Significant

**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 270

**Legal Deadline:** NPRM, Statutory, April 6, 1993. Final, Statutory, October 6, 1994.

**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 is likely to 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. EPA and EPA-authorized States will implement the standards.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	
Final Action	10/00/96	

**Small Entities Affected:** None

**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, **703 308-8759**

**RIN:** 2050-AD90

### 3703. RCRA SUBTITLE C INDIAN PROGRAM AUTHORIZATION

**Priority:** Other Significant

**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. 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 will 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	07/00/95	
Final Action	07/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal

**Additional Information:** SAN No. 2827.

**Agency Contact:** Virginia Phillips, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460, **703 308-8761**

**RIN:** 2050-AD07

### 3704. RCRA SUBTITLE D SOLID WASTE FACILITIES; STATE/TRIBAL PERMIT PROGRAM—DETERMINATION OF ADEQUACY

**Priority:** Other Significant

**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	04/00/95	
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal

**Additional Information:** SAN No. 2751.

**Agency Contact:** Ken Sandler, Environmental Protection Agency,

## EPA—RCRA

## Proposed Rule Stage

Solid Waste and Emergency Response,  
(5306W), Washington, DC 20460, **703**  
**308-8300**

RIN: 2050-AD03

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

## Final Rule Stage

**3705. MODIFICATIONS OF THE  
HAZARDOUS WASTE RECYCLING  
REGULATIONS: UNIVERSAL WASTES**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6905/RCRA  
1004; 42 USC 6921 to 6928/RCRA 3001  
to 3008

**CFR Citation:** 40 CFR 261; 40 CFR 273

**Legal Deadline:** None

**Abstract:** EPA determined that existing RCRA regulations prevented or inhibited the sound collection and management of certain hazardous wastes, resulting from common consumer or general use, including hazardous waste batteries and recalled hazardous waste pesticides. The Agency proposed streamlined management requirements for these widely generated hazardous wastes in order to prevent their being disposed as common refuse. EPA expects the final rule to have positive impacts on the many small businesses, state, local and tribal governments setting up collection programs.

**Timetable:**

Action	Date	FR Cite
NPRM	02/11/93	58 FR 8102
Supplemental Notice	06/20/94	59 FR 31568
Final Action	06/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State,  
Tribal, Federal

**Additional Information:** SAN No. 2870.

**Agency Contact:** Kristina Meson,  
Environmental Protection Agency,  
Solid Waste and Emergency Response,  
(5304), Washington, DC 20460, **202**  
**260-8551**

RIN: 2050-AD19

**3706. HAZARDOUS WASTE  
MANAGEMENT SYSTEM: POST-  
CLOSURE REQUIREMENTS**

**Priority:** Other Significant

**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 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	12/00/95	

**Small Entities Affected:** None

**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, **703**  
**308-7057**

RIN: 2050-AD55

**3707. LISTING DETERMINATION FOR  
HAZARDOUS WASTES -  
ORGANOBROMINES CHEMICAL  
INDUSTRY**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6905/RCRA  
1006; 42 USC 6912(a)/RCRA 2002(a); 42  
USC 6922/RCRA 3001; 42 USC  
9602/CERCLA 102; 33 USC  
1361/CERCLA 311; 33 USC  
1321/CERCLA 501

**CFR Citation:** 40 CFR 261; 40 CFR 271;  
40 CFR 302

**Legal Deadline:** NPRM, Judicial, April  
30, 1994. Final, Judicial, April 30,  
1995.

**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 disposed in special hazardous waste landfills.

**Timetable:**

Action	Date	FR Cite
NPRM	05/11/94	59 FR 24530
Final Action	04/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3065.

**Agency Contact:** Anthony Carrell,  
Environmental Protection Agency,  
Solid Waste and Emergency Response,  
(5304), Washington, DC 20460, **202**  
**260-6607**

RIN: 2050-AD79

## EPA—RCRA

## Final Rule Stage

**3708. RCRA SUBTITLE D CORPORATE FINANCIAL TEST AND GUARANTEE****Priority:** Other Significant**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. It also would allow corporations to use that financial test to guarantee the cost of an owner or operator. 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. Finally, the rule would revise the domestic asset requirement of the subtitle C corporate financial test. 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	12/00/95	

**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, **703 308-8192**

**RIN:** 2050-AD77**3709. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C HAZARDOUS WASTE TESTING MANUAL SW-846, THIRD EDITION, UPDATE II****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 would 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 revisions to the manual are necessary to provide improved and more complete analytical methods for RCRA-relating testing. This action will assist States and Tribes in implementing the RCRA program. Impacts on small businesses or local governments are not expected.

**Timetable:**

Action	Date	FR Cite
NPRM	08/31/93	58 FR 46052
Final Rule	01/13/95	60 FR 3089
Final Action (pH method)	04/04/95	60 FR 17001

**Small Entities Affected:** None**Government Levels Affected:** State, Tribal, Federal**Additional Information:** SAN No. 2826.

**Agency Contact:** Charles Sellers and Kim Kirkland, Environmental Protection Agency, Solid Waste and Emergency Response, (5304), Washington, DC 20460, **202 260-4761**  
**RIN:** 2050-AD06

**3710. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO UNDERGROUND STORAGE TANKS CONTAMINATED MEDIA AND DEBRIS****Priority:** Other Significant**Legal Authority:** 42 USC 6921/RCRA 3001**CFR Citation:** 40 CFR 261**Legal Deadline:** None

**Abstract:** In the final hazardous waste Toxicity Characteristic (TC) rule published in June 1990, EPA decided to temporarily defer application of the TC rule to petroleum-contaminated media and debris, such as soils and groundwater, that result from underground storage tank (UST) corrective actions. This rule would make permanent the current temporary deferral of UST petroleum-contaminated media and debris from the RCRA hazardous waste TC rule. This rule is part of the Agency's commitment to make a "final determination" regrading the UST temporary deferral. Without the deferral, UST cleanup procedures would be adversely affected, resulting in delays in remedial action and increases in remediation costs. EPA believes states are in the best position to continue their oversight of the management of contaminated media and debris from UST cleanups. Since this action is deregulatory, there are no adverse effects on small businesses, or on state, local, or tribal governments.

**Timetable:**

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final Action	12/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** SAN No. 3189.

**Agency Contact:** John Heffelfinger, Environmental Protection Agency, Solid Waste and Emergency Response, (5401W), Washington, DC 20460, **703 308-8881**

**RIN:** 2050-AD69**3711. 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**CFR Citation:** 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302**Legal Deadline:** NPRM, Judicial, November 30, 1994. Final, Judicial, November 30, 1995.

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Two waste streams are subject to later deadlines: Proposed, 11/3 0/95; Final, 06/30/96.

**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. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	12/22/94	59 FR 66072
Additional NPRM	11/00/95	
Final Action	11/00/95	
Additional Final Action	06/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Additional Information:** SAN No. 3066/3068/3069.

**Agency Contact:** Wanda Levine, Environmental Protection Agency, Solid Waste and Emergency Response, (5304), Washington, DC 20460, **202 260-7458**

**RIN:** 2050-AD80

### 3712. IMPORTS AND EXPORTS OF HAZARDOUS WASTE: IMPLEMENTATION OF THE OECD DECISION FOR RECYCLABLE WASTES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 2656; 42 USC 6901/RCRA 3001

**CFR Citation:** 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 266

**Legal Deadline:** None

**Abstract:** On March 30, 1992, the Organization for Economic Cooperation and Development (OECD) adopted the Council's Final Decision on the Control of Transfrontier Movements of Wastes Destined for Recovery Operations. The United States, a member of the OECD, supported the Decision, which is

legally binding. The Decision established a graduated system of procedural controls for the export and import of wastes for recovery, depending on whether a waste is included in the green, amber, or red lists. Green wastes are subject only to controls imposed in normal international commercial shipments. Amber and red wastes that are considered hazardous are subject to additional controls regarding: notification to and consent from the exporting, importing, and transit countries; contracts; tracking documents; and, recordkeeping. The Agency is codifying these provisions in an interim final rule which would replace the current RCRA export/import regulations for hazardous waste destined for recovery within the OECD. (cont)

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3114.

**ABSTRACT CONT:** These changes do not affect the RCRA export/import regulations for hazardous wastes moving to or from Canada and Mexico for treatment or disposal within the OECD or moving for treatment, disposal or recovery purposes to other countries outside the OECD.

**Agency Contact:** Susan Nogas, Environmental Protection Agency, Solid Waste and Emergency Response, (5304), Washington, DC 20460, **202 260-4534**

**RIN:** 2050-AD87

### 3713. RCRA EXPANDED PUBLIC PARTICIPATION AND REVISIONS TO COMBUSTION PERMITTING PROCEDURES

**Priority:** Regulatory Plan

**Legal Authority:** 42 USC 6905/RCRA 1006; 42 USC 6912/RCRA 2002; 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005; 42 USC 6927/RCRA 3007; 42 USC 6974

**CFR Citation:** 40 CFR 270.41; 40 CFR 270.42; 40 CFR 270.10

**Legal Deadline:** None

**Abstract:** EPA would like to encourage greater levels of public participation in

the RCRA permitting process. Current regulations provide limited opportunities for public participation; therefore, EPA has proposed requirements to provide earlier and more extensive opportunities for public involvement in permitting activities for all RCRA facilities.

EPA is aware of differences in the procedural requirements for new combustion facilities seeking permits and combustion facilities operating under interim status while seeking permits. To make the permitting procedures more equivalent, EPA has proposed to amend the permitting procedures for interim status combustion facilities, particularly with regard to (1) submittal of trial burn plans, and (2) procedures following a trial burn. EPA is also clarifying in this proposed rule some modification classifications pertaining to combustion activities.

**Timetable:**

Action	Date	FR Cite
NPRM	06/02/94	59 FR 28680
Final Action	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Additional Information:** SAN No. 3315.

**Agency Contact:** Patricia Buzzell, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460, **703 308-8632**

**RIN:** 2050-AD97

### 3714. LAND DISPOSAL RESTRICTIONS—PHASE III: STANDARDS FOR DECHARACTERIZED WASTES AND TREATMENT STANDARDS FOR NEWLY-LISTED CARBAMATE, ORGANOCHLORINE WASTES, AND SPENT ALUMINUM POTLINERS

**Priority:** Economically Significant

**Legal Authority:** 42 USC 6901/RCRA 3004(m)

**CFR Citation:** 40 CFR 268

**Legal Deadline:** Final, Judicial, January 1996.

**Abstract:** Treatment standards will be developed for ignitable, corrosive, reactive, and organic wastes displaying the toxicity characteristic when these wastes are managed in wastewater treatment systems subject to the Clean

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Water Act (CWA), in zero-discharge facilities that employ treatment before land disposal, and in Class I nonhazardous injection wells subject to the Safe Drinking Water Act. These treatment standards must be met before the waste is discharged to the surface water ("end-of-pipe"), in the case of CWA systems; before the waste is land disposed, in the case of a zero-discharge treatment system; and before the waste is injected into the deep injection well. In addition, treatment standards will be developed for certain "newly listed" wastes: carbamate and organobromine wastes and spent aluminum potliners.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/24/91	56 FR 55160
NPRM	03/02/95	60 FR 11702
Final Action	01/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3365.

This entry includes RINs 2050-AA30, 2050-AD36, 2050-AD37, and 2050-AE05.

**Agency Contact:** Peggy Vyas, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460, **703 308-8594**

**RIN:** 2050-AD38

### 3715. FINANCIAL TEST FOR LOCAL GOVERNMENTS THAT OWN/OPERATE MUNICIPAL SOLID WASTE LANDFILLS

**Priority:** Other Significant

**Legal Authority:** 42 USC 6907, 6944 and 6949a/RCRA 1008, 4004, and 4010

**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 would allow local governments to meet all or part of their financial assurance requirements based on their financial strength. EPA estimates that the local government financial test would save local governments \$138 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	10/00/95	

**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, **703 308-7272**

**RIN:** 2050-AD04

### 3716. GUIDELINE FOR FEDERAL PROCUREMENT OF PAPER AND PAPER PRODUCTS CONTAINING RECOVERED MATERIALS

**Priority:** Informational

**Legal Authority:** 42 USC 6912(a)/RCRA 6002

**CFR Citation:** 40 CFR 247

**Legal Deadline:** None

**Abstract:** RCRA section 6002 establishes a buy-recycled program for Federal agencies, state and local agencies using Federal funds to buy items, and for contractors purchasing items under government contracts. It uses governments' purchasing power to develop markets for materials collected by municipal and commercial recycling programs. RCRA requires EPA to issue guidelines for government agencies and contractors to use when purchasing recycled products. EPA designates items that are made with recovered materials and recommends recovered material content levels or other methods for agencies to use when purchasing the items. Government agencies and contractors are required to purchase EPA-designated items containing the highest percentage of recovered materials practicable. On June 22, 1988, EPA issued a final procurement guideline which designated paper and paper products and contained recovered materials content recommendations for these items. On April 20, 1994, EPA proposed to consolidate the paper designation into a Comprehensive Procurement Guideline and the

recommendations into a Recovered Materials Advisory Notice. In this action, EPA will issue proposed revised recommendations for paper and paper products.

**Timetable:**

Action	Date	FR Cite
Advisory Notice	03/15/95	60 FR 14182
Final Action	12/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3032.

**Agency Contact:** Dana Arnold, Environmental Protection Agency, Solid Waste and Emergency Response, (5306W), Washington, DC 20460, **202 308-7279**

**RIN:** 2050-AD41

### 3717. COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

**Priority:** Other Significant

**Legal Authority:** 42 USC 6912(a)/RCRA 6002(a)

**CFR Citation:** 40 CFR 247

**Legal Deadline:** None

**Abstract:** RCRA section 6002 establishes a buy-recycled program for Federal agencies, state and local agencies using Federal funds to buy items, and for contractors purchasing items under government contracts. It uses governments' purchasing power to develop markets for materials collected by municipal and commercial recycling programs. RCRA requires EPA to issue guidelines for government agencies and contractors to use when purchasing recycled products. EPA designates items that are made with recovered materials and recommends recovered material content levels or other methods for agencies to use when purchasing the items. Government agencies and contractors are required to purchase EPA-designated items containing the highest percentage of recovered materials practicable. On April 20, 1994, under RCRA and Executive Order 12873, "Federal Acquisition, Recycling, and Waste Prevention," EPA proposed to designate 21 items in a Comprehensive Procurement Guideline (CPG). EPA also issued draft purchasing recommendations in a related

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Recovered Materials Advisory Notice (RMAN) (59 FR 18852). The Agency also proposed to consolidate EPA's five existing procurement guidelines (for paper, retread tires, re-refined lubricating oil, building insulation, and cement and concrete containing fly ash) into the CPG and RMAN. This action will finalize the CPG and the recommendations in the RMAN.

**Timetable:**

Action	Date	FR Cite
NPRM	04/20/94	59 FR 18852
Final Action	04/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Federal

**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. 3384.

**Agency Contact:** Beverly Goldblatt, Environmental Protection Agency, Solid Waste and Emergency Response, (5306w), Washington, DC 20460, **703 308-7278**

**RIN:** 2050-AE16

**3718. UNDERGROUND STORAGE TANKS—LENDER LIABILITY**

**Priority:** Other Significant

**Legal Authority:** 42 USC 6991/RCRA 9001; 42 USC 6991/RCRA 9003

**CFR Citation:** 40 CFR 280

**Legal Deadline:** None

**Abstract:** This regulation will limit the liability of secured creditors, such as banks and other lenders, regarding contaminated underground storage tank (UST) properties they hold as collateral for loans. At present, concerns over environmental liability are making a significant number of lenders reluctant to make loans to otherwise credit-worthy owners of underground storage tanks. The regulation is needed to

remove this current barrier to the financing of UST facilities and increase the amount of capital available to UST owners. Without adequate financing, many UST owners will be unable to make the improvements to their facilities necessary to comply with environmental regulations. Since this action is deregulatory, there are no adverse effects on small businesses or on state, local, or tribal governments.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/94	59 FR 30448
Final Action	08/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3149.

**Agency Contact:** John Heffelfinger, Environmental Protection Agency, Solid Waste and Emergency Response, (5401W), Washington, DC 20460, **703 308-8881**

**RIN:** 2050-AD67

**ENVIRONMENTAL PROTECTION AGENCY (EPA)  
Resource Conservation and Recovery Act (RCRA)****Completed/Longterm Actions****3719. REVISIONS TO THE OIL POLLUTION PREVENTION REGULATION**

**CFR Citation:** 40 CFR 112

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dana Stalcup, **703 603-8735**

**RIN:** 2050-AC62

**3720. REGULATIONS TO CONTROL IMPORTS AND EXPORTS OF HAZARDOUS AND OTHER WASTES**

**CFR Citation:** 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 266

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Julie Lyddon, **202 260-7944**

**RIN:** 2050-AE13

**3721. STANDARDS FOR THE MANAGEMENT AND USE OF SLAG RESIDUES DERIVED FROM HTMR TREATMENT OF KO61, KO62, AND FOO6 WASTES (ENCAPSULATED USES)**

**CFR Citation:** 40 CFR 261; 40 CFR 266

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Narendra K. Chaudhari, **202 260-4787**

**RIN:** 2050-AE15

**3722. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C HAZARDOUS WASTE TESTING MANUAL, SW-846, THIRD EDITION, UPDATE IV**

**CFR Citation:** 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 270

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kim Kirkland, **202 260-6722**

**RIN:** 2050-AE25

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## Completed/Longterm Actions

**3723. FINANCIAL ASSURANCE EFFECTIVE DATE FOR OWNERS AND OPERATORS OF MUNICIPAL SOLID WASTE LANDFILL FACILITIES**

CFR Citation: 40 CFR 258

**Completed:**

Reason	Date	FR Cite
Final Action	04/07/95	60 FR 17649

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Nancy Hunt, 703 308-8762

RIN: 2050-AE27

**3724. MODIFICATIONS TO THE DEFINITION OF SOLID WASTE AND REGULATIONS OF HAZARDOUS WASTE RECYCLING: GENERAL**

CFR Citation: 40 CFR 261; 40 CFR 266

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Marilyn Goode, 202 260-8551

RIN: 2050-AD18

**3725. NO-MIGRATION VARIANCE FOR PROHIBITED HAZARDOUS WASTE LAND DISPOSAL**

CFR Citation: 40 CFR 268

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Chris Rhyne, 703 308-8658

RIN: 2050-AC44

**3726. CAUSES FOR PERMIT MODIFICATIONS TO HAZARDOUS WASTE MANAGEMENT FACILITIES**

CFR Citation: 40 CFR 270.41

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ken Amaditz, 703 308-7056

RIN: 2050-AD05

**3727. HAZARDOUS WASTE MANAGEMENT SYSTEM, AMENDMENT TO SUBPART C RULEMAKING PETITIONS: USE OF GROUNDWATER DATA IN DELISTING DECISIONS**

CFR Citation: 40 CFR 260.22

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned.	03/01/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Narendra Chaudhari, 202 260-4787

RIN: 2050-AC65

**3728. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: CARBAMATE CHEMICALS PRODUCTION WASTES**

CFR Citation: 40 CFR 261; 40 CFR 271; 40 CFR 302

**Completed:**

Reason	Date	FR Cite
Final Action	02/09/95	60 FR 7824

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Austin, 202 260-4789

RIN: 2050-AD59

**3729. REMOVAL OF PENTACHLOROPHENOL FROM F027; RESTORE IT AS U242; CHANGE TOXICITY DESIGNATION OF F021; AND CLARIFY BASIS FOR LISTING CRITERIA**

CFR Citation: 40 CFR 261; 40 CFR 260; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned.	03/03/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Anthony Carrell, 202 260-6607

RIN: 2050-AD78

**3730. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS**

CFR Citation: Not yet determined

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dan Derkics, 703 308-8409

RIN: 2050-AD91

**3731. RCRA FEES: HANDLER NOTIFICATIONS AND WASTE EXPORT NOTIFICATIONS**

CFR Citation: 40 CFR 262; 40 CFR 263; 40 CFR 265

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Val de la Fuente, 202 260-4674

RIN: 2050-AD92

**3732. HAZARDOUS WASTE MANAGEMENT SYSTEM; MODIFICATION OF THE HAZARDOUS WASTE PROGRAM; MERCURY-CONTAINING LAMPS**

CFR Citation: 40 CFR 261

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## Completed/Longterm Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kristina Meson, 202 260-5736

**RIN:** 2050-AD93

**3733. LOCATION STANDARDS FOR HAZARDOUS WASTE FACILITIES**

**CFR Citation:** 40 CFR 260; 40 CFR 264; 40 CFR 265; 40 CFR 270

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned.	03/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Felicia Wright, 703 308-8634

**RIN:** 2050-AB42

**3734. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (REVISION)**

**CFR Citation:** 40 CFR 264; 40 CFR 265; 40 CFR 280; 40 CFR 761

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dale Ruhter, 703 308-8192

**RIN:** 2050-AC71

**3735. TREATMENT, STORAGE, AND DISPOSAL FACILITY—RCRA AIR EMISSION STANDARDS**

**CFR Citation:** 40 CFR 264; 40 CFR 265

**Completed:**

Reason	Date	FR Cite
Final Action	12/06/94	59 FR 62896

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Michele Aston, 919 541-2363

**RIN:** 2050-AD62

**3736. HAZARDOUS WASTE MANAGEMENT SYSTEM; AMENDMENT TO GENERIC EXCLUSION LEVEL FOR KO61, KO62 AND FOO6 HTMR RESIDUALS (NON-ENCAPSULATED USES); FINAL RULE**

**CFR Citation:** 40 CFR 266

**Completed:**

Reason	Date	FR Cite
Final Action	08/24/94	59 FR 43496

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Narendra K. Chaudhari, 202 260-4787

**RIN:** 2050-AE09

**3737. STREAMLINE PERMITTING FOR MIXED WASTE**

**CFR Citation:** 40 CFR 265

**Completed:**

Reason	Date	FR Cite
Withdrawn - EPA is no longer working on this action.	02/28/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Nancy Hunt, 703 308-8762

**RIN:** 2050-AD65

**3738. EXTENSION OF STATES' INTERIM AUTHORIZATION OPTION TO CARRY OUT POST-HSWA REGULATIONS**

**CFR Citation:** 40 CFR 271.24

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	04/04/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Wayne Roepe, 703 308-8630

**RIN:** 2050-AD57

**3739. FIELD FILTERING OF GROUND-WATER SAMPLES**

**CFR Citation:** 40 CFR 258.51(b)

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Andrew Teplitzky, 703 308-8300

**RIN:** 2050-AD86

**3740. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS**

**CFR Citation:** 40 CFR 247

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Beverly Golblatt, 703 308-7278

**RIN:** 2050-AE23

**3741. UNDERGROUND STORAGE TANKS CONTAINING HAZARDOUS SUBSTANCES - FINANCIAL RESPONSIBILITY REQUIREMENTS**

**CFR Citation:** 40 CFR 280

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	04/04/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Barolo, 703 308-8874

**RIN:** 2050-AC15

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

## Clean Air Act (CAA)

**3742. ESTABLISHMENT OF LESSER QUANTITY EMISSION RATES FOR HAZARDOUS AIR POLLUTANTS****Priority:** Other Significant**Legal Authority:** 42 USC 7412**CFR Citation:** 40 CFR 63**Legal Deadline:** None

**Abstract:** This rulemaking will establish lesser-quantity emission rates (LQERs), emission rates of less than 10 tons per year, to define sources emitting a pollutant at greater than its LQER as a major source. For pollutants for which an LQER is warranted, sources emitting that pollutant at a higher emission rate than the LQER would be subject to the requirements for major sources. This rulemaking addresses the need to take into account that some pollutants are more toxic than others and that emissions of 10 tons per year of certain highly toxic air pollutants pose a significant health risk.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/00/95	
NPRM	07/00/96	
Final Action	00/00/00	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3468.

**Agency Contact:** Amy B. Vasu, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, AQSSD/REAG-MD-15, Research Triangle Park, NC 27711, **919 541-0107**

**RIN:** 2060-AE98**3743. REGIONAL HAZE PROTECTION****Priority:** Other Significant**Legal Authority:** Clean Air Act section 169A**CFR Citation:** 40 CFR 51.300 to 51.306**Legal Deadline:** NPRM, Statutory, May 1997.

**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 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	07/00/95	
NPRM	07/00/96	
Final Action	12/00/97	

**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, **919 541-5532**

**RIN:** 2060-AF32**3744. REPORT TO CONGRESS AND PRIORITIZED CATEGORY LIST FOR REGULATION OF VOC EMISSIONS FROM CONSUMER AND COMMERCIAL PRODUCTS****Priority:** Other Significant**Legal Authority:** Clean Air Act as amended in 1990, sec 183(e)**CFR Citation:** None**Legal Deadline:** Final, Judicial, March 15, 1995.

**Abstract:** The use of consumer and commercial products has been identified as a source of VOC emissions which contribute to tropospheric ozone formation. Section 183(e) of the Clean Air Act, as amended in 1990, requires that EPA conduct a study of VOC emissions from consumer and commercial products. The objectives of the study are (1) to determine the potential of these products to

contribute to ozone nonattainment; and (2) to establish criteria for selecting categories of products for regulation under Section 183(e). The EPA must submit a report to Congress that documents the results of the study. Upon submission of the report, EPA must list those categories of consumer and commercial products that have been determined, based on the study, to account for at least 80 percent of the VOC emissions from consumer and commercial products in nonattainment areas. EPA must divide the list into four groups by priority and regulate one group every two years beginning no later than two years after publishing the prioritized category list.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3037.

**Agency Contact:** Bruce Moore, Environmental Engineer, Environmental Protection Agency, Air and Radiation, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, **919 541-5460**

**RIN:** 2060-AE24**3745. • CONTROL OF NITROGEN OXIDE AND PARTICULATE EMISSIONS FROM VEHICLES AND MOTOR FUELS****Priority:** Other Significant**Legal Authority:** Clean Air Act secs 202(a), 211(c), 213(a), 301(a)**CFR Citation:** None**Legal Deadline:** None

**Abstract:** The primary focus of this action will be on the potential for reduced nitrogen oxide and particulate emissions from mobile sources, particularly diesel engines and fuels. Nitrogen oxides are a significant contributor to urban ozone pollution (smog), acid rain, and particulate pollution. Particulates, including those emitted directly and "secondary" particulates formed in the atmosphere, have been associated with increased death and illness rates as well as impaired visibility. In addition, this action also will investigate the potential for reducing ozone hydrocarbon

## EPA—CAA

## Prerule Stage

emissions from mobile sources, particularly from diesel engines and fuels.

The advanced notice of proposed rulemaking is intended to notify the public of the Agency's intent to investigate the feasibility of reducing emissions of nitrogen oxides and particulates from mobile sources. It is also intended to solicit involvement and input from a broad cross-section of the public, including potentially affected industries, states, regional air management organizations, public health and environmental protection interest groups, and the general public.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/00/95	
NPRM	02/00/96	
Final Action	11/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3645.

**Agency Contact:** Tad Wysor, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4332**

**RIN:** 2060-AF76

**3746. 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	01/00/96	
NPRM	01/00/97	
Final Action	01/00/98	

**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, **202 233-9021**

**RIN:** 2060-AE68

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

## Proposed Rule Stage

## Clean Air Act (CAA)

**3747. REVISIONS TO THE NEW SOURCE REVIEW REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments, title I

**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.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 2909.

In order to expedite the completion of the nonattainment new source review (NSR) rulemaking, this action has been

split from the broader NSR rulemaking (RIN 2060-AE11).

**Agency Contact:** Mike Sewell, New Source Review Section, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-0873**

**RIN:** 2060-AD13

**3748. LOCOMOTIVE EMISSIONS STANDARDS**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 7547

**CFR Citation:** Not yet determined

**Legal Deadline:** Final, Statutory, November 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	07/00/95	
Final Action	07/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 2961.

**Agency Contact:** Peter Hutchins, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-8340**

**RIN:** 2060-AD33

**3749. PROHIBITION OF LEADED GASOLINE FOR HIGHWAY USE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7545

**CFR Citation:** 40 CFR 80

**Legal Deadline:** Final, Statutory, December 31, 1995.

**Abstract:** After December 31, 1995, it shall be unlawful for any person to sell, offer for sale, supply, offer for supply, dispense, transport, or introduce into commerce, for use as fuel in any motor vehicle any gasoline which contains lead or lead additives.

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## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
Direct Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3111.

**Agency Contact:** Anne-Marie Cooney, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460, **202 233-9013**

**RIN:** 2060-AD55

**3750. FEDERAL OPERATING PERMIT RULES**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, title V

**CFR Citation:** 40 CFR 71

**Legal Deadline:** None

**Abstract:** Title V of the Clean Air Act Amendments of 1990 requires EPA to promulgate regulations setting forth requirements for States to develop and implement operating permits programs for major stationary sources of air pollutants regulated under the Clean Air Act. These regulations were promulgated on July 21, 1992 (57 FR 32250). Title V also requires EPA to establish a federal permit program where States fail to submit an appropriate State program, fail to adequately implement an approved program, or fail to issue good Title V permits to individual sources. These regulations also address issuance of permits to outer continental shelf sources, acid rain sources and sources located on Tribal lands. This program is established by regulation promulgated in this notice. EPA will approve applications and issue Federal operating permits, as well as enforce the program.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	11/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal, Federal

**Additional Information:** SAN No. 3369.

**Agency Contact:** Candace Carraway, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-3189**

**RIN:** 2060-AD68

**3751. NEW SOURCE REVIEW (NSR) REFORM**

**Priority:** Regulatory Plan

**Legal Authority:** Clean Air Act as amended in 1990, title I

**CFR Citation:** 40 CFR 51.160 to 51.166; 40 CFR 51, app S; 40 CFR 52.21; 40 CFR 52.24

**Legal Deadline:** None

**Abstract:** The purpose of this action is to amend EPA's existing new source review regulations, including prevention of significant deterioration, to reduce the level of program complexity. In addition, certain other revisions will be made to improve the clarity of the existing regulatory language. This rulemaking will satisfy obligations under Exhibit B of the settlement agreement in Chemical Manufacturers vs. EPA, No. 79-112 (D.C. Cir.). The regulations contain procedures for reviewing, permitting, and specifying controls for the construction and modification of major air pollution sources in attainment and nonattainment areas. Several new source review regulations will be affected, including the State implementation requirements for the review of new sources and modifications (40 CFR 51.160-166 and Appendix S), the Federal prevention of significant deterioration program (40 CFR 52.21), and Federal restrictions on new source construction (40 CFR 52.24).

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	05/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3259.

**Agency Contact:** Larry Elmoren, New Source Review Section, Environmental Protection Agency, Air and Radiation, U.S. Environmental Protection Agency, MD-15, Research Triangle Park, NC 27711, **919 541-5433**

**RIN:** 2060-AE11

**3752. INSPECTION/MAINTENANCE PROGRAM REQUIREMENTS—ONBOARD DIAGNOSTIC CHECKS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7401, Clean Air Act Amendments of 1990

**CFR Citation:** 40 CFR 51; 40 CFR 85

**Legal Deadline:** None

**Abstract:** This action establishes requirements for checking onboard diagnostic systems as part of the Inspection/Maintenance program pursuant to Clean Air Act Amendments of 1990. This action will establish test procedures and State Implementation Plan requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	11/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 3264.

**Agency Contact:** Eugene J. Tierney, Chief, Inspection Maintenance Section, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4456**

**RIN:** 2060-AE19

**3753. 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	05/00/95	
Final Action	11/00/95	

**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, **313 668-4456**

**RIN:** 2060-AE20

## EPA—CAA

## Proposed Rule Stage

**3754. 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	05/00/95	
Final Action	12/00/95	

**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, **313 668-4456****RIN:** 2060-AE22**3755. CONSOLIDATED EMISSION  
REPORTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7511; 42 USC 7410**CFR Citation:** 40 CFR 51**Legal Deadline:** None**Abstract:** Emission statements and periodic inventories are new programs addressed in the 1990 Amendments to the Clean Air Act that call for emissions reporting. In addition, requirements for the annual reporting of emissions from stationary sources are contained in 40 CFR 51.321 - 51.323. Each of these programs requires either sources or states to report emissions and other supporting data. The data reporting intervals, type of pollutant source, pollutant type, and geographic coverage varies for the three programs. This rule will address the streamlining and consolidation of reporting requirements of each of these programs. The emissions data made available by these programs will also provide a mechanism for tracking emissions.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	00/00/00	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Federal**Public Compliance Cost:** Initial Cost: \$2,000,000; Yearly Recurring Cost: \$12,000,000; Base Year for Dollar Estimates: 1993**Sectors Affected:** Multiple**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3302.**Agency Contact:** Mary Ann Warner, Environmental Protection Agency, Air and Radiation, Emission, Modeling and Analysis, MD-14, Research Triangle Park, NC 27711, **919 541-5536****RIN:** 2060-AE32**3756. ADDITION OF TEST METHOD  
205 TO APPENDIX M OF 40 CFR PART  
51****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7410**CFR Citation:** 40 CFR 51**Legal Deadline:** None**Abstract:** Instrumental test methods currently available require on-site, multi-point calibration with gaseous standards of known concentration. For testing contractors conducting multiple test methods, this can frequently mean the transportation of dozens of high pressure gas cylinders over long distances. Gas dilution systems are available which can be used to dilute a known, certified high level gas into lower concentration gases. This method, which has been available for comment through the Emission Measurement Technical Information Center since April, 1991, provides a standard procedure for certifying the accuracy and precision of these gas dilution systems for field applications. The purpose of this method is to provide the State and local administration with a tool for insuring correct instrument calibration, while providing considerable cost savings to the source.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	10/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State, Local**Sectors Affected:** Multiple**Additional Information:** SAN No. 3314.**Agency Contact:** Rima Dishakjian, Environmental Protection Agency, Air and Radiation, Source Characterization Group A(MD-19), Research Triangle Park, NC 27711, **919 541-0443****RIN:** 2060-AE33**3757. STATE IMPLEMENTATION PLAN  
COMPLETENESS CRITERIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401(b)(1); 42 USC 7407(d); 42 USC 7410(k)(1); 42 USC 7410(k)(4); 42 USC 7470 to 79; 42 USC 7501 to 7508; 42 USC 7601(a)**CFR Citation:** 40 CFR 51 app V (Revision)**Legal Deadline:** None**Abstract:** EPA is amending the SIP Completeness Criteria to establish completeness criteria for commitments in light of EPA's conditional approval authority under section 110(k)(4) of the Act. Additionally, EPA is proposing to remove the parallel processing exception from the completeness criteria. Finally, EPA is proposing to revise the definition of "official submittal" from a State in Section 51.103. This action will classify which elements of the completeness criteria pertain to committal SIPs and it will implement EPA's intent that parallel progressing requests not be treated as official submittals from a State.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	01/00/96	
Final Action Effective	02/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** SAN No. 3354.**Agency Contact:** Phyllis Wright, Environmental Protection Agency, Air and Radiation, (MD-11), Research Triangle Park, NC 27711, **919 541-5369****RIN:** 2060-AE58

## EPA—CAA

## Proposed Rule Stage

**3758. APPLICATION OF MANDATORY SANCTIONS UNDER TITLE V OF THE CLEAN AIR ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401, et seq (Clean Air Act)**CFR Citation:** 40 CFR 71**Legal Deadline:** Final, Statutory, May 15, 1995.

**Abstract:** Section 502 of the Clean Air Act mandates the Administrator to apply sanctions, identified in section 179(b), in those cases where a State Implementation Plan has not been submitted, or has been disapproved, or is not being adequately administered or enforced, or has passed the point of expiration of interim approval. Two kinds of sanctions are included in section 179: a requirement for 2-to-1 emission offsets, and the withdrawal of Federal highway funds. This action will streamline the process of deciding the order of application of these sanctions.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	01/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local**Additional Information:** SAN No. 3500.

**Agency Contact:** Scott Voorhees, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, MD-12, Research Triangle Park, NC 27711, **919 541-5348**

**RIN:** 2060-AE96**3759. 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	09/00/95	
Final Action	09/00/95	

**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, Emission Measurement Branch (MD-19), Research Triangle Park, NC 27302, **919 541-1062**

**RIN:** 2060-AF00**3760. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	06/00/96	

**Small Entities Affected:** None**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, **919 541-1064**

**RIN:** 2060-AF02**3761. NEW SOURCE REVIEW (NSR) REFORM RULEMAKING****Priority:** Other Significant**Legal Authority:** Clean Air Act Amendments, title 1**CFR Citation:** 40 CFR 51.160 to 51.166; 40 CFR app S; 40 CFR 52.21; 40 CFR 52.24**Legal Deadline:** None

**Abstract:** The purpose of this action is to amend EPA's existing NSR regulations, including prevention of significant deterioration (PSD) to reduce the level of program complexity. In addition, certain other revisions will be made to improve the clarity of the existing regulatory language. This rulemaking will satisfy obligations under Exhibit B of the settlement agreement in Chemical Manufacturers vs. EPA, No. 79-112 (D.C. Cir.). The regulations contain procedures for reviewing, permitting, and specifying controls for the construction and modification of major air pollution sources in attainment and nonattainment areas. Several NSR regulations will be affected, including the State implementation requirements for the Federal PSD program (40 CFR 52.21), the Federal restrictions on new construction (40 CFR 52.24).

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	05/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local, Tribal, Federal**Sectors Affected:** Multiple**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3259.

**Agency Contact:** Bill Lamason/Larry Elmore, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, MD-12, Research Triangle Park, NC 27711, **919 541-5433**

**RIN:** 2060-AF21**3762. AMMONIA TEST METHOD, 40 CFR PART 51, APPENDIX M****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7410**CFR Citation:** 40 CFR 51**Legal Deadline:** None

**Abstract:** A test method for determining the concentration of ammonia in stack gas is currently being developed. The States may allow it to be used by sources to demonstrate compliance with State regulations.

## EPA—CAA

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3474.

**Agency Contact:** Rima Dishakjian, Environmental Protection Agency, Air and Radiation, Source Characterization Group A, (MD-19), Research Triangle Park, NC 27711, **919 541-0443**

**RIN:** 2060-AF22

### 3763. TECHNICAL CORRECTIONS TO 40 CFR 60, APPENDIX A AND TO 40 CFR 61, APPENDIX

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7410

**CFR Citation:** 40 CFR 60; 40 CFR 61

**Legal Deadline:** None

**Abstract:** Technical corrections will be made to EPA methods in appendices to 40 CFR 60, 61 and to Appendix F of 40 CFR 60. Appendix F is the QA requirements to continuous monitors.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3472.

**Agency Contact:** Peter Westlin, Environmental Protection Agency, Air and Radiation, Emission Measurement Branch, MD-19, Research Triangle Park, NC 27711, **919 541-1058**

**RIN:** 2060-AF24

### 3764. FEDERAL IMPLEMENTATION PLAN TO CONTROL EMISSIONS FROM TWO POWER STATIONS LOCATED ON NAVAJO NATION LANDS

**Priority:** Other Significant

**Legal Authority:** Not yet determined

**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	04/00/95	

**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, **415 744-1240**

**RIN:** 2060-AF42

### 3765. ACID RAIN PROGRAM: REVISIONS TO APPLICABILITY, EXEMPTIONS, ALLOCATIONS, AND SMALL DIESEL REFINERIES

**Priority:** Substantive, Nonsignificant

**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	06/00/95	
Final Action	12/00/95	

**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, 401 M Street SW., Washington, DC 20460, **202 233-9074**

**RIN:** 2060-AF45

### 3766. ACID RAIN PROGRAM: REVISIONS TO THE PERMITS REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT TO MAKE TECHNICAL CORRECTIONS

**Priority:** Other Significant

**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	05/00/95	
Final Action	12/00/95	

**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, 401 M Street SW., Washington, DC 20460, **202 233-9151**

**RIN:** 2060-AF47

### 3767. CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES; EMISSION STANDARDS AND TEST PROCEDURES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** CAA 231

**CFR Citation:** 40 CFR 87

**Legal Deadline:** None

**Abstract:** This action proposes to establish CO and NOx standards for aircraft engines which are already attained by industry. These standards 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.

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**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	12/00/95	

**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 Rd., Ann Arbor, MI 48105, **313 741-7832**

**RIN:** 2060-AF50

### 3768. ● OPERATING PERMITS: REVISIONS (PART 70)

**Priority:** Other Significant

**Legal Authority:** 42 USC 7661 et seq

**CFR Citation:** 40 CFR 70

**Legal Deadline:** None

**Abstract:** In response to litigation on the part 70 regulations and to several problems identified through implementation of part 70, revisions are being proposed. The most significant change will be to restructure the process for revising permits to provide more flexibility to industry and permitting agencies. A Supplemental proposal is planned to seek comment on a more simplified approach for permit revisions than was described in the initial proposal.

**Timetable:**

Action	Date	FR Cite
Final	08/29/94	59 FR 44460
NPRM Supplemental Proposal	04/00/95	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal

**Additional Information:** SAN No. 3412.

**Agency Contact:** Michael A. Trutna, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, **919 541-5345**

**RIN:** 2060-AF70

### 3769. ● 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	05/00/95	

**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, **206 553-0782**

**RIN:** 2060-AF84

### 3770. ● SALES VOLUME LIMIT PROVISIONS FOR SMALL-VOLUME MANUFACTURE CERTIFICATION FOR CLEAN FUEL AND CONVENTIONAL VEHICLE CONVERSIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** CAA section 202,203,247, 301(a)

**CFR Citation:** 40 CFR 85; 40 CFR 88

**Legal Deadline:** None

**Abstract:** This action proposes to temporarily raise the 10,000 vehicle sales volume limit for vehicle converters seeking certification under the small volume manufacturers provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	08/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3643.

**Agency Contact:** Bryan Manning, Environmental Protection Agency, Air and Radiation, National Fuel & Emissions Vehicle Laboratory, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 741-7832**

**RIN:** 2060-AF87

### 3771. ● AMENDMENT OF ENHANCED INSPECTION/MAINTENANCE PERFORMANCE STANDARD

**Priority:** Substantive, Nonsignificant

**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	09/00/95	
Final Action	00/00/00	

**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, **313 668-4456**

**RIN:** 2060-AG07

### 3772. ● 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 also require validation testing similar to Method 301 since the Method is not source-specific. 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	06/00/95	
Final Action	12/00/95	

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**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3599.

**Agency Contact:** Lori Lay, Environmental Protection Agency, Air and Radiation, Emission Measurement Branch (MD-19), Research Triangle Park, NC 27711, **919 541-4825**

**RIN:** 2060-AG08

**3773. • DETERMINING CONFORMITY OF GENERAL FEDERAL ACTIONS TO STATE OR FEDERAL IMPLEMENTATION PLANS (FOR ATTAINMENT AND UNCLASSIFIABLE AREAS)**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 7401/et seq

**CFR Citation:** 40 CFR 51; 40 CFR 93

**Legal Deadline:** NPRM, Judicial, June 30, 1995. Final, Judicial, November 7, 1995.

**Abstract:** The purpose of this rule is to supplement a previous regulation published on November 30, 1993, which applies to determining conformity of general Federal actions to State or Federal implementation plans ("general conformity"). The previous regulation applies to geographic areas of the country designated (for air quality purposes) as nonattainment or maintenance areas. A nonattainment area is one which is not attaining one or more National Ambient Air Quality Standards (NAAQS). A maintenance area is one which now attains the NAAQS and was redesignated as a maintenance area after the 1990 Clean Air Act Amendments (CAAA). States must follow a maintenance plan for such areas which ensure that the area will continue to attain the NAAQS for a specified period of time.

The purpose of conformity regulations is to ensure that actions taken by Federal entities do not cause or contribute to a violation of the NAAQS and thereby undermine the State Implementation plan (SIP) for that area.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** ABSTRACT CONT: The rule EPA is now proposing would apply the concept of conformity

to geographic areas of the country which are designated as attainment or unclassifiable areas (i.e., those areas of the country not currently covered by the existing general conformity regulations).

This proposed rule will establish the criteria and procedures governing the determination of conformity for all Federal actions occurring in attainment or unclassifiable areas, except Federal highway and transit actions ("transportation conformity"). Transportation conformity requirements are being established in a separate rulemaking action.

SAN No. 3675

**Agency Contact:** Gary Blais, Environmental Protection Agency, Air and Radiation, 401 M Street SW., MC 6301, Washington, DC 20460, **202 260-4536**

**RIN:** 2060-AG10

**3774. NAAQS: NITROGEN DIOXIDE (REVIEW)**

**Priority:** Other Significant

**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	10/00/95	
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, (MD-12), Research Triangle Park, N.C. 27711, **919 541-5533**

**RIN:** 2060-AC06

**3775. NEXT REVISION TO THE GUIDELINE ON AIR QUALITY MODELING**

**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	03/00/96	
Final Action	00/00/00	

**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, **919 541-5562**

**RIN:** 2060-AF01

**3776. NSPS: MEDICAL WASTE INCINERATORS**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 7401 et seq

**CFR Citation:** 40 CFR 60

**Legal Deadline:** NPRM, Judicial, February 1, 1995. Final, Statutory, November 15, 1992. Final, Judicial, April 15, 1996.

**Abstract:** The EPA is developing new source performance standards (NSPS)

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for new sources and emission guidelines (EG) for existing sources under Sections 111 and 129 of the Clean Air Act. The NSPS is to reflect the maximum degree of reductions in emissions that are achievable considering costs and other impacts. The EG may be less stringent than the standards for new units. States must submit plans for implementing and enforcing the guidelines. Section 129 requires emission limits be established for particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead, cadmium, mercury, dioxins and dibenzofurans.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	04/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Sectors Affected:** 495 Sanitary Services

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2719.

**Agency Contact:** Rick Copland, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, MD-13, Research Triangle Park, NC 27711, **919 541-5265**

**RIN:** 2060-AE73

### 3777. INTEGRATED NESHAP AND EFFLUENT GUIDELINE: PULP AND PAPER

**Priority:** Economically Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1997.

**Abstract:** This standard will control emissions of hazardous air pollutants from pulp and paper mills. The regulation could address air emissions from process vents, open process equipment, tanks, furnaces, kilns, spills, and wastewater collection and treatment. The following mill areas could be affected: pulping, bi-product recovery (e.g. turpentine recovery, tall oil recovery), pulp washing, prebleaching, bleaching, evaporation,

paper making, liquor recovery (e.g. recovery furnaces, lime kilns, causticizing tanks, smelt tanks), and acid plants. Phase I noncombustion air emission standards and Phase II combustion air emission standards for chemical wood pulp mills (kraft, soda, sulfite, and semichemical) are being integrated with the Clean Water Act effluent guideline limitations under development (see RIN 2040-AB53). Phase III air emission standards are being developed for mills engaging in the following processes: mechanical pulping, nonwood chemical pulping, paper and paperboard production from purchased pulp, secondary fiber pulping, and deinking.

**Timetable:**

Phase	Action	Date	FR Cite
Phase I	NPRM	12/17/93	(58 FR 66078)
	Final Action	00/00/00	
Phase II	NPRM	10/00/95	
	Final Action	00/00/00	
Phase III	NPRM	11/00/96	
	Final Action	11/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3105 (was 2914).

**ADDITIONAL AGENCY CONTACT:** Jeff Telander (Combustion Sources).

**Agency Contact:** Penny Lassiter (Noncombustion Sources, etc.), Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, Lassiter 919/541-5396 & Telander, **919 541-5427**

**RIN:** 2060-AD03

### 3778. NESHAP: PRINTING/PUBLISHING INDUSTRY

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** NPRM, Judicial, March 1, 1995. Final, Statutory, November 15, 1994. Final, Judicial, March 1, 1996.

**Abstract:** This regulation will control hazardous air pollutant emissions from printing/publishing facilities. The Agency has gathered background information on the rotogravure, flexography, offset lithography, screen printing, letterpress and other parts of the printing/publishing industry. The

Agency is now developing a proposal package.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	03/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3077.

**Agency Contact:** David Salman, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-0859**

**RIN:** 2060-AD95

### 3779. NESHAP: POLYMERS AND RESINS, GROUP I

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1994.

**Abstract:** The regulation under development would control emissions of hazardous air pollutants (HAPs) from the manufacture of butyl rubber, epichlorohydrin elastomer, ethylene propylene rubber, Hypalon (TM), neoprene, nitrite butadiene rubber, polybutadiene rubber, polysulfide rubber and styrene butadiene rubber and latex. Emissions from process vents, equipment leaks, wastewater and storage will be addressed by this regulation for both new and existing sources.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	05/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3166.

**Agency Contact:** Leslie Evans, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5410**

**RIN:** 2060-AD96

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**3780. 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 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, and produced water storage vessels; and equipment leaks at natural gas processing plants and off-shore production platforms.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/95	
Final Action	07/00/96	

**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 3229.

**Agency Contact:** Martha Smith, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, MD-13, Research Triangle Park, NC 27711, **919 541-2421**

**RIN:** 2060-AE34**3781. NESHAP: POLYMERS AND RESINS, GROUP IV****Priority:** Other Significant**Legal Authority:** Clean Air Act Amendments of 1990, sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** NPRM, Judicial, March 15, 1995. Final, Judicial, March 15, 1996.

**Abstract:** This action will control emissions of hazardous air pollutants (HAPs) from the manufacturer of Acrylonitrile Butadiene Styrene (ABS) Resin, Styrene Acrylonitrile (SAN) Resin, Methyl Methacrylate Acrylonitrile Butadiene Styrene

(MABS) Resin, Methyl Methacrylate Butadiene Styrene (MBS) Resin, Polystyrene, Poly (ethylene terephthalate) (PET) Resin, and Nitrile Resin Production. Emissions from process vents, equipment leaks, wastewater and storage will be addressed by this regulation for both new and existing sources.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	03/00/96	

**Small Entities Affected:** None**Government Levels Affected:** State, Federal**Additional Information:** SAN No. 3187.

**Agency Contact:** Leslie Evans, Environmental Engineer, Environmental Protection Agency, Air and Radiation, Research Triangle Park, NC 27711, **919 541-5410**

**RIN:** 2060-AE37**3782. 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 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	11/00/95	
Final Action	11/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 3303.

**Agency Contact:** David F. Painter, Environmental Engineer, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, (MD-13), Research Triangle Park, NC 27711, **919 541-5515**

**RIN:** 2060-AE40**3783. 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 Sect. 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	11/00/95	
Final Action	11/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local, Federal**Additional Information:** SAN No. 3345.

**Agency Contact:** James H. Maysilles, Environmental Engineer, Environmental

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Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, ESD/ISB (mail code MD-13), Research Triangle Park, NC 27711, **919 541-3265**

RIN: 2060-AE41

#### 3784. 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 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 7 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	11/00/95	
Final Action	11/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3304.

**Agency Contact:** David F. Painter, Environmental Engineer, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and

Standards, (MD-13), Research Triangle Park, NC 27711, **919 541-5515**

RIN: 2060-AE44

#### 3785. NESHAP—PRIMARY COPPER SMELTERS

**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.

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 smelter 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	12/00/95	
Final Action	12/00/96	

**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, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711, **919 541-0881**

RIN: 2060-AE46

#### 3786. NESHAP—WOOD TREATMENT INDUSTRY

**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. Wood treatment is one of the source categories included in the 50%.

**Abstract:** Many of the chemicals used to treat wood products to protect them from deterioration are listed as hazardous air pollutants in Section 112 of the Clean Air Act as amended November 1990. Treatment processes have been identified as potentially significant sources of these HAPs and, as such, are source categories for which national emission standards may be necessary. Consideration is being given to modifying the definition of the wood treatment source category to exclude treatment with pentachlorophenol.

#### Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	11/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3342.

**Agency Contact:** Eugene P. Crumpler, Environmental Engineer, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, ESD/ISB (MD-13), Research Triangle Park, NC 27711, **919 541-0881**

RIN: 2060-AE47

#### 3787. 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	10/00/95	
Final Action	11/00/96	

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**Small Entities Affected:** Undetermined  
**Government Levels Affected:** State, Local, Tribal, Federal

**Sectors Affected:** 333 Primary Smelting and Refining of Nonferrous Metals

**Additional Information:** SAN No. 3072.

**Agency Contact:** Steve Fruh, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-2837**  
**RIN:** 2060-AE76

### 3788. NESHAP: PORTLAND CEMENT MANUFACTURING

**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:** 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 some plants in the Portland cement manufacturing industry may be major sources for one or more hazardous air pollutants. As a consequence, a regulation (emission standards) is being developed for the Portland cement manufacturing industry, to be promulgated by November 15, 1997.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	
Final Action	02/00/97	

**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, Office of Air Quality Planning and Standards, (MD-13),

Research Triangle Park, NC 27711, **919 541-5446**

**RIN:** 2060-AE78

### 3789. NESHAP: COMBUSTION SOURCES IN THE SULFITE PULPING INDUSTRY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1857; 42 USC 350; 5 USC 605

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1997.

**Abstract:** This standard would control air emissions of hazardous air pollutants from sulfite and semi-chemical pulp and paper mills. 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 standard would address air emissions from recovery furnaces and other combustion processes at sulfite mills.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Federal

**Sectors Affected:** 261 Pulp Mills; 262 Paper Mills; 263 Paperboard Mills; 265 Paperboard Containers and Boxes

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3453.

**Agency Contact:** Jeff Telander, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, (MD-13), **919 541-5427**

**RIN:** 2060-AE80

### 3790. NESHAP: CHLORINE PRODUCTION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Air Act as amended, section 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1997.

**Abstract:** Section 112 of the Clean Air Act (CAA), 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 chlorine may reasonably be anticipated to emit several of the 189 HAP's listed (including chlorine, carbon tetrachloride and mercury) in quantities sufficient to designate them as a major source. As a consequence, chlorine production 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, 1997 (58 FR 63941, December 3, 1993).

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3449.

**Agency Contact:** Iliam D. Rosario, Environmental Protection Agency, Air and Radiation, ESD/MG/MD-13, Research Triangle Park, NC 27711, **919 541-5308**

**RIN:** 2060-AE85

### 3791. NESHAP: FLEXIBLE POLYURETHANE FOAM PRODUCTION

**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:** 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 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's 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. Ultimately, a NESHAP will be developed based on candidate

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Maximum Achievable Control Technology. This is a 7-year standard, required to be promulgated by November 1997.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Sectors Affected:** 306 Fabricated Rubber Products, Not Elsewhere Classified; 308 Miscellaneous Plastics Products

**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 Standards, ESD/CPB (MD-13), Research Triangle Park, NC 27711, **919 541-2380**

**RIN:** 2060—AE86

**3792. NESHAP: MANUFACTURE OF TETRAHYDROBENZALDEHYDE**

**Priority:** Substantive, Nonsignificant

**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 Dimers). 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
NPRM	07/00/95	
Final Action	00/00/00	

**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, **919 541-0296**

**RIN:** 2060—AE99

**3793. 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 deals with allowing certain amounts of phosphogypsum for research and development. This regulatory proceeding would result in a proposed rule which would change that limit for use.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2547.

**Agency Contact:** Fran Jonesi, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460, **202 233-9229**

**RIN:** 2060—AF04

**3794. DELISTING OF SOURCE CATEGORIES UNDER 112(C): STAINLESS AND NON-STAINLESS STEEL MANUFACTURING AND ELECTRIC ARC FURNACE (EAF) OPERATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7401/CAA 112

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** An analysis of information obtained from each source in both categories supports a determination that neither category includes a "major" source. Consequently, both source categories will be removed from the source category list pursuant to section 112(c) of the Clean Air Act.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3466.

**Agency Contact:** Phil Mulrine, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5289**

**RIN:** 2060—AF11

**3795. 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	12/00/95	
Final Action	12/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Local

**Additional Information:** SAN No. 3377.

**Agency Contact:** Eric L. Crump, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5032**

**RIN:** 2060—AF26

**3796. NESHAP: BAKER'S YEAST MANUFACTURING INDUSTRY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Air Act section 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** NPRM, Statutory, November 15, 2000.

**Abstract:** Section 112 of the Act requires major sources of hazardous air

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pollutants to achieve a maximum degree of emission reduction based on the maximum achievable control technology (MACT). This regulatory action will establish this level of control for both new and existing sources in the baker's yeast manufacturing industry. This industry is currently comprised of 13 sources of 6 different manufacturers located in ten different states. The only known HAP emission from this source is acetaldehyde. It is produced as a by-product during the fermentation process. It is likely that regulatory options will be based on improved process control to reduce formation of this by-product.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	
Final Action	10/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Sectors Affected:** 209 Miscellaneous Food Preparations and Kindred Products

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3550.

**Agency Contact:** Lynn E. Hutchinson, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5624**

**RIN:** 2060-AF30

### 3797. AMENDMENTS TO GENERAL PROVISIONS FOR 40 CFR 63

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 101-549; Section 112, Clean Air Act

**CFR Citation:** 40 CFR 63.1

**Legal Deadline:**

**Abstract:** The General Provisions were promulgated on March 16, 1994 (59 FR 12408). On May 16, 1994, six litigants filed petitions for EPA to review certain provisions of the General Provisions. As a result of the litigation, it is anticipated that amendments to the General Provisions will be proposed.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	11/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:**

Undetermined

**Sectors Affected:** Multiple

**Additional Information:** SAN No. 3551.

**Agency Contact:** Vickie Boothe, Environmental Protection Agency, Air and Radiation, Standards Development Branch (MD-13), Emission Standards Division, Research Triangle Park, NC 27711, **919 541-0164**

**RIN:** 2060-AF31

### 3798. DECISION ON THE PETITION TO REMOVE CAPROLACTAM FROM THE LIST OF HAZARDOUS AIR POLLUTANTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Air Act section 112(b)(3).

**CFR Citation:** 40 CFR 63

**Legal Deadline:** None

**Abstract:** This action will address the Agency's decision on the petition to remove caprolactam from the list of hazardous air pollutants under section 112(b)(3)(C) of the Clean Air Act amendments.

**Timetable:**

Action	Date	FR Cite
Proposal to Delist	05/00/95	
Final Action	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3046.

Statutory decision to delist 02/20/95

**Agency Contact:** Nancy Pate, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5347**

**RIN:** 2060-AF33

### 3799. CRITERIA AND PROCEDURES FOR DETERMINING TRANSPORTATION CONFORMITY IN ATTAINMENT AREAS

**Priority:** Other Significant

**Legal Authority:** 42 USC 7521(a)

**CFR Citation:** 40 CFR 51; 40 CFR 93

**Legal Deadline:** Final, Judicial, November 7, 1995.

**Abstract:** This rule would require that transportation plans, programs, and projects funded or approved under title 23 U.S.C. or the Federal Transit Act

be found to conform to the State Implementation Plan in certain attainment areas. The concurrence of the Department of Transportation will be required. The preamble to the transportation conformity final rule (which applies to nonattainment and maintenance areas), published November 24, 1993, announced EPA's intent to propose conformity requirements for urbanized attainment areas which have exceeded 85% of the ozone, CO, NO<sub>2</sub>, PM-10 annual, or PM-10 24-hr standard. Among other things, this rule would act as a planning tool for areas experiencing growth in their ambient air quality levels so that they can design their transportation activities in ways that will ensure that the areas remain in attainment of the national standard.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	11/07/95	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Additional Information:** SAN No. 3459.

**Agency Contact:** Kathryn Sargeant, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4441**

**RIN:** 2060-AE90

### 3800. TRANSPORTATION CONFORMITY RULE AMENDMENTS: MISCELLANEOUS REVISIONS

**Priority:** Other Significant

**Legal Authority:** 42 USC 7521(a)/CAA 176(c)

**CFR Citation:** 40 CFR 51; 40 CFR 93

**Legal Deadline:** None

**Abstract:** The final rule on transportation conformity (58 FR 62188, November 24, 1993) applies with respect to nitrogen oxides as a precursor of ozone unless the Administrator determines that additional reductions of NO<sub>x</sub> would not contribute to attainment. This action would require areas with a NO<sub>x</sub> waiver to demonstrate consistency with the motor vehicle emissions budget for NO<sub>x</sub> in the attainment demonstration or maintenance plan, and would require conformity NO<sub>x</sub> waivers to be granted under section 182(b)(1) of the

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Clean Air Act. These amendments would also allow transportation control measures in an approved state implementation plan to proceed even if conformity of the transportation plan and program had lapsed. These amendments would also clarify some ambiguous language and make technical corrections which have already been articulated in EPA guidance.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Local

**Additional Information:** SAN No. 3478.

**Agency Contact:** Kathryn Sargeant, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4441**

**RIN:** 2060-AF25

**3801. • INSPECTION/MAINTENANCE IMPLEMENTATION FLEXIBILITY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Section 182(a)(2)(B)ii and 301(a)(1) of the Clean Air Act

**CFR Citation:** 40 CFR 51 subpart S

**Legal Deadline:** None

**Abstract:** This action will establish an alternative enhanced inspection/maintenance performance standards. The standard will apply to areas subject to the enhanced I/M requirement that do not need a full enhanced program for reasonable further progress and attainment.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	08/01/95	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3623.

**Agency Contact:** Eugene Tierney, Chief, I/M Section, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4456**

**RIN:** 2060-AF94

**3802. VOC REGULATION FOR AUTOMOBILE AND TRUCK REFINISHING COATINGS**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 183(e)

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** This action would control volatile organic compound (VOC) emissions from automobile refinishing coatings. The regulation would regulate coating manufacturers and possibly distributors. An alternative control technique (ACT) document was published on this industry April 30, 1994 to help States develop VOC regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 3281.

**Agency Contact:** Mark Morris, Environmental Protection Agency, Air and Radiation, Research Triangle Park, NC 27711, **919 541-5416**

**RIN:** 2060-AE35

**3803. VOC REGULATION FOR ARCHITECTURAL COATINGS**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act of 1990, section 183(E)

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** This regulation will control volatile organic compound (VOC) emissions from architectural coatings. These coatings are applied to stationary structures and their appurtenances, to portable buildings, to pavements, or to curbs. Traditional VOC limitations, market-based approaches, and phased-in approaches are all being considered.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3351. Docket Number A-92-18

**Agency Contact:** Ellen Ducey, Environmental Protection Agency, Air and Radiation, Research Triangle Park, NC 27711, **919 541-5408**

**RIN:** 2060-AE55

**3804. • CONSUMER PRODUCTS RULE (24 CATEGORIES)**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act, section 183(e)

**CFR Citation:** None

**Legal Deadline:** NPRM, Statutory, March 1996. Final, Statutory, March 1997.

**Abstract:** Section 183(e) of the Clean Air Act requires that EPA list those categories of consumer and commercial products (CCPs) that account for at least 80 percent of volatile organic compounds (VOC) from all CCPs in ozone nonattainment areas. The list is to be divided into 4 groups by priority. The EPA is to regulate one group of categories every 2 years until all 4 groups are regulated. The first group must be regulated no later than 2 years after the EPA publishes the list and regulatory schedule.

The EPA has listed for regulation a group of 24 products which are currently regulated by California and several other States. The rule would set VOC content limits for the 24 categories of products. These limitations are currently being met by product manufacturers marketing products in California and other States. A Federal rule would provide consistency and would assist other States in achieving VOC reductions toward their 15-percent rate-of-progress requirements. This rule is supported by both the States and by the consumer products industry.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Tribal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3658.

**Agency Contact:** Bruce Moore, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5460**

**RIN:** 2060-AF62

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**3805. • OPEN MARKET TRADING RULE FOR OZONE PRECURSORS****Priority:** Other Significant**Legal Authority:** Clean Air Act, sections 182 and 187**CFR Citation:** 40 CFR 51**Legal Deadline:** None

**Abstract:** EPA will propose a generic trading rule for ozone precursors (volatile organic compounds and oxides of nitrogen) that will provide more flexibility than ever before for companies to trade emission credits without prior state or federal approval. After issuance by EPA, any State that adopts an identical rule will receive automatic EPA approval of its rule. Once in the state implementation plan (SIP), companies could engage in emissions trades without prior regulatory approval as long as accountability is ensured in accordance with the rule. The intended benefits of an active market in emissions trading are compliance with the ozone standard at far less cost, and an increased incentive to develop innovative emission reduction technologies.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local, Tribal, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN NO. 3660 SAN 3660

**Agency Contact:** Scott L. Mathias, Environmental Protection Agency, Air and Radiation, OAQPS, AQSSD (MD-15), Research Triangle Park, NC 27711, 919 541-5310

**RIN:** 2060-AF60**3806. REVISED LIGHT-DUTY DURABILITY PROCEDURES FOR MODEL YEAR 1999 AND LATER****Priority:** Other Significant**Legal Authority:** 42 USC 7521/CAA 202**CFR Citation:** 40 CFR 86**Legal Deadline:** None

**Abstract:** This action will establish procedures under which vehicle manufacturers will demonstrate

durability of their emission control systems during certification of passenger cars and light-duty trucks beginning with the 1999 model year. Under separate actions, EPA has promulgated revised light-duty durability procedures for certification of model years 1994 through 1998, procedures that are necessary to implement revised useful life levels mandated by the Clean Air Act Amendments of 1990. The long term durability program will translate into ongoing efforts by the EPA and vehicle manufacturers to develop durability procedures that will more accurately predict the emissions deterioration of vehicles in actual use.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	
Final Action	08/00/96	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Additional Information:** SAN No. 2869.

**Agency Contact:** Jim McCargar, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, Michigan 48105, 313 668-4244

**RIN:** 2060-AE06**3807. • NATIONAL 49-STATE LOW EMISSION VEHICLES****Priority:** Economically Significant**Legal Authority:** Clean Air Act secs 202 and 301(a)**CFR Citation:** None**Legal Deadline:** None

**Abstract:** This rulemaking is a voluntary emissions standards program applicable to manufacturers of light-duty vehicles and trucks beginning in model year 1997. This program would only apply to those manufacturers that chose to opt into the program. This is designed to be an alternative national program that provides emissions reductions equivalent to the Northeast Ozone Transport Commission's low emission vehicle program.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State, Federal**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3646.

**Agency Contact:** Mike Shields, Environmental Protection Agency, Air and Radiation, (6401), Washington, DC 20460, 202 260-7757

**RIN:** 2060-AF75**3808. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** SAN No. 3139.

**Agency Contact:** John Guy, Environmental Protection Agency, Air and Radiation, (6405-J), Washington, DC 20460, 202 233-9250

**RIN:** 2060-AD90

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**3809. "SUBSTANTIALLY SIMILAR" DEFINITION FOR DIESEL FUELS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7545/CAAA 211(f)**CFR Citation:** 40 CFR 80**Legal Deadline:** None

**Abstract:** Section 211(f)(1)(A) of the Clean Air Act prohibits for use in light-duty vehicles, fuels and fuel additives which are not "substantially similar" to fuels or additives used to certify vehicles to emissions standards. Section 211(f)(1)(B) expands these prohibitions to all motor vehicles. Since the term "substantially similar" is not defined in the Act, the intent of this rulemaking is to interpret the term "substantially similar" in regard to diesel fuel and diesel fuel additives and thus make more explicit which products are prohibited by section 211(f)(1)(B). The definition of "substantially similar" enables manufacturers to determine whether their fuels or fuel additives are covered by, or excluded from, the section 211(f)(1)(B) prohibitions.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/30/91	56 FR 24362
NPRM	02/00/96	
Final Action	02/00/97	

**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3091.

**Agency Contact:** James W. Caldwell, Environmental Protection Agency, Air and Radiation, 401 M Street SW., Mail Code 6406J, Washington, DC 20460, 202 233-9303

**RIN:** 2060-AD77**3810. NSPS FOR NITROGEN OXIDES (NOX) - REVISION****Priority:** Economically Significant**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, October 31, 1995. Final, Statutory, January 1, 1994. Final, Judicial, December 31, 1996.

**Abstract:** The current NSPS for electric utility and industrial steam generating units was promulgated in 1979 and

1986 respectively. A major feature of the NSPS is NOx control through the use of overfire air or low NOx burners. 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 electric utility units. These revised standards are to reflect improvements in methods for the reduction of NOx emissions. At this time the revisions will be based on the performance of selective catalytic reduction (SCR) and the format of the standard will be changed to an output based standard. Costs to industry and regulatory agencies arising from revised NSPS are being determined.

**Timetable:**

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

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 3352.

**Agency Contact:** James A. Eddinger, Environmental Engineer, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, MD-13, Research Triangle Park, NC 27711, 919 541-5426

**RIN:** 2060-AE56**3811. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE TO AMEND LEAK REPAIR PROVISIONS, EQUIPMENT STANDARDS AND SCOPE OF CHEMICALS TO BE RECYCLED UNDER SECTION 608 OF THE AMENDED CAA****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-54, sec 608; Clean Air Act Amendments of 1990**CFR Citation:** 40 CFR 82 subpart F**Legal Deadline:** None

**Abstract:** Section 608 of the Amended Clean Air Act requires the development of the National Recycling and Emission Reduction Program for Ozone depleting chemicals. This rulemaking will amend the leak repair provisions of the existing rules for industrial process refrigeration.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Undetermined**Sectors Affected:** All**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 3460.

**Agency Contact:** Cindy Newberg, Environmental Protection Agency, Air and Radiation, 6205-J, 401 M Street SW., Washington, DC 20460, 202 233-9729

**RIN:** 2060-AE92**3812. 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.

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**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	10/13/95	

**Small Entities Affected:** Businesses

**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, 401 M Street SW., 6205J, Washington, DC 20460, **202 233-9147**

**RIN:** 2060-AF35

**3813. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3556.

**Agency Contact:** Debbie Ottinger, Environmental Protection Agency, Air and Radiation, 401 M Streets SW., 6205J, Washington, DC 20460, **202 233-9149**

**RIN:** 2060-AF36

**3814. 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	04/00/95	
Final Action	10/00/95	

**Small Entities Affected:** Businesses

**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, 401 M Street SW., 6205J, Washington, DC 20460, **202 233-9149**

**RIN:** 2060-AF37

**3815. • 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:** EPA has been petitioned by Friends of the Earth to expand our labeling requirements to include products containing or manufactured with HCFCs. We are bound by statute to respond by 180 days (mid-May). If EPA grants the petition, the proposed rulemaking will be the response.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 3640.

Deadline is based on the statutory 180-day response time to petitions.

**Agency Contact:** Mavis Sanders, Environmental Protection Agency, Air and Radiation, 6205J, 401 M Street SW., Washington, DC 20460, **202 233-9737**

**RIN:** 2060-AF93

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

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## Clean Air Act (CAA)

**3816. ACID RAIN OPT-IN REGULATIONS****Priority:** Other Significant**Legal Authority:** PL 101-549; Clean Air Act Amendments of 1990, title IV**CFR Citation:** 40 CFR 74**Legal Deadline:** Final, Statutory, May 15, 1992.

**Abstract:** Section 410 of the Clean Air Act Amendments allows sources not affected by Title IV to "opt-in" to the Title IV Acid Rain SO<sub>2</sub> Allowance Trading Program. The regulation will provide the necessary procedures for sources other than electric utility generators to opt into the Acid Rain Program.

**Timetable:****Combustion Sources**

NPRM 09/24/93 (58 FR 50088)  
Final 04/00/95

**Process Sources**

NPRM 09/00/95  
Final 09/00/96

**Small Entities Affected:** Undetermined**Government Levels Affected:** Local**Additional Information:** SAN No. 3009/3357.

**Agency Contact:** Adam Klinger, Environmental Protection Agency, Air and Radiation, (6204J), Washington, DC 20460, **202 233-9122**

**RIN:** 2060-AD43**3817. STANDARDS FOR DEPOSIT CONTROL GASOLINE ADDITIVES****Priority:** Economically Significant**Legal Authority:** 42 USC 7545**CFR Citation:** 40 CFR 80**Legal Deadline:**

Final, Statutory, November 15, 1992.  
Other, Judicial, October 15, 1994,  
Consent decree for interim program.  
Final, Judicial, June 30, 1995, Consent  
decree for full program.

**Abstract:** The Clean Air Act Amendments of 1990 mandate EPA to promulgate regulations establishing specifications for additives in gasoline beginning in 1995 to prevent the accumulation of deposits in the engine or fuel supply systems. The establishment of such specifications should ensure the use of additives in the 10 to 25 percent of fuel projected not to contain additives by 1995, as well as the proper amount and type of additives to have the desired effect

without causing negative side effects. Controlling engine and fuel supply system deposits is expected to achieve better vehicle performance, a significant reduction in in-use emissions, and the potential for significant economic advantages due to a decreased need for premium gasoline use.

**Timetable:**

Action	Date	FR Cite
NPRM	11/22/93	58 FR 64213
Final Action (Interim Program)	11/01/94	59 FR 54678
Final Action (Full Program)	07/00/95	

**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 3018.

**Agency Contact:** Paul Arggropoulos, Environmental Protection Agency, Air and Radiation, 401 M Street SW., Mail Code 6406J, Washington, DC 20460, **202 233-9004**

**RIN:** 2060-AD71**3818. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT****Priority:** Substantive, Nonsignificant**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 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 provide an assurance of confidentiality to those who 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

**Timetable:**

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22795
Final Action	05/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Analysis:** Regulatory Flexibility Analysis**Additional Information:** SAN No. 2939.

**Agency Contact:** Cary Secrest, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2242-A), Washington, DC 20460, **202 564-8661**

**RIN:** 2060-AD81**3819. NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS AS IT APPLIES TO NUCLEAR POWER REACTORS LICENSED BY THE NUCLEAR REGULATORY COMMISSION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7607(d)(7)(B)**CFR Citation:** 40 CFR 61 subpart I**Legal Deadline:** None

**Abstract:** Section 112(d)(9) of the Clean Air Act Amendments of 1990 (CAAA) provides the EPA with the Authority not to regulate NRC-licensees under Section 112, if the agency, by rule and in consultation with the NRC, determines that the NRC regulatory program provides an ample margin of safety to protect the public health. EPA analyzed the public health risks posed by nuclear power plants to determine whether NRC's regulatory program for air emissions provides an ample margin of safety to protect the public health. EPA has determined that the NRC regulatory program results in sufficiently low doses to meet the Clean Air Act requirement of providing an ample margin of safety to protect the public health. Based on these findings, EPA will issue a final rule to rescind Subpart I of 40 CFR Part 61 as it applies to nuclear power reactors.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/91	56 FR 37196
Final Action	06/00/95	

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

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**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2887.

**Agency Contact:** Fran Jonesi, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460, 202 233-9229

**RIN:** 2060-AE38

**3820. 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 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. Several issues have arisen since EPA issued the proposal rescission which must be resolved before EPA can make the requisite legal finding pursuant to Section 112(d)(9). EPA has decided that it will not issue the final rescission until after NRC's program is strengthened and provides an ample margin of safety to protect the public health.

**Timetable:**

Action	Date	FR Cite
NPRM	12/01/92	57 FR 56877
Final Action	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3146.

**Agency Contact:** Gale Bonanno, Attorney Advisor, Environmental Protection Agency, Air and Radiation, 401 M Street SW., ORIA - 6602J, Washington, DC 20460, 202 233-9219

**RIN:** 2060-AE39

**3821. PROTECTION OF STRATOSPHERIC OZONE: MOBILE AIR-CONDITIONING RECOVER-ONLY STANDARD; SUPPLEMENTAL RULE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 101-54, Sec 609; Clean Air Act Amendments of 1990

**CFR Citation:** 40 CFR 82 subpart B

**Legal Deadline:** None

**Abstract:** On July 14, 1992, EPA published a final regulation on the servicing of motor vehicle air-conditioners. That rule established that two types of equipment could be used in service: equipment that recovers and recycles refrigerant or equipment that only recovers refrigerant from the motor vehicle. The refrigerant from recover only equipment must then be recycled on-site or sent off-site for reclamation. The July 14, 1992, final rule contains the equipment standard for recycling equipment in Appendix A, but the recover only equipment standard was proposed separately in a supplemental proposal published April 22, 1992. This rule will finalize the recover only standard as Appendix B in the motor vehicle servicing regulation.

**Timetable:**

Action	Date	FR Cite
NPRM	04/22/93	57 FR 14763
Final Action	04/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** SAN No. 3347.

**Agency Contact:** Christine Dibble, Environmental Protection Agency, Air and Radiation, Mail Code 6205-J, 401 M Street SW., Washington, DC 20460, 202 233-9147

**RIN:** 2060-AE52

**3822. ON-BOARD DIAGNOSTICS SERVICE INFORMATION AVAILABLE**

**Priority:** Other Significant

**Legal Authority:** CAA 202(m)

**CFR Citation:** 40 CFR 86

**Legal Deadline:** None

**Abstract:** This action would define service information to be made available to the automotive aftermarket. This information is necessary to repair and service automobiles.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Sectors Affected:** 371 Motor Vehicles and Motor Vehicle Equipment; 754 Automotive Services, Except Repair

**Additional Information:** SAN No. 3457.

**Agency Contact:** Cheryl Adelman, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4434

**RIN:** 2060-AE93

**3823. NSPS: SYNTHETIC ORGANIC CHEMICALS MANUFACTURING INDUSTRY - WASTEWATER**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990

**CFR Citation:** 40 CFR 60

**Legal Deadline:** NPRM, Judicial, August 31, 1994.

**Abstract:** This rule will develop a new source performance standard to control air emissions of volatile organic compounds from wastewater treatment operations at the synthetic chemical manufacturing industry.

**Timetable:**

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46780
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Sectors Affected:** 28 Chemicals and Allied Products

**Additional Information:** SAN No. 3380.

**Agency Contact:** Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 2711, 919 541-0884

**RIN:** 2060-AE94

**3824. ACID RAIN PROGRAM: REVISIONS TO THE ADMINISTRATIVE APPEAL REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT**

**Priority:** Substantive, Nonsignificant  
**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
Final Action	05/00/95	

**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, 401 M Street SW., Washington, DC 20460, **202 233-9151**

**RIN:** 2060-AF43

**3825. ACID RAIN PROGRAM: DELETION OF CERTAIN UNITS**

**Priority:** Substantive, Nonsignificant  
**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 SO<sub>2</sub>, 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
Interim Final Rule	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Sectors Affected:** 491 Electric Services

**Additional Information:** SAN No. 3573.

**Agency Contact:** Kathy Barylski, Environmental Protection Agency, Air and Radiation, 6204J, 401 M Street SW., Washington, DC 20460, **202 233-9074**

**RIN:** 2060-AF46

**3826. TECHNICAL AMENDMENTS TO EVAPORATIVE EMISSION PROCEDURE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** CAA 202(a); CAA 202(k)

**CFR Citation:** 40 CFR 86

**Legal Deadline:** None

**Abstract:** This direct final rule involves technical amendments to the evaporative emission test procedure published March 24, 1993 (58 FR 16002) and the onboard refueling vapor recovery test procedure published April 6, 1994 (59 FR 16262). EPA's intent is to the test through changes to some of the detailed test specification, in most cases simplifying the test or providing better control of test variables. EPA will not make any changes that affect the stringency of the test.

**Timetable:**

Action	Date	FR Cite
Final Action	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3540.

**Agency Contact:** Alan Stout, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, EVRB, Ann Arbor, MI 48105, **313 741-7805**

**RIN:** 2060-AF49

**3827. • AMBIENT AIR-QUALITY SURVEILLANCE SITING CRITERIA FOR OPEN PATH ANALYZERS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 42 USC 7410/CAA; 42 USC 7601(a)/CAA; 42 USC 7613/CAA; 42 USC 7619/CAA

**CFR Citation:** 40 CFR 58

**Legal Deadline:** None

**Abstract:** A new method for monitoring pollutants in ambient air has been

developed and introduced to the EPA. This new monitor, called an open path analyzer, is capable of measuring pollutant concentrations over a path of several meters to several kilometers. Traditional monitoring methods measure gaseous pollutant concentrations by extracting an air sample through an inlet probe, resulting in a "point" measurement. The advent of open path technology has necessitated this revision of the existing regulations which govern the use of ambient air monitors. These revisions will parallel existing criteria required for ambient air monitors used in the state and local air quality monitoring networks.

**Timetable:**

Action	Date	FR Cite
NPRM	08/18/94	59 FR 42541
Final Action	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3257.

**Agency Contact:** Lee Ann B. Byrd, Environmental Engineer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-14), Research Triangle Park, NC 27711, **919 541-5367**

**RIN:** 2060-AF88

**3828. • STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES: INDUSTRIAL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS - REVISION**

**Priority:** Other Significant

**Legal Authority:** 42 USC 7411, 7414, and 7601(a)

**CFR Citation:** 40 CFR 60 subpart D

**Legal Deadline:** None

**Abstract:** New source performance standards (NSPS) limiting emissions of nitrogen oxides (NO<sub>x</sub>) from industrial-commercial-institutional steam generating units capable of combusting more than 100 million Btu per hour were proposed on June 19, 1984 and were promulgated on November 25, 1986. These standards limit NO<sub>x</sub> emissions from the combustion of fossil fuels, as well as the combustion of fossil fuels with other fuels or wastes. The standards include provisions for facility-specific NO<sub>x</sub> standards for steam generating units which

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simultaneously combust fossil fuel and chemical byproduct waste(s) under certain conditions. Two separate notices will propose to approve facility-specific NOx standards for steam generating units which simultaneously combusts fossil fuel and chemical byproduct waste at the Cytec Industries Fortier Plant located in Westwego, Louisiana, and at the Rohm and Hass Kentucky Plant located in Louisville, Kentucky.

**Timetable:**

Action	Date	FR Cite
NPRM	12/28/94	59 FR 66852
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3614.

**Agency Contact:** George F. Smith, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-1459**

**RIN:** 2060-AF92

### 3829. • REVISED REGULATORY REQUIREMENTS FOR AIR QUALITY MODELING (SUPPLEMENTAL C)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7410(a)(2); 42 USC 7475(e); 42 USC 7502(a) and (b); 42 USC 7503; 42 USC 7601(a)(1); 42 USC 7620; 42 USC 7401-7671q

**CFR Citation:** 40 CFR 51.112; 40 CFR 51.160; 40 CFR 51.166; 40 CFR 51 Appendix W; 40 CFR 52.21

**Legal Deadline:** None

**Abstract:** This action makes several additions and changes as supplement C to the "Guideline on Air Quality Models (Revised)" (hereafter, the "Guideline"). Supplement C does the following: (1) incorporates improved algorithms for treatment of area sources and dry deposition in the Industrial Source Complex (ISC2) model, (2) adopts a solar radiation/delta-T (SRDT) method for estimating atmospheric stability categories, (3) adopts a new screening approach for assessing annual NO<sub>2</sub> impacts, and (4) adds SLAB and HGSYSTEM as alternative models. The purpose of these final revisions is to augment the guidance in response to a substantial number of public comments urging the Agency to do so. The action is supplemental to the notice of final rulemaking that was

published on July 20, 1993 (58 FR 38816).

**Timetable:**

Action	Date	FR Cite
NPRM	11/28/94	59 FR 60740
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3542.

**Agency Contact:** Tom Coulter, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park, NC 27711, **919 541-0832**

**RIN:** 2060-AG04

### 3830. REVISIONS TO PART 35, SUBPART A SECTION 105 AIR GRANT REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Air Act section 105

**CFR Citation:** 40 CFR 35, subpart A

**Legal Deadline:** None

In order to assure that state, local, and tribal agencies are still eligible to receive a section 105 air grant in FY 1995, the interim final rule must be in place before October 1, 1994.

**Abstract:** The purpose of this action is to revise the current air grant regulations contained in 40 CFR 35, subpart A, so that they are consistent to the changes made to section 105 as a result of enactment of the 1990 Clean Air Act. The Act also directed EPA to reexamine and revise, as necessary, certain aspects of the air grant cost-sharing relationship that must now be revised to reflect the impact of: (1) the Title V permit fee provisions contained in 40 CFR 20 and (2) a recent OGC opinion prohibiting the use of Title V fees to help meet the nonfederal contribution requirements of the section 105 air grant program. This revision includes the introduction of a provision to allow recipients to receive (upon demonstration to, and approval by, the Administrator) a waiver from certain cost-sharing requirements for a limited time.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal

**Additional Information:** SAN No. 3446.

**Agency Contact:** William Houck, Environmental Protection Agency, Air and Radiation, (6101), Washington, DC 20460, **202 260-1754**

**RIN:** 2060-AF03

### 3831. • 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 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	08/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Additional Information:** SAN No. 3087.

**Agency Contact:** Christine Parker, Environmental Protection Agency, Air and Radiation, Mail Code 6102, Washington, DC 20460, **202 260-6584**

**RIN:** 2060-AF79

### 3832. NAAQS: SULFUR DIOXIDE (REVIEW)

**Priority:** Economically Significant

**Legal Authority:** 42 USC 7409/CAA 109

**CFR Citation:** 40 CFR 50.4; 40 CFR 50.5

**Legal Deadline:** NPRM, Judicial, November 1, 1994. Final, Judicial, March 15, 1996.

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**Abstract:** On November 15, 1994, EPA published a notice announcing a proposed decision not to revise the existing 24-hour and annual primary standards. In that notice EPA sought public comment on the possible need to adopt additional regulatory measures to address short-term peak sulfur dioxide exposure and thereby further reduce the health risk to asthmatic individuals.

On March 7, 1995 EPA published the proposed requirements for implementation plans and ambient air quality surveillance for sulfur dioxide. The action proposes implementation strategies for reducing short-term high concentration sulfur dioxide emissions in the ambient air.

**Timetable:**

Action	Date	FR Cite
NPRM	11/15/94	59 FR 58958
NPRM NAAQS SO <sub>2</sub> Implementation Plans	03/07/95	60 FR 12492
Final Action	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 1002 and 3588 (Implementation).

(Primary Standard).

Docket No. A-84-25.

**Agency Contact:** John Haines, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-5533**

**RIN:** 2060-AA61

**3833. NSPS: MUNICIPAL SOLID WASTE LANDFILLS**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 7411/CAA 111

**CFR Citation:** 40 CFR 60

**Legal Deadline:** None

**Abstract:** The purpose of this action is to develop standards for regulating emissions from new and modified municipal solid waste landfills under Section 111(b). Pollutants to be regulated could include one or more designated pollutants (pollutants not regulated under Sections 108 or 112 of the CAA) thus invoking Section 111(d). Section 111(d) requires States to develop emission standards for existing landfills based on EPA guidelines.

**Timetable:**

Action	Date	FR Cite
NPRM	05/30/91	56 FR 24468
Notice of Availability	06/21/93	58 FR 33790
Final Action	07/00/95	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 2535.

**Agency Contact:** Mark Najarian, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5393**

**RIN:** 2060-AC42

**3834. NSPS: MUNICIPAL WASTE COMBUSTION—PHASE II AND PHASE III**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 4111/Clean Air Act Amendments of 1990, section 129

**CFR Citation:** 40 CFR 60

**Legal Deadline:** NPRM, Judicial, September 1, 1994. Final, Judicial, September 1, 1995.  
NPRM, Statutory, November 1991, for Phase II/Large MWCs.  
NPRM, Statutory, November 1992, for Phase III/Small MWCs.

**Abstract:** The Clean Air Act Amendments of 1990 direct EPA to set standards of performance and emission guidelines for new and existing municipal waste combustors under Sections 111 and 129; to base these standards and guidelines on maximum achievable control technology; and to include emission limits for particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, mercury, lead, cadmium, and dioxins and dibenzofurans. The standards for both large and small municipal waste combustors have been combined into one set of standards. These standards are being developed under EPA's integrated combustion strategy, whereby EPA will regulate various forms of combustion under a coordinated plan. Two other elements of this strategy, the emission standards for medical waste and hazardous waste combustion, are summarized elsewhere in this Regulatory Plan.

**Timetable:**

Action	Date	FR Cite
NPRM	09/20/94	59 FR 48198
Final Action	09/00/95	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 2916.

**Agency Contact:** Walt Stevenson, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5264**

**RIN:** 2060-AD00

**3835. NSPS: STARCH PRODUCTION FACILITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1857 et seq, section 108(e); Clean Air Act Amendments of 1990, section 111

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Judicial, August 31, 1994.

**Abstract:** EPA is to propose regulations establishing standards of performance for those categories of major stationary sources that the Administrator listed under section 111(b)(1)(A) before the date of the enactment of the Clean Air Act Amendments of 1990 and for which regulations had not been proposed by the Administrator by such date. At the time of enactment of the 1990 Amendments, there were approximately 19 categories of major stationary sources listed on the NSPS priority list for which NSPS had not been proposed, including the starch manufacturing industry. When, by November 15, 1992 the Agency had not proposed any NSPS covering this group of categories, the Sierra Club and the National Resources Defense Council (NRDC) filed suit on January 19, 1993 against the Agency in the U.S. District Court District of Columbia (the court), for failing to meet its obligations under the Act. A partial consent decree was lodged with the court on July 22, 1993. This decree mandated that NSPS be proposed for at least 3 of the unregulated categories of major stationary sources from the priority list on or before August 31, 1994, with the Agency having the discretion of selecting (cont)

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**Timetable:**

Action	Date	FR Cite
NPRM	09/08/94	40 FR 46381
Final Action	08/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Sectors Affected:** 204 Grain Mill Products; 209 Miscellaneous Food Preparations and Kindred Products

**Additional Information:** SAN No. 3379.

ABSTRACT CONT: the specific source categories. The starch manufacturing industry has been selected as one of the categories to be regulated by August 31, 1994. The proposed rule was signed on August 31, 1994 and appeared in the FR on September 8, 1994.

**Agency Contact:** William H. Maxwell, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, ESD/CG (MD-13), Research Triangle Park, NC 27711, **919 541-5430**

**RIN:** 2060—AE65

**3836. NEW SOURCE PERFORMANCE STANDARDS FOR COLD-CLEANING OPERATIONS**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act section 111(b)

**CFR Citation:** 40 CFR 60

**Legal Deadline:** NPRM, Judicial, August 31, 1994.

**Abstract:** The purpose of this action is to develop new source performance standards for cold cleaning operations to control VOC emissions. Emissions sources to be controlled are fugitive VOC solvent emissions from cold cleaning operations for new sources. This rulemaking was under a consent decree in which the Agency had to propose no later than August 31, 1994.

**Timetable:**

Action	Date	FR Cite
NPRM	09/09/94	59 FR 46602
Final Action	08/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Sectors Affected:** 753 Automotive Repair Shops; 554 Gasoline Service Stations; 39 Miscellaneous Manufacturing Industries

**Additional Information:** SAN No. 3382.

**Agency Contact:** Paul Almodovar, Environmental Protection Agency, Air and Radiation, Md-13, Research Triangle Park, NC 27711, **919 541-0283**

**RIN:** 2060—AF08

**3837. NESHAP: ASBESTOS PROCESSING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7412/CAA 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** NPRM, Judicial, January 15, 1995. Final, Judicial, November 15, 1995.

**Abstract:** The asbestos processing source category was listed as an area source to be regulated under the Clean Air Act (57 FR 31590). The purpose of this action was to determine whether additional regulation of the asbestos processing source category was needed, and, if needed, to develop maximum achievable control technology (MACT) or generally achievable control technology (GACT) standards for the asbestos processing source category. This source category is comprised of the milling, manufacturing, and fabrication subcategories of the asbestos NESHAP (40 CFR 61). Pollutants to be regulated include asbestos and other HAPs emitted in major amounts by these subcategories. On the basis of new information received during the information collection process, OAR has proposed to remove list. Information on this proposed action can be found in 60 FR 4624.

**Timetable:**

Action	Date	FR Cite
NPRM	01/24/95	60 FR 4624
Final Action	11/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** SAN No. 2892.

**Agency Contact:** Susan Fairchild-Zapata, Environmental Protection Agency, Air and Radiation, Office of Air Quality Planning and Standards, (MD-13), Research Triangle Park, NC 27711, **919 541-5167**

**RIN:** 2060—AB51

**3838. GUIDANCE FOR THE IMPLEMENTATION OF SECTION 112(G)—MODIFICATIONS**

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112(g)

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, May 1992.

**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 modified, constructed and reconstructed major sources of hazardous air pollutants (HAPs). This guidance sets de minimis levels of applicability to regulation for changes to major sources for the 189 listed HAPs and establishes a ranking for determinations of offsets of modifications to existing sources. Guidance is also issued for case-by-case MACT determinations that apply to constructed and reconstructed major sources or to existing sources which cannot offset emission increases above de minimis levels.

**Timetable:**

Action	Date	FR Cite
NPRM	04/01/94	59 FR 15504
Final Action	09/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 2932.

**Agency Contact:** Kathy Kaufman, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-0102**

**RIN:** 2060—AD06

**3839. NESHAP FOR WOOD FURNITURE 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, 1994. Final, Judicial, November 15, 1995.

**Abstract:** This regulation would control emissions of hazardous air pollutants from wood furniture manufacturing plants. The Agency has negotiated a framework upon which the proposed

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rule is based using a Federal Advisory Committee. The preamble to the proposed rule announced that EPA has also negotiated a framework for "reasonably available control technology" for volatile organic compounds (VOC) concurrently with the NESHAP. That information will be published separately in a Control Techniques Guideline (CTG). The preamble also announced a proposed test method for the NESHAP for this industry and solicited comments.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/94	59 FR 62652
Final Action	11/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 2965.

**Agency Contact:** Madeleine Strom, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, N.C. 27711, **919 541-2383**

**RIN:** 2060-AD57

### 3840. NESHAP: PETROLEUM REFINING - OTHER SOURCES NOT DISTINCTLY LISTED

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** NPRM, Judicial, June 30, 1994. Final, Statutory, November 15, 1994. Final, Judicial, June 30, 1995.

**Abstract:** Title III of the Clean Air Act Amendments of 1990 requires EPA to develop emission standards for 189 hazardous air pollutants (HAPs). Petroleum refining is among the potential source categories to be regulated under Section 112 of the CAA. Sources of emissions within petroleum refineries include process vents, equipment leaks, wastewater collection and treatment facilities, and storage vessels.

**Timetable:**

Action	Date	FR Cite
NPRM	06/30/94	59 FR 36130
Final Action	06/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3168.

**Agency Contact:** James F. Durham, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5672**

**RIN:** 2060-AD94

### 3841. NESHAP: SURFACE COATING OPERATIONS IN SHIPBUILDING AND SHIP REPAIR

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1994. Final, Judicial, November 15, 1995.

**Abstract:** This regulation would control emissions of hazardous air pollutants from shipbuilding and ship repair operations related to painting. The preamble to the proposed rule also announced proposed limits for volatile organic compounds that represent best available control measures, a requirement of section 183(b)(4) of the act.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/94	59 FR 62681
Final Action	11/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3074.

**Agency Contact:** Mohamed Serageldin, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-2379**

**RIN:** 2060-AD98

### 3842. NESHAP: AEROSPACE INDUSTRY

**Priority:** Other Significant

**Legal Authority:** Clean Air Act of 1990, section 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1994. Final, Judicial, July 31, 1995.

**Abstract:** This NESHAP will be based on maximum achievable control technology (MACT). The NESHAP will address hazardous air pollutants (HAPs) emitted by facilities that

manufacture or rework military and commercial aircraft, subassemblies, and aircraft parts. The majority of HAP emissions from the category come from solvent usage (i.e. MEK, MIBK, toluene, methylene chloride, etc.) EPA is also working to develop a control technology guideline document in this action.

**Timetable:**

Action	Date	FR Cite
NPRM	06/06/94	59 FR 29216
Final Action	07/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3075.

**Agency Contact:** Vickie Boothe, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5426**

**RIN:** 2060-AE02

### 3843. NESHAP: SECONDARY LEAD SMELTING

**Priority:** Other Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Statutory, November 15, 1994. Final, Judicial, May 31, 1995.

**Abstract:** Secondary lead smelters are a major source of hazardous air pollutants. Potential emissions include compounds of lead, antimony, and cadmium; hazardous organic compounds including benzene, methyl chloride, butadiene; and hydrochloric acid. The standard will establish maximum achievable control technology requirements for process furnaces, process fugitive emissions, and fugitive dust sources. Proposed rules were issued by the Administration on May 27, 1994.

**Timetable:**

Action	Date	FR Cite
NPRM	05/27/94	59 FR 29750
Final Action	05/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3193.

**Agency Contact:** George Streit, Environmental Protection Agency, Air

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and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-2364**  
**RIN:** 2060-AE04

### 3844. NESHAP FOR OFF-SITE WASTE AND RECOVERY OPERATIONS

**Priority:** Other Significant

**Legal Authority:** Clean Air Act, sec 112

**CFR Citation:** 40 CFR 63

**Legal Deadline:** Final, Judicial, November 1, 1995.

**Abstract:** This rule (formerly titled "Solid Waste Treatment, Storage, and Disposal Facilities") will specify maximum achievable control technology (MACT) for facilities that treat, store, dispose of, recycle, recover and/or refine waste and recoverable materials received from off-site. These facilities include commercial waste treatment facilities, used oil refining, solvent recovery plants, transfer stations, and industrial landfills.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/20/93	58 FR 66336
NPRM	10/13/94	59 FR 51913
Final Action	11/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3159.

**Agency Contact:** Eric L. Crump, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5032**

**RIN:** 2060-AE05

### 3845. 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.

EPA is required to promulgate 50% of the source categories listed in Section 112(e) by 11/15/97. The cyanide chemical manufacturing source category is among those included in the 50%.

**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 reasonably 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
Interim Final Rule	04/00/95	
Final Action	06/00/95	

**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, Office of Air Quality Planning and Standards, ESD/ISB, Research Triangle Park, NC 27711, **919 541-5289**

**RIN:** 2060-AE45

### 3846. AMENDMENTS TO PART 63 TO ESTABLISH 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:** Under authority of sections 112 and 114 of the Clean Air Act (Act) Amendments of 1990, provisions are being described to enable stationary sources to establish federally enforceable controls to limit their "potential to emit" hazardous air pollutants (HAP). These provisions would help sources determine whether they are subject to new Federal air toxics regulations under section 112 and permitting requirements under title V of the Act that apply to sources with

the potential to emit air pollutants above a certain threshold. Under these regulations, controls must be federally enforceable to be considered as limiting a source's potential to emit. With federally enforceable potential to emit limits for HAPs, sources could avoid being considered "major sources" of HAPs, and thus avoid having to comply with section 112 and title V requirements that apply only to major sources.

In addition, the interim final rule would provide new mechanisms for establishing permanent, federally enforceable limits on a source-specific basis through State rules or programs that are approved by the EPA for this purpose. (cont)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3479.

**ABSTRACT CONT:** This rule would: streamline the process for sources to receive approval of emission controls as federally enforceable; reduce the recordkeeping, reporting, and other compliance burdens on section 112 affected sources; and avoid overregulation of facilities that are not true "major sources" of HAPs.

The provisions for determining potential to emit would amend regulations already established to implement the new Federal air toxics program under section 112, including the General Provisions.

This action resulted from splitting of 2060-AC98 and 2060-2918.

**Agency Contact:** Tim Smith, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711, **919 541-4718**

**RIN:** 2060-AE63

### 3847. FIELD CITATION PROGRAM

**Priority:** Regulatory Plan

**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	04/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 2937.

**Agency Contact:** Jane Engert, Environmental Protection Agency, Air and Radiation, (EN-341W), Washington, DC 20460, 703 308-8677

**RIN:** 2060-AD82

**3848. STANDARDS FOR TANK VESSEL LOADING OPERATIONS**

**Priority:** Economically Significant

**Legal Authority:** Clean Air Act Amendments of 1990, sec 183

**CFR Citation:** 40 CFR 90

**Legal Deadline:** Final, Statutory, November 1992. Final, Judicial, June 30, 1995.

**Abstract:** This regulation will control volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) emissions from tank vessel loading operations. A regulation is required by Section 183 of the Clean Air Act Amendments of 1990. Approximately 65,000 megagrams of VOCs (of which 8,000 megagrams are HAPs) are emitted annually from tank vessel loading operations.

**Timetable:**

Action	Date	FR Cite
NPRM	05/13/94	59 FR 25004
Final Action	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3104.

**Agency Contact:** David Markwordt, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-0837

**RIN:** 2060-AD02

**3849. CONTROL TECHNOLOGY GUIDELINES (CTG)**

**Priority:** Substantive, Nonsignificant

**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 are being developed for three of the CTG source categories under Section 112 of the Clean Air Act. CONT.

**Timetable:**

Action	Date	FR Cite
Final Notice and Document (Aerospace)	07/00/95	
Final Notice and Document (Shipbuilding)	11/00/95	
Final Notice and Document (Wood Furniture)	11/00/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Additional Information:** ABSTRACT CONT: 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 plans to write a national rule to limit the amount of VOC contained in coatings sold to autobody refinishing shops.

SAN No. 3029.

**Agency Contact:** Susan Wyatt, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5605

**RIN:** 2060-AD05

**3850. ON-BOARD DIAGNOSTICS: REVISION TO REQUIREMENTS FOR STORAGE OF ENGINE CONDITIONS ASSOCIATED WITH EXTINGUISHING A MALFUNCTION INDICATOR LIGHT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7521/CAA 202(m)

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** The federal On-Board Diagnostic (OBD) final rulemaking section 86.094-17(d), requires that, "If a malfunction has previously been detected, the MIL may be extinguished if the malfunction does not reoccur during three subsequent sequential trips during which engine speed is within 375 rpm, engine load is within 10 percent, and the engine's warm-up status is the same as that under which the malfunction was first detected, and no new malfunctions have been detected." California has adopted the same requirement, but has limited its applicability to fuel system and engine misfire malfunctions while the federal requirement applies to all malfunctions. California allows MIL illumination associated with all other malfunctions to be extinguished after undergoing three subsequent trips without recurrence of the malfunction regardless of undergoing similar engine conditions.

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**Timetable:**

Action	Date	FR Cite
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3541.

ABSTRACT CONT: In the interest of minimizing the differences between federal OBD and California OBD II requirements, and because recent information made available to the Agency suggests that limiting similar conditions data storage to misfire and fuel system malfunctions is most appropriate, we intend to issue this rulemaking to require the same similar conditions data storage as required by the OBD II rulemaking.

**Agency Contact:** Todd Sherwood, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4405**

**RIN:** 2060-AF20

### 3851. AMENDMENTS TO REGULATIONS GOVERNING THE IMPORTATION OF NONCONFORMING VEHICLES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7522/CAA 203; 42 USC 7525/CAA 206; 42 USC 7541/CAA 207; 42 USC 7542/CAA 208; 42 USC 7601/CAA 301; 42 USC 7522/CAA 203; 42 USC 7550/CAA 216; 42 USC 7601/CAA 301

**CFR Citation:** 40 CFR 85

**Legal Deadline:** None

**Abstract:** This action will amend the regulations in 40 CFR part 85, Subpart P to allow entry into the U.S. of vehicles which are originally sold in Canada and which are identical to their U.S. counterparts, without obtaining a certificate of conformity from EPA. This action is in response to a petition for review of import rules. The final rule also addresses certain other issues in part 85, subpart P and subpart R, including: 1) formalizing a longstanding EPA policy regarding the importation of owned vehicles that are proven to be identical to a vehicle certified for sale in the U.S., 2) establishing new emission standards applicable to imported nonconforming vehicles, 3) clarifying the regulatory language that concerns exclusions and exemptions from meeting Federal emission

requirements, and 4) providing several minor clarifications to the existing regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	03/24/94	59 FR 13912
Final Action	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 2665.

**Agency Contact:** Len Lazarus, Environmental Protection Agency, Air and Radiation, (6405-J), Washington, DC 20460, **202 233-9281**

**RIN:** 2060-AC58

### 3852. NONCONFORMANCE PENALTIES FOR 1998 MODEL YEAR EMISSION STANDARDS FOR HEAVY-DUTY ENGINES AND VEHICLES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7525/CAA 206

**CFR Citation:** 40 CFR 86.1105

**Legal Deadline:** None

**Abstract:** This action will address the availability of nonconformance penalties (NCPs) and specific upper limits and penalty rates for 1998 and later emission standards for heavy-duty vehicles (HDVs) and engines (HDEs). The availability of NCPs will allow a manufacturer of HDVs and HDEs whose vehicle engines fail to conform to certain applicable emission standards, but do not exceed designated upper limits, to be issued a certificate of conformity upon payment of a monetary penalty. The issues involving NCPs, the administration of NCPs, and production compliance audits may be addressed.

**Timetable:**

Action	Date	FR Cite
NPRM	08/22/94	59 FR 43074
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3097.

**Agency Contact:** Leo Breton, Environmental Protection Agency, Air and Radiation, (6405J), Washington, DC 20460, **202 233-9245**

**RIN:** 2060-AE07

### 3853. REVIEW OF THE FEDERAL TEST PROCEDURE FOR EMISSIONS FROM MOTOR VEHICLES AND MOTOR VEHICLE ENGINES

**Priority:** Economically Significant

**Legal Authority:** PL 101-549, Sec 208

**CFR Citation:** 40 CFR 86

**Legal Deadline:** NPRM, Judicial, January 31, 1995. Final, Statutory, May 15, 1992. Final, Judicial, October 31, 1995. Other, Judicial, May 15, 1993. Original statutory deadline (5/15/92) is from 11/90 Clean Air Act Amendments. Other Judicial date: per U.S. District Court Consent Decree, EPA issued a preliminary technical report on 5/15/93.

**Abstract:** This action revises the Federal Test Procedure (FTP) used to design all Federal emissions test methods, as well as all federally approved methods of estimating and projecting emissions from automobiles. This revision will advance the Agency's strategic aim of using better science and better data by assuring that automobiles can be accurately tested for compliance with Federal standards, and it will also enable EPA and others to obtain accurate emission inventories and projections to assist in planning for attainment of national air quality standards.

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/95	60 FR 7404
Final Action	10/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3323.

**Agency Contact:** John German, Chief, Special Projects Staff, Environmental Protection Agency, Air and Radiation, National Vehicle and Fuel Emissions Lab, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4214**

**RIN:** 2060-AE27

### 3854. ALTERNATIVE TEST PROCEDURE FOR THE VOLUNTARY AFTERMARKET PART CERTIFICATION PROGRAM

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7541(b)/CAA 207(b)

**CFR Citation:** 40 CFR 85

**Legal Deadline:** None

**Abstract:** This action would adopt an alternative testing procedure to be used in the voluntary aftermarket part certification program for certifying aftermarket parts. Currently only the full Federal Test Procedure and Emission Critical Parameters for Specified Parts are acceptable test procedures for this program. A proposed rulemaking was published on August 8, 1989. Based on the public comments received and further analysis, EPA developed a supplemental notice of proposed rulemaking which was published on January 30, 1991. Analysis of all public comments are complete and work on the final rulemaking is under way.

**Timetable:**

Action	Date	FR Cite
NPRM	08/08/89	54 FR 32598
NPRM (Supplemental)	01/30/91	56 FR 3746
Final Action	06/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 2637.

**Agency Contact:** John L. Wehrly, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4286**

**RIN:** 2060-AC50

**3855. • REGULATION OF FUEL AND FUEL ADDITIVES: CERTIFICATION REQUIREMENTS FOR DEPOSIT CONTROL ADDITIVES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Clean Air Act 211(1), 211(c), 114

**CFR Citation:** 40 CFR 80

**Legal Deadline:** None

**Abstract:** This final rule implements the certification requirements for deposit control additives. The control of engine and fuel supply deposits is expected to result in reduced vehicle emissions and improved fuel economy.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/93	58 FR 64213
Final Action	07/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Sectors Affected:** 291 Petroleum Refining; 517 Petroleum and Petroleum Products; 461 Pipelines, Except Natural

Gas; 421 Trucking and Courier Services, Except Air; 554 Gasoline Service Stations; 289 Miscellaneous Chemical Products

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3597.

**Agency Contact:** Jeff Herzog, Environmental Protection Agency, Air and Radiation, National Vehicle and Fuel Emissions Lab, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4227**

**RIN:** 2060-AG06

**3856. EMISSION STANDARDS FOR GASOLINE SPARK-IGNITION AND DIESEL COMPRESSION-IGNITION MARINE ENGINES**

**Priority:** Economically Significant

**Legal Authority:** PL 101-549, Sec 222; 42 USC 7547

**CFR Citation:** 40 CFR 91

**Legal Deadline:** NPRM, Judicial, September 30, 1994. Final, Judicial, November 22, 1995.

**Abstract:** This action will implement emission standards and test procedures for currently unregulated marine engines. Section 213 of the Clean Air Act (CAA) as amended requires the EPA to conduct a study to determine whether emissions of carbon monoxide (CO), oxides of nitrogen (NOx), and volatile organic compounds (VOCs) from nonroad engines and vehicles contribute to levels of ambient ozone and CO in more than one area not in compliance with the National Ambient Air Quality Standards (NAAQS) for these pollutants. EPA has determined ( 59 FR 31306) that emissions from such sources significantly contribute to nonattainment of the NAAQS for ozone and CO in more than one area. Since the Agency made this positive determination, section 213 requires EPA to promulgate regulations that will result in reductions in emissions from non-road sources. Consequently, EPA is this proposal to reduce emissions from marine engines.

**Timetable:**

Action	Date	FR Cite
NPRM	11/09/94	59 FR 55930
Final Action	11/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3350.

**Agency Contact:** Deanne North, Environmental Protection Agency, Air and Radiation, National Vehicle & Fuel Emissions Lab, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4331**

**RIN:** 2060-AE54

**3857. • AIR POLLUTANT EMISSION REGULATIONS FOR SPARK-IGNITED NONROAD ENGINES 25 HORSEPOWER AND BELOW - PHASE I**

**Priority:** Other Significant

**Legal Authority:** 42 USC 7547/CAA 213

**CFR Citation:** 40 CFR 90

**Legal Deadline:** NPRM, Judicial, April 30, 1994. Final, Statutory, November 15, 1992. Final, Judicial, May 30, 1995.

**Abstract:** This action will establish emission standards for new nonroad spark-ignition engines at and below 25 horsepower, as required by section 213(a)(3) of the Clean Air Act as amended.

**Timetable:**

Action	Date	FR Cite
NPRM	05/16/94	59 FR 25399
Final Action	05/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Additional Information:** SAN No. 3300.

**Agency Contact:** Debbie Wood, Environmental Protection Agency, Air and Radiation, National Vehicle and Fuel Emissions Lab, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 741-7900**

**RIN:** 2060-AF78

**3858. REGULATIONS GOVERNING PRIOR NOTICE OF CITIZEN SUITS BROUGHT UNDER SECTION 304 OF THE CLEAN AIR ACT**

**Priority:** Informational

**Legal Authority:** 42 USC 7604

**CFR Citation:** 40 CFR 54

**Legal Deadline:** None

**Abstract:** Section 304 of the Clean Air Act grants to citizens the authority to bring suits for violations of the Clean Air Act. This proposal amends the existing citizen suit notice provisions

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to: 1) reflect changes made to Section 304 in the 1990 Amendments, including the express inclusion of notice requirements for suits against the Administrator alleging Agency action unreasonably delayed; 2) clarify, for each type of citizen action requiring notice, the timing of such notice; and 3) conform CAA notice practice more closely to the practice under other, more recent citizen suit notice regulation promulgated pursuant to other Federal environmental statutes.

**Timetable:**

Action	Date	FR Cite
NPRM	02/10/93	58 FR 7870
Final Action	10/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2940  
SAN No. 2940.

Additional Contact: Jerry MacLaughlin,  
Mail Code 2242, OE 202-260-2842.

**Agency Contact:** David Abdalla,  
Environmental Protection Agency,  
Office of Enforcement and Compliance  
Assurance, (2242-A), Washington, DC  
20460, **202 564-2413**

**RIN:** 2060-AD80

**3859. ACID RAIN NITROGEN OXIDES CONTROL REGULATION**

**Priority:** Economically Significant

**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 NO<sub>x</sub> 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. 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. An interim final action is expected in April of 1995.

**Timetable:**

Action	Date	FR Cite
NPRM	11/25/92	(57 FR 228)
Final Action	03/22/94	(59 FR 13538)
Interim Final Action	04/00/95	

**Group I Phase II Boilers**  
NPRM 01/00/96

**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, **202 233-9180**

**RIN:** 2060-AD45

**3860. PROTECTION OF STRATOSPHERIC OZONE: ADMINISTRATIVE CHANGES TO THE FINAL RULE TO PHASE OUT OZONE-DEPLETING CHEMICALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 101-54, sec 604;  
Clean Air Act Amendments of 1990

**CFR Citation:** 40 CFR 84 subpart A

**Legal Deadline:** None

**Abstract:** Section 604 of the Amended Clean Air Act requires the phaseout of all ozone depleting substances. This rulemaking will enact administrative changes in recordkeeping and reporting requirements to facilitate the phaseout of these chemicals, and lessen the burden of the reporting companies.

**Timetable:**

Action	Date	FR Cite
NPRM	11/10/94	59 FR 56276
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3462.

**Agency Contact:** Tom Land,  
Environmental Protection Agency, Air

and Radiation, 6205-J, 401 M Street  
SW., Washington, DC 20460, **202 233-9185**

**RIN:** 2060-AE70

**3861. USER FEES FOR RADON PROFICIENCY PROGRAMS RULE - AMENDMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 2665,  
specifically, the Indoor Air Abatement  
Act of 1988; 15 USC 2661 et seq;  
Section 305 of the Toxic Substances  
Control Act

**CFR Citation:** 40 CFR 195 and 700

**Legal Deadline:** None

The final rule committed the Agency to revise the fee annually. The collection schedule is tied to a calendar year.

**Abstract:** The User Fees for Radon Proficiency Programs Final Rule established fees that EPA will collect annually to support its voluntary radon proficiency programs. The rule requires individuals and organizations applying to or participating in the National Radon Measurement Proficiency (RMP) and/or the National Contractor Proficiency (RCP) Programs to pay annual fees. The User Fees for Radon Proficiency Programs Final Rule states that the EPA shall adjust the fees over the next five 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 operating costs. The annual fee will also reflect changes in the proficiency programs, inflation, etc. In the calculation of the annual fee, the Agency will take into consideration the impact of the first year of fee collection on the Radon industry.

**Timetable:**

Action	Date	FR Cite
Technical Amendment	04/00/95	
	to 40 CFR parts	
	195 and 700	

**Small Entities Affected:** Businesses,  
Governmental Jurisdictions,  
Organizations

**Government Levels Affected:** State,  
Local, Tribal, Federal

**Sectors Affected:** 152 General Building  
Contractors-Residential Buildings; 171  
Plumbing, Heating and Air-

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Conditioning; 382 Laboratory Apparatus and Analytical, Optical, Measuring, and Controlling Instruments; 873 Research, Development, and Testing Services  
**Additional Information:** SAN No. 3603.

**Agency Contact:** James W. Long, Environmental Protection Agency, Air and Radiation, 6604J, 401 M Street SW., Washington, DC 20460, 202 233-9433  
**RIN:** 2060-AF40

**ENVIRONMENTAL PROTECTION AGENCY (EPA)  
 Clean Air Act (CAA)**

Completed/Longterm Actions

**3862. ENHANCED MONITORING PROGRAM**

**Completed:**

Reason	Date	FR Cite
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Withdrawn - Duplicate 02/16/95 of RIN 2020-AD18

**RIN:** 2060-AD18

**3863. REGISTRATION AND TESTING OF LEAD SUBSTITUTE GASOLINE ADDITIVES**

**CFR Citation:** 40 CFR 80

**Completed:**

Reason	Date	FR Cite
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Withdrawn - The Agency does not plan any further action at this time. 02/27/95

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lawrence R. Haslett, 202 233-9728

**RIN:** 2060-AD29

**3864. EMISSION STANDARDS FOR CLEAN-FUEL VEHICLES AND ENGINES, REQUIREMENTS FOR CLEAN-FUEL VEHICLE CONVERSIONS AND CALIFORNIA PILOT TEST PROGRAM**

**CFR Citation:** 40 CFR 88

**Completed:**

Reason	Date	FR Cite
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Final Action 09/30/94 59 FR 50042

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Bryan Manning, 313 741-7832

**RIN:** 2060-AD32

**3865. ADMINISTRATION OF THE CLEAN AIR ACT AND THE CLEAN WATER ACT WITH RESPECT TO CONTRACTS, GRANTS, AND LOANS—LIST OF FACILITIES INELIGIBLE FOR FEDERAL PROCUREMENT AND NONPROCUREMENT PROGRAMS**

**CFR Citation:** 40 CFR 15

**Completed:**

Reason	Date	FR Cite
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Withdrawn - Action combined with 40 CFR Part 32 03/22/95

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Tom Seaton, 202 260-6931

**RIN:** 2060-AD83

**3866. MOBILE-STATIONARY SOURCE TRADING PROGRAM**

**CFR Citation:** Not yet determined

**Completed:**

Reason	Date	FR Cite
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Withdrawn - Agency does not plan to publish action within next 12 mos 03/31/95

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carey Fitzmaurice, 202 260-7433

**RIN:** 2060-AD85

**3867. EMISSION STANDARDS FOR GASEOUS-FUELED VEHICLES AND CERTIFICATION PROCEDURES FOR AFTERMARKET CONVERSIONS**

**CFR Citation:** 40 CFR 85; 40 CFR 86; 40 CFR 600

**Completed:**

Reason	Date	FR Cite
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Final Action 09/21/94 59 FR 48472

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Mueller, 313 668-4275

**RIN:** 2060-AD86

**3868. AMENDMENTS TO THE EMISSION DEFECT REPORTING REQUIREMENTS**

**CFR Citation:** 40 CFR 85

**Completed:**

Reason	Date	FR Cite
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Withdrawn - Agency does not plan to publish action within next 12 mos 03/31/95

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cliff Dean, 202 233-9240

**RIN:** 2060-AE16

**3869. INSPECTION/MAINTENANCE PROGRAM REQUIREMENTS—PROVISIONS FOR REDESIGNATION**

**CFR Citation:** 40 CFR 51

**Completed:**

Reason	Date	FR Cite
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Final Action 01/05/95 60 FR 1735

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Eugene J. Tierney, 313 668-4456

**RIN:** 2060-AE21

**3870. FEDERAL IMPLEMENTATION PLANS TO ACHIEVE THE NATIONAL AMBIENT AIR QUALITY STANDARD FOR OZONE IN THE SACRAMENTO METROPOLITAN AREA, SCAQMD, AND VENTURA COUNTY, CALIFORNIA, NONATTAINMENT AREAS**

**CFR Citation:** 40 CFR 52

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## Completed/Longterm Actions

**Completed:**

Reason	Date	FR Cite
Final Action	02/15/95	60 FR 8565

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Julia Barrow, 415 744-2434

**RIN:** 2060-AE25

**3871. NAAQS: OZONE (REVIEW)**

**CFR Citation:** 40 CFR 50.9

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Haines, 919 541-5533

**RIN:** 2060-AE57

**3872. ACID RAIN PROGRAM, REVISIONS OF SUBSTITUTION AND REDUCED UTILIZATION REGULATIONS**

**CFR Citation:** 40 CFR 72

**Completed:**

Reason	Date	FR Cite
Final Action	11/22/94	59 FR 60218

**Small Entities Affected:** None

**Government Levels Affected:** Local

**Agency Contact:** Dwight C. Alpern, 202 233-9151

**RIN:** 2060-AE59

**3873. NAAQS: PARTICULATE MATTER (REVIEW)**

**CFR Citation:** 40 CFR 50.6

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Haines, 919 541-5533

**RIN:** 2060-AE66

**3874. STANDARDS FOR EMISSIONS FROM ETHANOL-FUELED MOTOR VEHICLES AND MOTOR VEHICLE ENGINES**

**CFR Citation:** 40 CFR 86; 40 CFR 600

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Michael J. Samulski, 313 668-4532

**RIN:** 2060-AE67

**3875. REGULATION OF FUELS AND FUEL ADDITIVES: INDIVIDUAL FOREIGN REFINERY BASELINE REQUIREMENTS FOR REFORMULATED GASOLINE**

**CFR Citation:** 40 CFR 52; 40 CFR 70

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Meredith G. Miller, 202 233-9031

**RIN:** 2060-AF13

**3876. OZONE TRANSPORT COMMISSION; EMISSION VEHICLE PROGRAM FOR THE NORTHEAST OZONE TRANSPORT REGION**

**CFR Citation:** 40 CFR 85

**Completed:**

Reason	Date	FR Cite
Final Action	01/24/95	60 FR 4712

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Mike Shields, 202 260-3450

**RIN:** 2060-AF15

**3877. TEST METHOD 302, APPENDIX M, 40 CFR PART 51**

**CFR Citation:** 40 CFR 51

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned at this time.	03/02/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rima Dishakjian, 919 541-0443

**RIN:** 2060-AF23

**3878. NESHAP: PETROLEUM REFINERIES - FCC UNITS, REFORMERS AND SULFUR PLANTS**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bob Lucas, 919 541-0884

**RIN:** 2060-AF28

**3879. NESHAP: FERROALLOY INDUSTRY**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Conrad Chin, 919 541-1512

**RIN:** 2060-AF29

**3880. REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF OZONE STATE IMPLEMENTATION PLANS**

**CFR Citation:** 40 CFR 51; 40 CFR 81

## EPA—CAA

## Completed/Longterm Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Denise Gerth, 919 541-5550

**RIN:** 2060-AF34

**3881. COMPREHENSIVE RADIATION WASTE MANAGEMENT RULE**

**CFR Citation:** Not yet determined

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Ambika Bathija, 202 233-9445

**RIN:** 2060-AF41

**3882. CONVENTIONAL GASOLINE MARKER**

**CFR Citation:** 40 CFR 80

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paul Argyropoulos, 202 233-9021

**RIN:** 2060-AF53

**3883. • REVISIONS TO THE ACID RAIN PERMIT REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT CONCERNING SUBSTITUTION UNITS**

**Legal Authority:** 42 USC 7601, 7651(b)

**CFR Citation:** 40 CFR 72.41

**Legal Deadline:** Other, Judicial, November 15, 1994.

Administrator's signing of direct final rule

**Abstract:** Part 72 of the Acid Rain rules is being revised to establish standards

for determining whether a unit is under the control of a phase I unit and thus qualifies as a substitution unit.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/22/94	59 FR 60234
Final Action	11/22/94	59 FR 60234

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Local

**Additional Information:** SAN No. 3543.

**Agency Contact:** Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, (6204J), Washington, DC 20460, 202 233-9151

**RIN:** 2060-AF55

**3884. • METHODS FOR MEASUREMENT OF VISIBLE EMISSIONS - THE ADDITION OF METHODS 203A, 203B, AND 203C TO APPENDIX M OF PART 51**

**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
Withdrawn - Agency does not plan to publish within next 12 months	04/05/95	

**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, 919 541-1060

**RIN:** 2060-AF83

**3885. • ON-BOARD DIAGNOSTICS: ACCEPTANCE OF REVISED CALIFORNIA OBD II REQUIREMENTS; OBD RELIEF FOR ALTERNATIVE FUELED VEHICLES; AND REVISIONS FOR CONSISTENCY BETWEEN FEDERAL OBD & CALIFORNIA OBD II**

**Legal Authority:** Clean Air Act as amended sections 202(m) 202(a) 301; 42 USC 7521a; 42 USC 7521m; 42 USC 7542c; 42 USC 7601a

**CFR Citation:** 40 CFR 86

**Legal Deadline:** None

**Abstract:** The federal OBD rulemaking, published February 19, 1993, allowed for compliance with California OBD II requirements as satisfying federal OBD requirements through the 1998 model year; an allowance of which most original equipment automobile manufacturers intend to take advantage. The California Air Resources Board has recently revised their OBD II requirements. The federal OBD regulations require appropriate revisions such that compliance with the recently revised OBD II requirements will satisfy federal OBD. Additionally, aspects of the federal OBD requirements will be revised and updated, in some cases to maintain consistency with the OBD II provisions, including providing OBD relief for alternative fueled vehicles, and in some cases to clarify federal OBD provisions.

**Timetable:**

Action	Date	FR Cite
Final Action	03/23/95	60 FR 15242

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3605.

**Agency Contact:** Todd Sherwood, Environmental Protection Agency, Air and Radiation, NVFEL, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4405

**RIN:** 2060-AF86

**3886. REVISE CAPTURE EFFICIENCY GUIDELINES**

**CFR Citation:** Not applicable

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned.	03/02/95	

**Small Entities Affected:** None

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## Completed/Longterm Actions

**Government Levels Affected:** None  
**Agency Contact:** Candace Sorrell, 919 541-1064  
**RIN:** 2060-AD84

**3887. MEDICAL WASTE INCINERATORS****Completed:**

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 2060-AE73	03/31/95	

**RIN:** 2060-AC62

**3888. NSPS FOR SULFUR DIOXIDE (SO2) - REVISION**

**CFR Citation:** 40 CFR 60

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jim Eddinger, 919 541-5426

**RIN:** 2060-AD04

**3889. REVISION TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES: AUTOMOBILE AND LIGHT DUTY TRUCK SURFACE COATING OPERATION**

**CFR Citation:** 40 CFR 60

**Completed:**

Reason	Date	FR Cite
Final Action	10/11/94	59 FR 195

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David Salman, 919 541-0859

**RIN:** 2060-AF14

**3890. NESHAP: CHROMIUM ELECTROPLATING**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Final Action	01/25/95	60 FR 4948

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Lalit Banker, 919 541-5420

**RIN:** 2060-AC14

**3891. NESHAP: ETHYLENE OXIDE FROM COMMERCIAL STERILIZATION**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Final Action	11/23/94	59 FR 62585

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** David Markwordt, 919 541-0837

**RIN:** 2060-AC28

**3892. NESHAP: HALOGENATED SOLVENT CLEANING**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Final Action	12/02/94	59 FR 61801

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Paul Almodovar, 919 541-0283

**RIN:** 2060-AC31

**3893. RADIONUCLIDE MAJOR SOURCE DEFINITION**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	04/03/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gale Bonanno, 202 233-9219

**RIN:** 2060-AD60

**3894. NESHAP: STAGE I GASOLINE DISTRIBUTION FACILITIES**

**CFR Citation:** 40 CFR 63 subpart R

**Completed:**

Reason	Date	FR Cite
Final Action	12/14/94	59 FR 64303

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Stephen A. Shedd, 919 541-5397

**RIN:** 2060-AD93

**3895. NESHAP: POLYMERS AND RESINS, GROUP II**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Final Action	03/08/95	60 FR 12670

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Randy McDonald, 919 541-5402

**RIN:** 2060-AD97

**3896. NESHAP: MAGNETIC TAPE MANUFACTURING OPERATIONS**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Final Action	12/15/94	59 FR 64580

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Gail Lacy, 919 541-5261

**RIN:** 2060-AD99

**3897. NESHAP: MINERAL WOOL PRODUCTION INDUSTRY**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mary K. Johnson, 919 541-5025

**RIN:** 2060-AE08

**3898. NESHAP FOR FORMALDEHYDE-BASED RESINS**

**CFR Citation:** 40 CFR 63

## EPA—CAA

## Completed/Longterm Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John M. Schaefer, 919 541-0296

**RIN:** 2060-AE36

**3899. NESHAP—CHROMIUM CHEMICAL MANUFACTURING**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Iliam D. Rosario, 919 541-5308

**RIN:** 2060-AE42

**3900. NESHAP—IRON FOUNDRIES AND STEEL FOUNDRIES**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James H. Maysilles, 919 541-3265

**RIN:** 2060-AE43

**3901. NESHAP—INTEGRATED IRON AND STEEL**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Phil Mulrine, 919 541-5289

**RIN:** 2060-AE48

**3902. NESHAP: WOOL FIBERGLASS MANUFACTURING INDUSTRY**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** William J. Neuffer, 919 541-5435

**RIN:** 2060-AE75

**3903. NESHAP: SECONDARY ALUMINUM INDUSTRY**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Juan E. Santiago, 919 541-1084

**RIN:** 2060-AE77

**3904. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Madeleine Strum, 919 541-2383

**RIN:** 2060-AE79

**3905. NESHAP: POLYETHER POLYOL PRODUCTION**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David Svendsgaard, 919 541-2380

**RIN:** 2060-AE81

**3906. NESHAP: NON-SOCMI ORGANIC CHEMICAL PRODUCTION**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Randy McDonald, 919 541-5402

**RIN:** 2060-AE82

**3907. NESHAP: PHARMACEUTICALS PRODUCTION**

**CFR Citation:** 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Randy McDonald, 919 541-5402

**RIN:** 2060-AE83

**3908. NESHAP: PRODUCTION OF AGRICULTURAL CHEMICALS**

**CFR Citation:** Not yet determined

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

## EPA—CAA

## Completed/Longterm Actions

**Agency Contact: Lalit Banker, 919 541-5420**

RIN: 2060-AE84

**3909. NESHAP: PRIMARY LEAD SMELTERS**

CFR Citation: 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact: George Streit, 919 541-2364**

RIN: 2060-AE97

**3910. NESHAP: MANUFACTURERS OF ACRYLIC/MODACRYLIC FIBERS**

CFR Citation: 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact: Lynn Hutchinson, 919 541-5624**

RIN: 2060-AF06

**3911. NESHAP: POLYCARBONATES PRODUCTION**

CFR Citation: 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action with next 12 mos	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact: Mark Morris, 919 541-5416**

RIN: 2060-AF09

**3912. PERMITS FOR EARLY REDUCTIONS SOURCES**

CFR Citation: 40 CFR 71

**Completed:**

Reason	Date	FR Cite
Final Action	11/21/94	59 FR 59921

Small Entities Affected: Businesses

Government Levels Affected: None

**Agency Contact: David Beck, 919 541-5421**

RIN: 2060-AF10

**3913. NESHAP: NYLON 6 PRODUCTION**

CFR Citation: 40 CFR 63

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact: Mark Morris, 919 541-5416**

RIN: 2060-AF27

**3914. • NEW SOURCE PERFORMANCE STANDARDS (NSPS) AND EMISSION GUIDELINES FOR INDUSTRIAL AND COMMERCIAL WASTE INCINERATORS**

Legal Authority: Clean Air Act section 129

CFR Citation: 40 CFR 60

**Legal Deadline:** NPRM, Statutory, November 15, 1993. NPRM, Judicial, March 1, 1996. Final, Statutory, November 15, 1994. Final, Judicial, March 1, 1997.

**Abstract:** Section 129 of the Clean Air Act Amendments requires the Agency to finalize New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Industrial and Commercial Waste Incinerators (ICWIs) by December 20, 1994, sign the proposed NSPS and EG by March 1, 1996 and finalize by March 1, 1997. The Agency has little information on what ICWI sources may be or where they are located. The Agency believes that most incinerators basically operate the same and that the controls for most incinerators are similar. Therefore, unless information is received that leads to consideration of alternative limits, the EPA anticipates using data and information used to develop the Municipal Waste Combustor NSPS and

EG to develop the NSPS and EG for ICWIs.

**Timetable:**

Action	Date	FR Cite
ANPRM Comment Period End	12/28/94	59 FR 66850
Withdrawn - Agency does not plan to publish within the next 12 months	04/05/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3613.

**Agency Contact: George Smith,** Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-1549**

RIN: 2060-AF91

**3915. • TRANSPORTATION CONFORMITY AMENDMENTS: TRANSITION TO THE CONTROL STRATEGY PERIOD**

Legal Authority: 42 USC 7521(a)

CFR Citation: 40 CFR 51; 40 CFR 93

Legal Deadline: None

**Abstract:** These amendments would extend the time before the conformity status of the transportation plan lapses in ozone nonattainment areas whose state implementation plans due November 15, 1994, have been found incomplete. These amendments would also clarify some ambiguous language and make technical corrections which have already been articulated in EPA guidance.

**Timetable:**

Action	Date	FR Cite
NPRM	02/08/95	60 FR 7449
Withdrawn - Agency does not plan to publish within next 12 months	04/05/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3610.

**Agency Contact: Kathryn Sargeant,** Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4441**

RIN: 2060-AF95

**3916. COLD TEMPERATURE CARBON MONOXIDE EMISSIONS AVERAGING**

CFR Citation: 40 CFR 86 subpart A

## EPA—CAA

## Completed/Longterm Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency does not plan any further action at this time.	02/27/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christine Mikolajczyk & Lisa Snapp, 313 668-4200

**RIN:** 2060-AE13

**3917. TIER 2 EMISSION STANDARDS**

**CFR Citation:** 40 CFR 86

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Don Kopinski, 313 668-4229

**RIN:** 2060-AE87

**3918. CONTROL OF MOTOR VEHICLE EVAPORATIVE EMISSIONS**

**CFR Citation:** 40 CFR 86

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Don Kopinski, 313 668-4331

**RIN:** 2060-AE89

**3919. EMISSION DESIGN AND DEFECT WARRANTY AND PARTS LIST**

**CFR Citation:** 40 CFR 85

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Pat Childers, 202 233-9415

**RIN:** 2060-AD56

**3920. REVISIONS TO REGULATIONS ON REGISTRATION OF FUELS AND FUEL ADDITIVES**

**CFR Citation:** 40 CFR 79

**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency does not plan any further action at this time.	02/27/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Joseph P. Fernandes, 202 233-9016

**RIN:** 2060-AC74

**3921. CONTROL OF AIR TOXICS EMISSIONS FROM MOTOR VEHICLES**

**CFR Citation:** 40 CFR 80; 40 CFR 86

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lester Wyborny, 313 668-4473

**RIN:** 2060-AC75

**3922. STANDARDS FOR METHANOL VEHICLE FILLNECKS AND METHANOL FUEL DISPENSERS, AND SPECIFICATIONS FOR METHANOL VEHICLE FUEL**

**CFR Citation:** 40 CFR 80

**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency does not plan any further action at this time.	02/27/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Mueller, 313 668-4275

**RIN:** 2060-AE88

**3923. EMISSION STANDARDS FOR NEW NONROAD SPARK-IGNITION ENGINES AT AND BELOW 19 KILOWATTS (25 HORSEPOWER) (PHASE 2)**

**CFR Citation:** 40 CFR 90

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lucie Audette, 313 741-7850

**RIN:** 2060-AE29

**3924. EMISSION STANDARDS FOR NONROAD RECREATIONAL VEHICLES AND REVISION OF ON-HIGHWAY MOTORCYCLE EMISSION STANDARDS**

**CFR Citation:** 40 CFR 86.401

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Deanne North, 313 741-7850

**RIN:** 2060-AE91

**3925. RESTRICTIONS ON MOTOR VEHICLE AND NON-ROAD ENGINES**

**CFR Citation:** 40 CFR 80

**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency does not plan any further action at this time.	02/27/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Anne-Marie Cooney, 202 233-9013

**RIN:** 2060-AD72

**3926. URBAN BUS PASS/FAIL RATE RULEMAKING**

**CFR Citation:** 49 CFR 86

## EPA—CAA

## Completed/Longterm Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Chris Lieski, 313 668-4584

**RIN:** 2060-AE71

**3927. ACID RAIN PROGRAM: REVISED GROUP 1, PHASE II, NOX EMISSION LIMITATIONS**

**CFR Citation:** 40 CFR 76 (Revision)

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	04/03/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Peter Tsirigotis, 202 233-9133

**RIN:** 2060-AF44

**3928. NOX EMISSION LIMITATIONS FOR GROUP 2 BOILERS**

**CFR Citation:** 40 CFR 76 (Revision)

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish action within next 12 mos	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Peter Tsirigotis, 202 233-9133

**RIN:** 2060-AF48

**3929. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE TO AMEND GRANDFATHERING REQUIREMENTS FOR THE TECHNICIAN CERTIFICATION PROGRAM FOR NATIONAL RECYCLING**

**CFR Citation:** 40 CFR 82, subpart F

**Completed:**

Reason	Date	FR Cite
Final Action	11/09/94	59 FR 55912

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Debbie Ottinger, 202 233-9149

**RIN:** 2060-AF05

**3930. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE TO AMEND LEAK REPAIR PROVISIONS, EQUIPMENT STANDARDS AND SCOPE OF CHEMICALS TO BE RECYCLED UNDER SECTION 608 OF THE AMENDED CAA**

**Completed:**

Reason	Date	FR Cite
Final Action - Duplicate of RIN 2060-AE92 (SAN 3460).	02/28/95	

**RIN:** 2060-AF52

**3931. PROTECTION OF STRATOSPHERIC OZONE: LABELING; SUPPLEMENTAL RULE**

**CFR Citation:** 40 CFR 82

**Completed:**

Reason	Date	FR Cite
Final Action	01/19/94	60 FR 4010

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sue Stendebach, 202 233-9117

**RIN:** 2060-AE51

**3932. USER FEES FOR RADON PROFICIENCY PROGRAMS**

**CFR Citation:** 40 CFR 195; 40 CFR 700

**Completed:**

Reason	Date	FR Cite
Final Action	03/18/94	59 FR 13166

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local

**Agency Contact:** James Long, 202 233-9433

**RIN:** 2060-AC66

**3933. TREATMENT, STORAGE, AND DISPOSAL FACILITY - RCRA AIR EMISSION STANDARDS**

**CFR Citation:** 40 CFR 264 subpart X; 40 CFR 264 subpart AA; 40 CFR 264 subpart BB; 40 CFR 264 subpart CC; 40 CFR 265 subpart I; 40 CFR 265 subpart J; 40 CFR 265 subpart AA; 40 CFR 265 subpart BB; 40 CFR 265 subpart CC

**Completed:**

Reason	Date	FR Cite
Final Action	12/06/94	59 FR 62896

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Michele Aston, 919 541-2363

**RIN:** 2060-AB94

**ENVIRONMENTAL PROTECTION AGENCY (EPA)  
Superfund (CERCLA)**

## Proposed Rule Stage

**3934. REPORTABLE QUANTITY ADJUSTMENTS FOR CARBAMATES**

**Priority:** Substantive, Nonsignificant

**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

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## Proposed Rule Stage

expected to be greater than one pound. Raising the RQs for these substances would decrease the burden on the regulated community for complying with the reporting requirements under CERCLA and EPCRA. Federal, State, and local authorities' burden for implementing these requirements would be reduced. If the Federal, State, or local authorities are releasers of hazardous substances at the RQ level or greater, their reporting obligation would also be reduced by this rule.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3423.

**Agency Contact:** Gerain Perry, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), Washington DC 20460, **703 603-8732**

**RIN:** 2050-AE12

### 3935. ADMINISTRATIVE REPORTING EXEMPTIONS FOR CERTAIN RADIONUCLIDE RELEASES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 9602-9604; 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 releases of hazardous substances that equal or exceed "reportable quantities." 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, which the Agency has done. However, based on those comments, the Agency is now seeking in this rulemaking to get further comments on the possibility of broadening the exemptions. Depending upon the Agency's analysis of comments received, it could either reaffirm or modify the exemptions, thus either leaving unchanged or possibly reducing 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	04/00/95	
Final Action	04/00/96	

**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; 12 Coal Mining; 14 Mining and Quarrying of Nonmetallic Minerals, Except Fuels; 15 Building Construction-General Contractors and Operative Builders; 33 Primary Metal Industries; 40 Railroad Transportation; 44 Water Transportation; Multiple

**Additional Information:** SAN No. 3054.

**Agency Contact:** Gerain H. Perry, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), Washington, DC 20460, **703 603-8732**

**RIN:** 2050-AD46

### 3936. AMENDMENTS TO THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT, SECTIONS 302 THROUGH 312

**Priority:** Other Significant

**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	07/00/95	

**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, (5204G), **202 260-4043**

**RIN:** 2050-AE17

## ENVIRONMENTAL PROTECTION AGENCY (EPA) Superfund (CERCLA)

## Final Rule Stage

### 3937. RISK MANAGEMENT PROGRAM FOR CHEMICAL ACCIDENTAL RELEASE PREVENTION

**Priority:** Economically Significant

**Legal Authority:** PL 101-549; Clean Air Act Section 112(r)

**CFR Citation:** 40 CFR 68

**Legal Deadline:** Final, Statutory, November 15, 1993.

**Abstract:** Section 112(r)(7) of the Clean Air Act (CAA), as amended, required EPA to promulgate by November 15, 1993 reasonable regulations and appropriate guidance to provide for

prevention and detection of accidental releases of chemicals and for response to such releases. The regulations shall require the owner or operator of stationary sources at which a regulated substance is present to prepare and implement a risk management plan (RMP) that must include a hazard

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assessment that evaluates the potential effects of an accidental release of any regulated substance and must also include a five-year accident release history. The RMP must document a prevention program and document a response program that provides specific actions to be taken to protect human health and the environment in response to a release. The RMPs must be registered with EPA and must be submitted to the State in which the facility is located and to any local agency that has responsibility for planning for or responding to chemical accidents. EPA must establish a system for auditing the RMPs to ensure that plans are periodically updated.

EPA published a notice of proposed rulemaking on October 20, 1993. In reviewing close to 1,000 comments received, the Agency recognized the need for a supplemental notice to clarify some of the issues raised by commenters and seek additional public comments on several of the issues. The supplemental notice was signed by the Administrator on February 28, 1995. The deadline for the final RMP rule is March 29, 1996, following which, regulated sources will have three years to comply with the RMP requirements.

EPA promulgated a list of substances and thresholds on January 30, 1994 (59 FR 4478), which determines which facilities must comply with the accident prevention regulations. The regulated universe includes small businesses and state/local/and tribal governments that have more than a threshold quantity of a regulated substance. In order to minimize the impact on smaller sources, EPA is planning to develop model RMPs for industry sectors that utilize similar equipment and handle a single chemical. To further reduce the burden on medium and smaller sources, EPA is planning to develop "lookup tables" for at least the most ubiquitous chemicals that facilities could use in the evaluation of their offsite consequence analysis based on worst-case scenarios.

**Timetable:**

Action	Date	FR Cite
NPRM	10/22/93	58 FR 54190
Supplemental NPRM	03/13/95	60 FR 13526
Final Action	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2979.

ABSTRACT CONT: Model RMPs and "lookup tables" will also ease the burden on State and local agencies responsible for implementing the program and who will reviewing the adequacy and quality of the RMP.

**Agency Contact:** Lyse Helsing, Environmental Protection Agency, Solid Waste and Emergency Response, (5101), Washington, DC 20460, **202 260-6128**

**RIN:** 2050-AD26

**3938. DESIGNATION UNDER CERCLA AND REPORTABLE QUANTITY ADJUSTMENTS FOR CLEAN AIR ACT HAZARDOUS AIR POLLUTANTS; REPORTABLE QUANTITY ADJUSTMENTS OF HAZARDOUS WASTES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 9602/CERCLA 102(a)

**CFR Citation:** 40 CFR 302.4; 40 CFR 117.3; 40 CFR 355

**Legal Deadline:** None

**Abstract:** Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the definition of "hazardous substance" includes substances from various environmental statutes, including the Clean Air Act (CAA) and the Resource Conservation and Recovery Act (RCRA). When substances are added to these statutes, they automatically become CERCLA hazardous substances with a one-pound statutory reportable quantity (RQ). This action will: (1) list on the CERCLA hazardous substances table the hazardous air pollutants added to CAA section 112 that automatically became CERCLA hazardous substances; (2) adjust the statutory one-pound RQs of these substances; (3) list on the CERCLA hazardous substances table the RCRA hazardous wastes that have not been added to the CERCLA table; (4) adjust the RQs for these and other hazardous wastes; including waste streams FO37 and FO38 (sludge from petroleum refinery separation processes). Conforming changes will be made to the Emergency Planning and Community Right-to-Know Act (EPCRA) tables of extremely hazardous

substances. By raising the RQs for these substances, it will decrease the burden on the regulated community for complying with the reporting requirements under CERCLA and EPCRA. Federal, State, and local authorities' burden for implementing these requirements will be reduced. If the Federal, State, or local authorities are releasers of hazardous substances at the RQ level or greater, their reporting obligation will also be reduced by this rule.

**Timetable:**

Action	Date	FR Cite
NPRM	10/22/93	58 FR 54836
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 3000.

**Agency Contact:** Gerain H. Perry, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), Washington, DC 20460, **703 603-8732**

**RIN:** 2050-AD33

**3939. AMENDMENT TO THE NCP APPENDIX: OSWER PROCEDURES FOR CONTRACT LABORATORY PROGRAM (CLP) INVESTIGATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 9601-9675/CERCLA 105

**CFR Citation:** 40 CFR 300

**Legal Deadline:** None

**Abstract:** This rule describes procedures for EPA to deal consistently with Contract Laboratory Program (CLP) labs under investigation for alleged fraud or other corrupt practices. The purpose of the rule is to protect the authenticity and reliability of CLP data and the validity of EPA decisions made using CLP data while protecting the due process and other legal rights of CLP laboratories and individuals.

**Timetable:**

Action	Date	FR Cite
NPRM	05/20/92	40 FR 21576
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

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**Additional Information:** SAN No. 2976.

**Agency Contact:** Hans Crump, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460, **703 603-8821**

**RIN:** 2050-AD34

**3940. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES: PROPOSED AND FINAL RULES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 9605/CERCLA 105; 42 USC 9605(a)(8)(b)/CERCLA 105 (a)(8)(B)

**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	10/00/95	
Final Action Final 15	12/00/95	
Final Action Final 16	04/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 3439. Statute provides for an annual update.

**Agency Contact:** Terry Keidan, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460, **703 603-8852**

**RIN:** 2050-AD75

**3941. AMENDMENTS TO THE EXTREMELY HAZARDOUS SUBSTANCES LIST UNDER SECTION 302 OF THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 99-499/SARA title III

**CFR Citation:** 40 CFR 355

**Legal Deadline:** None

**Abstract:** EPA is correcting errors found in studies used to place the chemicals on the Extremely Hazardous Substances List under Section 302 of the Emergency Planning and Community Right-To-Know Act of 1986. The list became final in the Federal Register on April 22, 1987 (52 FR 13378).

**Timetable:**

Action	Date	FR Cite
NPRM	10/12/94	59 FR 51816
Final Action	10/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local

**Additional Information:** SAN No. 3036.

**Agency Contact:** John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460, **202 260-4043**

**RIN:** 2050-AD50

**ENVIRONMENTAL PROTECTION AGENCY (EPA) Superfund (CERCLA)**

**Completed/Longterm Actions**

**3942. THE NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES; DELETION POLICY FOR RESOURCE CONSERVATION AND RECOVERY (RCRA) FACILITIES**

**CFR Citation:** 40 CFR 300

**Completed:**

Reason	Date	FR Cite
Notice of Policy Statement	03/29/95	60 FR 14641

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** June Wiaz, **703 603-8864**

**RIN:** 2050-AE04

**3943. REPORTING EXEMPTIONS FOR FEDERALLY-PERMITTED RELEASES OF HAZARDOUS SUBSTANCES**

**CFR Citation:** 40 CFR 117; 40 CFR 302; 40 CFR 355

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gerain H. Perry, **703 603-8732**

**RIN:** 2050-AB82

**3944. DELETION OF SACCHARIN FROM THE LIST OF HAZARDOUS WASTES UNDER RCRA AND THE LIST OF HAZARDOUS SUBSTANCES UNDER CERCLA**

**CFR Citation:** 40 CFR 261.33(f); 40 CFR 261; 40 CFR 302.4

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Wanda L. Levine, **202 260-7458**

**RIN:** 2050-AD45

**3945. REPORTABLE QUANTITY ADJUSTMENT FOR RADON-222**

**CFR Citation:** 40 CFR 302

## EPA—CERCLA

## Completed/Longterm Actions

## Completed:

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gerain Perry, 703 603-8732

**RIN:** 2050-AE20

### 3946. RESPONSE ACTION CONTRACTOR INDEMNIFICATION

**CFR Citation:** Not yet determined

#### Completed:

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**Agency Contact:** Barbara McDonough, 202 260-6674

**RIN:** 2050-AE19

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

## Proposed Rule Stage

## General

### 3947. ● GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NON-PROCUREMENT)

**Priority:** Informational

**Legal Authority:** E.O. 12689

**CFR Citation:** 40 CFR 32

**Legal Deadline:** None

**Abstract:** This rule make changes to 40 CFR part 32 to conform to OMB changes in the Governmentwide Suspension and Debarment Common Rule. No internal or public comment will be sought since OMB received comments at the time the Common Rule was proposed for amendment, and all changes are mandatory for EPA.

#### Timetable:

Action	Date	FR Cite
NPRM	04/00/95	

**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. 3600.

**Agency Contact:** Robert F. Meunier, Environmental Protection Agency, Administration and Resource Management, (3902F), Washington, DC 20460, 202 260-8030

**RIN:** 2030-AA39

**Abstract:** The proposed Guideline for Ecological Risk Assessment is 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 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
NPRM	11/00/95	

**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 (8101), Washington, DC 20460, 202 260-6743

**RIN:** 2080-AA07

### 3949. GRANTS AND COOPERATIVE AGREEMENTS WITH STATE, LOCAL, AND INDIAN TRIBAL GOVERNMENTS

**Priority:** Informational

**Legal Authority:** 33 USC 1251et seq.; 42 USC 7401et seq.; 42 USC 300(f) et seq.; 7 USC 136et seq.; 15 USC 2601et seq.; 42 USC 9601et seq.; 20 USC 4011et seq.; 33 USC 1401et seq; OMB Circular A102

**CFR Citation:** 40 CFR 31

**Legal Deadline:** None

**Abstract:** This is a revision to a common rule designed to establish uniform administrative rules for Federal grants and cooperative agreements and subawards to State, local, and Indian tribal governments.

#### Timetable:

Action	Date	FR Cite
NPRM	08/00/95	
Final Action	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Tribal

**Additional Information:** SAN No. 3577.

**Agency Contact:** Richard Mitchell or Ellen Haffa, Environmental Protection Agency, Administration and Resource Management, (PM-216F), Washington, DC 20460, 202 260-5268

**RIN:** 2030-AA34

### 3950. NON-APA CONSOLIDATED RULES OF PRACTICE FOR ADMINISTRATIVE ASSESSMENT OF CIVIL PENALTIES

**Priority:** Informational

**Legal Authority:** 33 USC 1319/CWA 309; 33 USC 1321/CWA 311; 42 USC

### 3948. ● PROPOSED GUIDELINES FOR ECOLOGICAL RISK ASSESSMENT

**Priority:** Informational

**CFR Citation:** None

**Legal Deadline:** None

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Proposed Rule Stage

9609/CERCLA 109; 42 USC 7413/CAA 113; 42 USC 11045/EPCRA 325

**CFR Citation:** 40 CFR 28

**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 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	07/00/95	
Final Action	03/00/96	

**Small Entities Affected:** Undetermined

**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, 202 564-3712

**RIN:** 2020-AA23

**3951. REVISION TO SUBMISSION OF INVOICES CLAUSE**

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)

**CFR Citation:** 48 CFR 1532; 48 CFR 1552

**Legal Deadline:** None

**Abstract:** This action will revise EPA's invoicing requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	09/00/95	

**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. 3578.

**Agency Contact:** Larry Wyborski, Environmental Protection Agency,

Administration and Resource Management, 3802F, Washington, DC 20460, 202 260-6482

**RIN:** 2030-AA35

**3952. EPA POLICIES FOR INFORMATION RESOURCES MANAGEMENT**

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)

**CFR Citation:** 48 CFR 1552

**Legal Deadline:** None

**Abstract:** Proposed Rule will amend EPA Acquisition Regulation (EPAAR) to relocate references to applicable IRM directives from EPAAR to Internet, and to incorporate new directives.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	10/00/95	

**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.

**Additional Information:** SAN No. 3579.

**Agency Contact:** Edward Chambers, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460, 202 260-6028

**RIN:** 2030-AA36

**3953. INCORPORATION OF CLASS DEVIATION INTO EPAAR**

**Priority:** Informational

**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	05/00/95	
Final Action	11/00/95	

**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, 202 260-6028

**RIN:** 2030-AA37

**3954. MERGER OF 40 CFR PARTS 15 AND 32 INTO A SINGLE REGULATION**

**Priority:** Informational

**Legal Authority:** 42 USC 7401 et seq, 33 USC 1251 et seq, EO 11738, EO 12549

**CFR Citation:** 40 CFR 15; 40 CFR 32

**Legal Deadline:** None

**Abstract:** This proposed rule will merge existing statutory and discretionary listing procedures under 40 CFR part 15 into the uniform governmentwide suspension and debarment procedures at 40 CFR part 32, thus eliminating duplicate provisions in the rules and providing clarity for the public and private sector.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3587.

**Agency Contact:** Robert F. Meunier, Environmental Protection Agency, Administration and Resource Management, (3902F), Washington, DC 20460, 202 260-8030

**RIN:** 2030-AA38

**3955. ● EPA MENTOR-PROTEGE PROGRAM**

**Priority:** Informational

**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

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(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	06/00/95	
Final Action	12/00/95	

**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. 3629.

**Agency Contact:** Edward Chambers, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460, **202 260-6028**

**RIN:** 2030-AA40

### 3956. ● CONFIDENTIAL BUSINESS INFORMATION PROVISIONS AND CLAUSES

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)

**CFR Citation:** 48 CFR 1535; 48 CFR 1552; 40 CFR 2

**Legal Deadline:** None

**Abstract:** This action proposes to amend the EPA Acquisition Regulation by revising the prescription for use of solicitation provisions and contact clauses regarding collection, use, access, treatment, and disclosure of confidential business information, and adding solicitation provisions and contract clauses on confidential business information.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
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. 3628.

**Agency Contact:** Louise Senzel, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460, **202 260-6204**

**RIN:** 2030-AA41

### 3957. ● USE OF OPTIONS

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)/EPAAR 205(c)

**CFR Citation:** 48 CFR 1517.202

**Legal Deadline:** None

**Abstract:** This action amends the EPA Acquisition Regulation (EPAAR) to eliminate unnecessary restrictions on the use of options.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/95	
Final Action	10/00/95	

**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. 3601.

**Agency Contact:** Paul Schaffer, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460, **202 260-9032**

**RIN:** 2030-AA43

### 3958. IMPLEMENTATION OF PROCUREMENT INTEGRITY

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)

**CFR Citation:** 48 CFR 1503

**Legal Deadline:** None

**Abstract:** The proposed rule will implement Federal Acquisition Regulation (FAR) guidance concerning procurement integrity.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/95	
Final Action	01/00/96	

**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. 3098.

**Agency Contact:** Larry Wyborski, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460, **202 260-6482**

**RIN:** 2030-AA25

### 3959. SOURCE SELECTION PROCEDURES

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)

**CFR Citation:** 48 CFR 1515

**Legal Deadline:** None

**Abstract:** This action will revise EPA's source selection procedures.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**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. 3255.

**Agency Contact:** Louise Senzel, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460, **202 260-6204**

**RIN:** 2030-AA29

### 3960. AMENDMENTS TO PART 22 CONSOLIDATED PROCEDURAL RULES

**Priority:** Informational

**Legal Authority:** 7 USC 1361; 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

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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	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** SAN No. 2662.

**Agency Contact:** Helene Ambrosino, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2211), Washington, DC 20460, 202 260-0239

**RIN:** 2020-AA13

**3961. AMEND SUBPART H SUPPLEMENTAL RULES TO ENSURE 40 CFR PART 22 RULE CONFORMS TO THE NEW FEDERAL FACILITY COMPLIANCE ACT**

**Priority:** Informational

**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 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 gets 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	04/00/95	

**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, 202 260-9808

**RIN:** 2020-AA22

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

General

**3962. • FINAL GUIDELINES FOR REPRODUCTIVE TOXICITY RISK ASSESSMENT**

**Priority:** Informational

**Legal Authority:** Not applicable

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** These proposed 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	06/00/88	53 FR 24834
Proposed Guidelines for Males	06/00/88	53 FR 24850
Final Guidelines for Males and Females	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** William P. Wood, Environmental Protection Agency, Office of Research and Development, Risk Assessment Forum (8101), Washington, DC 20460, 202 260-6743

**RIN:** 2080-AA05

**3963. • FINAL GUIDELINES FOR CARCINOGEN RISK ASSESSMENT**

**Priority:** Informational

**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

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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
NPRM	08/27/86	51 FR 33992
Final Action	09/00/95	

**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 (8101), Washington, DC 20460, **202 260-6743**

**RIN:** 2080-AA06

**3964. ENHANCED MONITORING PROGRAM**

**Priority:** Economically Significant

**Legal Authority:** Clean Air Act, sections 114(a)(3), 504(b)

**CFR Citation:** 40 CFR 64

**Legal Deadline:** Final, Judicial, April 30, 1995.

**Abstract:** This action is required by the 1990 Clean Air Act amendments to ensure better compliance with existing rules. This program will require major stationary sources to monitor emissions and certify whether continuous compliance with emissions limits has been achieved.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** SAN No. 3584.

**Agency Contact:** Scott Throwe, Environmental Protection Agency, Office of Enforcement and Compliance

Assurance, (2223A), Washington, DC 20460, **202 564-7013**

**RIN:** 2020-AA24

**3965. COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (CERCLA) COST RECOVERY**

**Priority:** Economically Significant

**Legal Authority:** 42 USC 9605 and 9615 /CERCLA 105 and 115

**CFR Citation:** 40 CFR 300; 40 CFR 308

**Legal Deadline:** None

**Abstract:** This rule would (1) establish a new methodology for calculating EPA's indirect cost, thus allowing for full recovery of indirect costs; (2) list categories of documentation of response actions which EPA will maintain, thus adopting unified cost recovery documentation standards for the entire Agency; (3) clarify CERCLA statute of limitations for cost recovery actions; and (4) specify when prejudgment interest begins to accrue.

**Timetable:**

Action	Date	FR Cite
NPRM	08/06/92	57 FR 34742
Final Action	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Analysis:** Regulatory Flexibility Analysis

**Additional Information:** SAN No. 2702.

**Agency Contact:** Lisa Comer, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2244), Washington, DC 20460, **703 603-9068**

**RIN:** 2050-AC98

**3966. AWARD FEE**

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)

**CFR Citation:** 48 CFR 1516; 48 CFR 1552

**Legal Deadline:** None

**Abstract:** This document proposes to amend the EPA Acquisition Regulation on cost-plus-award fee contracts. The proposed rule is necessary to update and clarify EPA policy regarding CPAF contracts and to give Contracting Officers greater flexibility in tailoring award fee plans to individual contracts.

**Timetable:**

Action	Date	FR Cite
NPRM	01/31/95	60 FR 5888
Final Action	06/00/95	

**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. 3438.

**Agency Contact:** Louise Senzel, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460, **202 260-6204**

**RIN:** 2030-AA31

**3967. UNIFORM ADMINISTRATION REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS**

**Priority:** Informational

**Legal Authority:** OMB Circular A-110

**CFR Citation:** 40 CFR 30

**Legal Deadline:** None

**Abstract:** The proposed rule provides standards for obtaining consistency and uniformity among Federal agencies in the administration of grants and cooperative agreements with institutions of higher education, hospitals, and other nonprofit organizations, consistent with OMB Circular A-110.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SAN No. 3436.

**Agency Contact:** Richard Mitchell, Environmental Protection Agency, Administration and Resource Management, (3903F), Washington, DC 20460, **202 260-6077**

**RIN:** 2030-AA32

EPA—GENERAL

Final Rule Stage

**3968. • EPAAR AMENDMENT: REVISIONS TO DELEGATIONS OF AUTHORITY IN EPA'S INTERNAL PROCEDURES FOR ACQUISITION**

**Priority:** Informational

**Legal Authority:** 40 USC 486(c)/EPAAR 205(c)

**CFR Citation:** 48 CFR 1502; 48 CFR 1503; 48 CFR 1505; 48 CFR 1509; 48 CFR 1510; 48 CFR 1513; 48 CFR 1514; 48 CFR 1515; 48 CFR 1522; 48 CFR 1525; 48 CFR 1537; 48 CFR 1542

**Legal Deadline:** None

**Abstract:** This rule will amend the Agency's Acquisition Regulation (EPAAR) to revise the level of delegated authority and raise the dollar threshold for several administrative review requirements. The rule also provides definitions and corrects inconsistencies between the EPAAR and the FAR.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/95	

**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. 3620.

**Agency Contact:** Larry Wyborski, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460, 202 260-6482

**RIN:** 2030-AA42

**3969. 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	12/00/95	

**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, 202 260-5469

**RIN:** 2020-AA21

**3970. ADMINISTRATIVE HEARING PROCEDURES FOR CLASS II PENALTIES UNDER CERCLA AND EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT**

**Priority:** Informational

**Legal Authority:** 42 USC 9609/11045

**CFR Citation:** 40 CFR 22

**Legal Deadline:** None

**Abstract:** This rule will govern the conduct of administrative hearings for all penalties to be assessed under CERCLA Section 109 and SARA Section 325. The rule provides the procedures for these penalty assessments. The action is expected to have a negligible economic impact on consumers, industries, or governmental agencies, but will provide the benefit of uniform procedures for assessing penalties.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/16/89	54 FR 21174
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** SAN No. 2512.

**Agency Contact:** Clarence Featherson, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2272), Washington, DC 20460, 202 260-2868

**RIN:** 2050-AC39

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed/Longterm Actions

General

**3971. INDIAN TRIBES: ELIGIBILITY OF INDIAN TRIBES FOR PROGRAM AUTHORIZATION**

**CFR Citation:** 40 CFR 123; 40 CFR 124; 40 CFR 131; 40 CFR 142; 40 CFR 144; 40 CFR 145; 40 CFR 233; 40 CFR 501

**Completed:**

Reason	Date	FR Cite
Final Action	12/14/94	59 FR 64339

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Tribal

**Agency Contact:** Marshall Cain, 202 260-8792

**RIN:** 2020-AA20

**3972. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS**

**CFR Citation:** 40 CFR 31

**Completed:**

Reason	Date	FR Cite
Final Action	04/19/95	60 FR 19638
Final Action Effective	05/19/95	60 FR 19638

**Small Entities Affected:** None

**EPA—GENERAL**

**Completed/Longterm Actions**

**Government Levels Affected:** State, Local

**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:** Richard Mitchell or Ellen Haffa, 202 260-5268

**RIN:** 2030-AA27

**3973. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS RECEIVING FINANCIAL ASSISTANCE FROM THE EPA (REVISION)**

**CFR Citation:** 40 CFR 7

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rodney Cash, 202 260-4582

**RIN:** 2090-AA09

**3974. PRIVACY ACT OF 1974; PROPOSED ALTERATION OF EXISTING NEW SYSTEM OF RECORDS**

**CFR Citation:** Not applicable

**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency does not plan to publish within next 12 months	03/31/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bruce G. Bellin, 202 260-9668

**RIN:** 2020-AA18

**3975. COMPLIANCE MONITORING AND ENFORCEMENT REQUIREMENTS FOR STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS**

**CFR Citation:** 40 CFR 271.15; 40 CFR 271.16

**Completed:**

Reason	Date	FR Cite
Withdrawn - The Agency does not plan further action at this time.	02/22/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Pollins, 202 564-2270

**RIN:** 2050-AB01

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