federal register

Friday
April 25, 1997

Part XXII

Environmental Protection Agency

Semiannual Regulatory Agenda

ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL-5803-9]

Semiannual Regulatory Agenda

AGENCY: Environmental Protection Agency.

ACTION: Semiannual regulatory agenda.

SUMMARY: The regulatory agenda is a semiannual publication which lists the Environmental Protection Agency's (EPA) current and projected regulations, reviews of existing regulations, and any actions that have been completed or withdrawn since the November 29, 1996, publication. We encourage public participation in developing these regulations.

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

FOR FURTHER INFORMATION CONTACT: If you have suggestions to improve this publication, comments on rules that may substantially impact small entities, or need general information about the agenda, contact Angela Suber, Office of Regulatory Management and Information, Regulatory Management Division (2136), EPA, 401 M Street SW., Washington, DC 20460, (202) 260-7205. If you need substantive information about a particular entry, the name, address, and telephone number of the agency contact who is most familiar with the subject matter is listed for each action.

SUPPLEMENTARY INFORMATION:

Regulatory Priorities and Schedules

EPA is devoting its best efforts toward full protection of human health and the environment and remains fully committed to reinventing its regulations to provide greater environmental protection at less cost. EPA continues to make efforts to reduce paperwork burden, to develop common-sense regulatory actions, and to delete or modify burdensome regulations currently in place. We also give priority to initiatives that offer novel solutions to real environmental problems posed by an industry or locality when generally applicable mandates may prove ineffective or inefficient in a specific application.

How the Agenda Is Organized

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

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

I. Prerulemakings

Prerulemaking actions are intended to determine whether to initiate rulemaking. Prerulemakings may 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 EPA rulemaking actions 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). There is no legal significance to the inadvertent omission of an item from the listing. The agenda shows dates for actions on each entry; these dates are estimates only and should not be construed as an absolute Agency commitment to act on or by the date shown.

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

III. Long-Term Actions

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

IV. Completed Actions

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

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires that an agency prepare a Regulatory Flexibility Analysis for any rule subject to notice and comment rulemaking requirements, unless the Agency certifies that the rule will not have a ''significant economic impact on a substantial number of small entities'' (i.e., small governments, small businesses, and small nonprofit organizations). A Regulatory Flexibility Analysis must identify the extent to which small entities will be subject to the rule's requirements, as well as any significant alternatives to the rule which accomplish the objectives of applicable statutes and which minimize any significant economic impacts on small entities. In the agenda, we have identified those rules that will, if promulgated, impose any requirements on any small entities by indicating in the ''Small Entities Affected'' section the category of small entities that will be subject to the rule requirements. The agenda also indicates in the ''Analysis'' section whether we expect to prepare a Regulatory Flexibility Analysis for a particular rule because currently available information indicates that the rule will likely have a significant adverse economic impact on a

EPA

substantial number of small entities. We invite public comment on our assessment of those rules which are likely to warrant a Regulatory Flexibility Analysis because of the extent of their potential impact on small entities. (See ''Environmental Protection Agency Index to Entries That May Affect Small Entities'' at the end of this document. It also lists the regulatory actions we believe result in regulatory requirements on small businesses, small governmental jurisdictions, or small nonprofit organizations.)

Section 610 of the RFA requires that an agency review within 10 years of promulgation those regulations it has issued that have or will have a significant economic impact on a substantial number of small entities. Section 610 requires that, in reviewing these rules to minimize any significant economic impact on a substantial number of small entities, the agency consider the following factors:

1) The continued need for the rule;

2) The nature of public comments received;

3) The complexity of the rule;

4) The extent to which the rule overlaps or duplicates other Federal rules; and

5) The degree to which technology or economic factors have changed since the rule was promulgated.

In 1995, as part of the President's request that all Federal regulatory agencies review their regulations, EPA did a thorough review of its regulations considering these among other factors. Many of the entries in today's agenda indicate that the regulatory action stems, at least in part, from the Reinventing Government effort and indicates the results of that review (i.e., revises CFR text to reduce burden or duplication or streamline requirements).

Although the Agency believes that these reinvention activities accomplished the objectives of section 610, the Agency is currently reviewing the following rules as part of our reinvention efforts and pursuant to section 610:

(A description and the statutory authority are provided for each of those rules that are not listed elsewhere in this agenda.)

1. NSPS: Industrial Surface Coating: Large Appliances (Clean Air Act, section 111, 42 U.S.C. 7411).

This regulation controls volatile organic compound emissions from industrial surface coating operations for large appliances. It applies to each prime coat or top coat operation. The ''affected facility'' is application station(s), flashoff area, and curing oven. In 1996, this rule was reviewed and found to be necessary to achieve reductions in volatile organic compound emissions needed to help States attain the National Ambient Air Quality Standard for Ozone. As part of that review, it was found that the recordkeeping and reporting burden could be reduced by reducing the frequency of reporting from quarterly to semiannually, without compromising the rule's effectiveness. This was done by final rule on 9/11/96, 61 FR 47840.

2. NSPS: Industrial Surface Coating: Metal Furniture (Clean Air Act, section 111, 42 U.S.C. 7411).

This regulation establishes emission standards for volatile organic compounds from surface coating of metal furniture. The ''affected facility'' includes applications, flashoff, and oven areas of coating line. In 1996, this rule was reviewed and found to be necessary to achieve reductions in volatile organic compound emissions needed to help States attain the National Ambient Air Quality Standard for Ozone. As part of that review, it was found that the recordkeeping and reporting burden could be reduced by reducing the frequency of reporting from quarterly to semiannually, without compromising the rule's effectiveness. This was done by final rule on 9/11/96, 61 FR 47840.

3. NSPS: Industrial Surface Coating: Metal Coils (Clean Air Act, section 111, 42 U.S.C. 7411).

This regulation controls emissions of volatile organic compounds from metal coil industrial surface coating operations. It affects each prime coating and each finish coating operation. In 1996, this rule was reviewed and found to be necessary to achieve reductions in volatile organic compound emissions needed to help States attain the National Ambient Air Quality Standard for Ozone. As part of that review, it was found that the recordkeeping and reporting burden could be reduced by reducing the frequency of reporting from quarterly to semiannually, without compromising the rule's effectiveness. This was done by final rule on 9/11/96, 61 FR 47840.

4. Lead Phasedown (Revision) (Clean Air Act, section 211, 42 U.S.C. 7545).

In 1995, this rule was reviewed and was judged to still be necessary to maintain the ban on lead in gasoline. However, the rule's recordkeeping and reporting requirements were found to be no longer necessary due to Congress' application of a statutory ban on lead in gasoline. These recordkeeping and reporting requirements were repealed by final rule on 2/2/96, 61 FR 3872.

5. Importation of Motor Vehicles and Motor Vehicle Engines (Revision) (Clean Air Act, section 203, 42 U.S.C. 7522).

This rule was first reviewed in 1993 in response to an industry petition and has been reviewed periodically since then to reduce the burden and expense of certifying and testing imported vehicles. The overall rule was found to be necessary to assure that Federal standards on motor vehicle pollution continue to be met. The Agency proposed modifications to reduce the burden on 3/24/94, 59 FR 13912, and 2/12/96, 61 FR 5840. EPA continues to review the program and expects to finalize the remaining burden-reducing provisions in 1997.

6. Amendments to the Asbestos Worker Protection Rule (see RIN 2070-AC66).

7. Amendments to the Asbestos Containing Materials in Schools Rule (see RIN 2070-AC62).

8. Revised Asbestos Model Accreditation Plan (see RIN 2070-AC51).

9. Polychlorinated Biphenyls (PCBs); Disposal Amendments (see RIN 2070-AC01).

While some revisions to these rules have been made or are under development, we request comments on whether additional changes would reduce impacts on small entities while still accomplishing the objectives of the statute authorizing the rule. If you would like to provide any comments on these rules, particularly with respect to potential small entity impacts, please provide your comments in the following format:

- Title of Regulation(s)
- Authorizing statute and Code of Federal Regulations citation
- Description of economic effects on small entities, especially on the commenting person or organization (In commenting, please consider the

EPA

five factors for a 610 review described above.)

- Recommendation(s) for change(s)

Using this same format, we also invite you to identify any other existing rules that you believe the Agency should evaluate under the provisions of section 610 because you believe the rule imposes requirements that have a significant adverse economic impact on a substantial number of small entities. Send your comments to Angela Suber, Office of Regulatory Management and Information, Regulatory Management Division (Mail Code: 2136), USEPA, 401 M Street SW., Washington, DC 20460.

When we complete our review of an existing rule, we will indicate in the agenda whether that rule will be continued without change or will be amended or rescinded consistent with the stated objectives of applicable statutes.

Finally, this agenda also indicates in the ''Priority'' section whether a rule may be considered ''major'' under the Small Business Regulatory Enforcement Fairness Act (SBREFA), which President Clinton signed into law on March 29, 1996. A rule is ''major'' under SBREFA if the Office of Information and Regulatory Affairs of the Office of Management and Budget makes one of several specified findings, including that the rule is likely economically significant.

Dated: March 25, 1997.

Rob Wolcott,

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

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

Sequence Number	Title	Regulation Identifier Number
3022	SAN No. 1640. Worker Protection Standards; Pesticide Hazard Communication	2070-AC34

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

Sequence Number	Title	Regulation Identifier Number
3023	SAN No. 3892. Antimicrobial Pesticide Registration Reform	2070-AD14
3024	SAN No. 2687. Pesticide Data Requirements for Registration (Revision)	2070-AC12
3025	SAN No. 3731. Modifications to Pesticide Worker Protection Standard	2070-AC93

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

Sequence Number	Title	Regulation Identifier Number
3026	SAN No. 3932. Pesticides, Self-Certification	2070-AD00
3027	SAN No. 3739. Cross-Contamination of Pesticide Products	2070-AD03
3028	SAN No. 2684. Regulation of Plant-Produced Pesticides Under FIFRA and FFDCA	2070-AC02
3029	SAN No. 3135. Pesticide Flammability Labeling Requirements for Total Release Foggers	2070-AC60
3030	SAN No. 2371. Restricted Use Criteria for Pesticides in Groundwater	2070-AB60
3031	SAN No. 3222. Pesticides and Groundwater State Management Plan Regulation	2070-AC46
3032	SAN No. 2338. Reporting Requirements for Risk/Benefit Information (Revision)	2070-AB50
3033	SAN No. 3733. Scope and Clarification of the WPS Exceptions Process	2070-AC96
3034	SAN No. 3736. Pesticide Export Policy	2070-AD02
3035	SAN No. 3890. Tolerances for Pesticide Emergency Exemptions	2070-AD15

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

Sequence Number	Title	Regulation Identifier Number
3036	SAN No. 2444. Pesticide Tolerances; Portion of Food Commodities To Be Analyzed for Pesticide Residues	2070-AC45
3037	SAN No. 3113. Endangered Species Protection Program	2070-AC42
3038	SAN No. 3735. The 10-Acre Limitation for Pesticide Small-Scale Field Testing	2070-AC99
3039	SAN No. 3630. Facility Identification Initiative	2070-AD01
3040	SAN No. 3636. Pesticide Labeling Claims	2070-AC85
3041	SAN No. 3732. Exceptions to Pesticide Worker Protection Standard	2070-AC95
3042	SAN No. 2659. Pesticide Management and Disposal: Standards for Pesticide Containers and Containment	2070-AB95
3043	SAN No. 2639. Child-Resistant Packaging Regulations (Revision)	2070-AB96

EPA

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

Sequence Number	Title	Regulation Identifier Number
3044	SAN No. 3892. Antimicrobial Pesticide Registration Reform	2070-AD12
3045	SAN No. 3154. Pesticide Tolerance Decisions Under the Delaney Clause	2070-AC55
3046	SAN No. 2351. Classification of Certain Pesticides for Restricted Use Due to Groundwater Concerns	2070-AC33
3047	SAN No. 2720. Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration	2070-AC08

Toxic Substances Control Act (TSCA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3048	SAN No. 3880. Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know	2070-AD09
3049	SAN No. 3148. Revised Asbestos Model Accreditation Plan	2070-AC51

Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3050	SAN No. 3301. TSCA Inventory Update Rule Amendments	2070-AC61
3051	SAN No. 3388. Deletion of Isopropyl Alcohol; Toxic Chemical Release Reporting; Community Right-To-Know	2070-AC77
3052	SAN No. 3877. Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know	2070-AD08
3053	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
3054	SAN No. 2847. Mandatory Pollution Prevention Reporting for Toxic Release Inventory (TRI)	2070-AC24
3055	SAN No. 3243. Lead Hazard Standards	2070-AC63
3056	SAN No. 3244. Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule	2070-AC64
3057	SAN No. 2249. Amendments to the Asbestos Worker Protection Rule	2070-AC66
3058	SAN No. 3508. TSCA Requirements for the Disposal of Lead-Based Paint Debris	2070-AC72
3059	SAN No. 3894. TSCA Biotechnology Follow-Up Rules	2070-AD13
3060	SAN No. 3990. OECD SIDS High Production Volume Chemical Screening Test Rule	2070-AD16
3061	SAN No. 3494. Proposed Decisions on Test Rules	2070-AB07
3062	SAN No. 2563. ATSDR Substances Test Rule	2070-AB79
3063	SAN No. 2865. Multichemical Endpoint(s) Test Rule; Developmental and Reproductive Toxicity	2070-AC27
3064	SAN No. 2865. Multichemical Endpoint Test Rule; Chemical Fate and Environmental Effects	2070-AC36
3065	SAN No. 3882. Test Rule for Certain Metals	2070-AD10
3066	SAN No. 1923. Follow-Up Rules on Existing Chemicals	2070-AA58
3067	SAN No. 2245. Negotiated Consent Order and Test Rule Procedures	2070-AB30
3068	SAN No. 3047. Amendments to the Asbestos-Containing Materials in Schools Rule	2070-AC62
3069	SAN No. 1923. Significant New Use Rules on National Program Chemicals; Asbestos, Lead, and Refractory Ceramic Fibers	2070-AC37
3070	SAN No. 3834. Amendments to TSCA Section 8(d) Health and Safety Data Model Reporting Rule	2070-AD17
3071	SAN No. 3557. Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling	2070-AC83
3072	SAN No. 3881. Lead Fee Rule for Lead-Based Paint Activities Training and Certification	2070-AD11

Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3073	SAN No. 3034. Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know	2070-AC71
3074	SAN No. 3242. Lead-Based Paint Disclosure Requirements at Renovation of Target Housing	2070-AC65
3075	SAN No. 3755. CFR Regulatory Review Related Initiatives	2070-AC97
3076	SAN No. 3243. Selected Rulemakings for Reducing Risks From Lead Paint, Dust, and Soil	2070-AD06

EPA

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

Sequence Number	Title	Regulation Identifier Number
3077	SAN No. 3493. Final Decisions on Test Rules	2070-AB94
3078	SAN No. 3504. Hazardous Air Pollutants Test Rule	2070-AC76
3079	SAN No. 1976. Follow-Up Rules on Non-5(e) New Chemical Substances	2070-AA59
3080	SAN No. 3495. Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders	2070-AB27
3081	SAN No. 2326. Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)	2070-AB61
3082	SAN No. 3252. Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use	2070-AC21
3083	SAN No. 2779. Use of Acrylamide for Grouting	2070-AC17
3084	SAN No. 3021. Polychlorinated Biphenyls (PCBs) Transformer Reclassification Rule	2070-AC39
3085	SAN No. 2878. Polychlorinated Biphenyls (PCBs) Disposal Amendments	2070-AD04
3086	SAN No. 2178. Section 8(a) Preliminary Assessment Information Rules	2070-AB08
3087	SAN No. 1139. Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
3088	SAN No. 3118. TSCA Section 8(e); Notice of Clarification and Solicitation of Public Comment	2070-AC80
3089	SAN No. 3559. Notice of TSCA Section 4 Reimbursement Period and TSCA Section 12(b) Export Notification Period Sunset Dates for TSCA Section 4 Substanees	2070-AC84

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

Sequence Number	Title	Regulation Identifier Number
3090	SAN No. 3007. Chemical List Expansion; Emergency Planning and Community Right-To-Know Act Section 313	2070-AC47
3091	SAN No. 3480. Development of Guidance as Mandated by Executive Order 12873, Section 503 on Environmentally Preferable Products	2070-AC78
3092	SAN No. 2146. Regulatory Investigation of Formaldehyde	2070-AB14
3093	SAN No. 2150. Polychlorinated Biphenyls (PCBs): Exemptions From the Prohibitions Against Manufacturing, Processing, and Distribution in Commerce; New Applications and Renewals	2070-AB20
3094	SAN No. 2560. Procedures and Criteria for Termination of Polychlorinated Biphenyls (PCBs) Disposal Permits	2070-AB81
3095	SAN No. 2844. Regulatory Investigation of Dioxin in Pulp and Paper Mill Sludge	2070-AC05

Toxic Substances Control Act (TSCA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3096	SAN No. 3631. Evaluation of Products for Lead-Based Paint Activities	2070-AC88
3097	SAN No. 2247. Generic Significant New Use Rule (SNUR) for Acrylate Compounds	2070-AB56
3098	SAN No. 2878. Polychlorinated Biphenyls - PCBs - Disposal Amendments	2070-AC01

Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3099	SAN No. 3662. Water Quality Standards Regulation—Revision	2040-AC56

Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3100	SAN No. 3995. Amendment to the Pesticide Chemicals Manufacturing Effluent Limitations Guidelines; Pretreatment Standards; New and Exisiting Sources	2040-AD01

EPA

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

Sequence Number	Title	Regulation Identifier Number
3101	SAN No. 3999. Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges	2040-AD02
3102	SAN No. 3504. Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California	2040-AC44
3103	SAN No. 3788. Streamlining the State Sewage Sludge Management Regulations	2040-AC87
3104	SAN No. 3497. Amendments to Round I Final Sewage Sludge Use or Disposal Rule - Phase Two	2040-AC53
3105	SAN No. 2805. Effluent Guidelines and Standards for the Centralized Waste Treatment Industry	2040-AB78
3106	SAN No. 3209. Effluent Guidelines and Standards for the Industrial Laundries Category	2040-AB97
3107	SAN No. 3204. Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category	2040-AB98
3108	SAN No. 3489. Effluent Guidelines and Standards for Landfills and Incinerators	2040-AC23
3109	SAN No. 3786. NPDES Streamlining Rule—Round III	2040-AC84
3110	SAN No. 3804. Streamlining 301(h) Waiver Renewal Requirements	2040-AC89
3111	SAN No. 3702. Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	2040-AC75
3112	SAN No. 3701. Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act	2040-AC76
3113	SAN No. 3767. Reformatting of Effluent Guidelines and Standards in 40 CFR Parts 405 through 471	2040-AC79
3114	SAN No. 3663. Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution	2040-AC58
3115	SAN No. 3714. Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136	2040-AC92
3116	SAN No. 3925. Uniform National Discharge Standards for Armed Forces Vessels	2040-AC96
3117	SAN No. 3234. Revision of NPDES Industrial Permit Application Requirements and Form 2C—Wastewater Discharge Information	2040-AC26
3118	SAN No. 3785. Comprehensive NPDES Stormwater Phase II Regulations	2040-AC82

Clean Water Act (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3119	SAN No. 3497. Amendments to Round I Final Sewage Sludge Use or Disposal Rule—Phase One	2040-AC29
3120	SAN No. 3713. Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136	2040-AC93
3121	SAN No. 3921. Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System	2040-AC97
3122	SAN No. 2712. Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category	2040-AB53
3123	SAN No. 3762. NPDES Streamlining Rule—Round II	2040-AC70
3124	SAN No. 3661. Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance	2040-AC55
3125	SAN No. 3625. Streamlined Procedures for Developing and Maintaining Approved Publicly-Owned Treatment Works Pretreatment Programs	2040-AC57
3126	SAN No. 3617. Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC63
3127	SAN No. 3679. Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act	2040-AC64
3128	SAN No. 3155. Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act	2040-AC95
3129	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
3130	SAN No. 2501. NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal	2040-AB39
3131	SAN No. 2820. Shore Protection Act, Section 4103(b) Regulations	2040-AB85

Clean Water Act (CWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3132	SAN No. 3618. Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC54
3133	SAN No. 3448. Standards for the Use or Disposal of Sewage Sludge (Round II)	2040-AC25

EPA

Clean Water Act (CWA)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3134	SAN No. 1427. Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category	2040-AA13
3135	SAN No. 2806. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2	2040-AB79
3136	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
3137	SAN No. 3833. Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category	2040-AC90
3138	SAN No. 3700. Streamlining Revisions to the Water Quality Planning and Management Regulations	2040-AC65
3139	SAN No. 3722. Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards	2040-AC74
3140	SAN No. 2804. Clean Water Act Section 404 Program Definition of the Waters of the United States—Isolated Waters and Artificial Waters	2040-AB74
3141	SAN No. 3224. Comparison of Dredged Material to Reference Sediment	2040-AC14
3142	SAN No. 2737. Revisions to Ocean Dumping Regulations for Dredged Material	2040-AB62

Clean Water Act (CWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3143	SAN No. 3861. Streamlining National Pollutant Discharge Elimination System Requirements, Including General Pretreatment Requirements	2040-AC69
3144	SAN No. 3887. Revisions to the PCB Criteria for Human Health and Wildlife for the Water Quality Guidance for the Great Lakes System	2040-AC94
3145	SAN No. 2747. Effluent Guidelines and Standards for the Coastal Subcategory of the Oil and Gas Extraction Category	2040-AB72
3146	SAN No. 3496. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phase II	2040-AC30
3147	SAN No. 3766. Water Quality Standards for Pennsylvania	2040-AC78

Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3148	SAN No. 2073. Environmental Protection Agency Radiation Site Cleanup Regulation	2060-AB31

Atomic Energy Act (AEA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3149	SAN No. 3321. Federal Radiation Protection Guidance for Exposure of the General Public	2060-AE61

Atomic Energy Act (AEA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3150	SAN No. 3602. Protective Action Guidance for Drinking Water	2060-AF39

EPA

Atomic Energy Act (AEA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3151	SAN No. 1727. Environmental Protection Standards for Low-Level Radioactive Waste	2060-AA04

Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3152	SAN No. 3947. Drinking Water Consumer Confidence Report Regulations	2040-AC99
3153	SAN No. 3726. Analytical Methods for Regulated Drinking Water Contaminants	2040-AC77
3154	SAN No. 3761. Streamlining Drinking Water Monitoring Requirements	2040-AC73

Safe Drinking Water Act (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3155	SAN No. 3440. National Primary Drinking Water Regulations for Lead and Copper	2040-AC27
3156	SAN No. 3563. Reformatting of Drinking Water Regulations	2040-AC41

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

Sequence Number	Title	Regulation Identifier Number
3157	SAN No. 3996. Revisions to State Primacy Requirements To Implement Federal Drinking Water Regulations	2040-AD00
3158	SAN No. 2281. National Primary Drinking Water Regulations: Radon	2040-AA94
3159	SAN No. 2340. National Primary Drinking Water Regulations: Groundwater Disinfection	2040-AA97
3160	SAN No. 2807. National Primary Drinking Water Regulations: Arsenic	2040-AB75
3161	SAN No. 2772. National Primary Drinking Water Regulations: Stage I Disinfectant/ Disinfection By-Products Rule	2040-AB82
3162	SAN No. 3176. National Primary Drinking Water Regulations: Sulfate	2040-AC07
3163	SAN No. 3238. National Primary Drinking Water Standards for Aldicarb	2040-AC13
3164	SAN No. 3784. Underground Injection Control Program Streamlining Rule	2040-AC83
3165	SAN No. 2304. National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule	2040-AC91
3166	SAN No. 3992. National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters	2040-AC98
3167	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)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3168	SAN No. 3509. National Primary Drinking Water Regulations: Phase VI-B— Organic and Inorganic Contaminants	2040-AC22
3169	SAN No. 3862. Streamlining Revisions to the National Primary Drinking Water Regulations	2040-AC66
3170	SAN No. 3803. Analytic Methods for Measuring Radionuclides in the Drinking Water Program	2040-AC88

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3171	SAN No. 3886. Review of Toxicity Characteristic Level for Silver Under the Resource Conservation Recovery Act (RCRA)	2050-AE37

EPA

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

Sequence Number	Title	Regulation Identifier Number
3172	SAN No. 2634. Revisions to the Oil Pollution Prevention Regulation	2050-AC62
3173	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
3174	SAN No. 3668. Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards	2050-AE28
3175	SAN No. 3805. Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste	2050-AE32
3176	SAN No. 3989. Removal of Requirement To Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)	2050-AE41
3177	SAN No. 2872. Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General	2050-AD18
3178	SAN No. 3151. Chlorinated Aliphatics Listing Determination	2050-AD85
3179	SAN No. 2390. Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities	2050-AB80
3180	SAN No. 3545. Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials	2050-AE23
3181	SAN No. 3856. Management of Cement Kiln Dust (CKD)	2050-AE34

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

Sequence Number	Title	Regulation Identifier Number
3182	SAN No. 3888. Mercury-Containing and Rechargeable Battery Management Act; Codification of Waste Management Provisions	2050-AE39
3183	SAN No. 3546. Flexibility in Management Criteria for Small Municipal Solid Waste Landfills	2050-AE24
3184	SAN No. 3328. Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste	2050-AE07
3185	SAN No. 3042. Hazardous Waste Management System: Post-Closure Requirements	2050-AD55
3186	SAN No. 3065. Listing Determination for Hazardous Wastes—Organobromines Chemical Industry	2050-AD79
3187	SAN No. 3134. Spent Solvents Listing Determination	2050-AD84
3188	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
3189	SAN No. 3179. RCRA Subtitle D Corporate Financial Test and Guarantee	2050-AD77
3190	SAN No. 3066. Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments	2050-AD80
3191	SAN No. 3064. Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes	2050-AD88
3192	SAN No. 3333. Revised Standards for Hazardous Waste Combustion Facilities	2050-AE01
3193	SAN No. 3366. Land Disposal Restrictions—Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues	2050-AE05
3194	SAN No. 2647. RCRA Subtitle C Financial Test Criteria (Revision)	2050-AC71
3195	SAN No. 2751. RCRA Subtitle D Solid Waste Facilities; State Permit Program— Determination of Adequacy	2050-AD03

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

Sequence Number	Title	Regulation Identifier Number
3196	SAN No. 3425. Facility Response Planning for Delegated Offshore Facilities	2050-AE18
3197	SAN No. 3428. Standards for the Management and Use of Slag Residues Derived from High Temperature Metals Recovery (HTMR) Treatment of KO61, KO62 and Food Wastes	2050-AE15
3198	SAN No. 3189. Final Determination of the Applicability of the Toxicity Characteristic Rule to Underground Storage Tanks, Contaminated Media, and Debris	2050-AD69
3199	SAN No. 3201. Regulatory Determination on Remaining Wastes From the Combustion of Fossil Fuels	2050-AD91
3200	SAN No. 3237. Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps	2050-AD93

EPA

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

Sequence Number	Title	Regulation Identifier Number
3201	SAN No. 2982. Requirements for Management of Hazardous Contaminated Media Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media	2050-AE22
3202	SAN No. 3147. Hazardous Waste Manifest Regulation	2050-AE21
3203	SAN No. 3433. Underground Storage Tanks Containing Hazardous Substances - Financial Responsibility Requirements	2050-AC15

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3204	SAN No. 3988. Land Disposal Restrictions Phase III; Emergency Extension of the K088 Capacity Variance	2050-AE40
3205	SAN No. 3235. Military Munitions Rule: Hazardous Waste Identification and Management; Explosives Emergencies; Redefinition of On-Site	2050-AD90
3206	SAN No. 2827. RCRA Subtitle C Indian Program Authorization	2050-AD07
3207	SAN No. 2761. Financial Test for Local Governments That Own/Operate Municipal Solid Waste Landfills	2050-AD04

Clean Air Act (CAA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3208	SAN No. 3986. Consolidated Emission Reporting Rule	2060-AH25
3209	SAN No. 3791. Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990	2060-AG42
3210	SAN No. 3919. Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for non-Federal Class I Areas	2060-AH01

Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3211	SAN No. 3945. State Implementation Plan Calls for Certain States in the Ozone Transport Assessment Group for Purposes of Reducing Regional Transport of Ozone	2060-AH10
3212	SAN No. 3944. Review of Definiton of Volatile Organic Compounds - Exclusion of Chlorobromomethane	2060-AH39
3213	SAN No. 3873. Waste Isolation Pilot Plant (WIPP) Compliance Certification Rulemaking	2060-AG85
3214	SAN No. 2961. Locomotive Emission Standards	2060-AD33
3215	SAN No. 3263. Performance Warranty and Inspection/Maintenance Test Procedures	2060-AE20
3216	SAN No. 3262. Inspection/Maintenance Recall Requirements	2060-AE22
3217	SAN No. 3407. Method 301: Field Validation of Pollution Measurement Methods for Various Medias	2060-AF00
3218	SAN No. 3549. NESHAP: Petroleum Refineries - FCC Units, Reformers and Sulfur Plants	2060-AF28
3219	SAN No. 3082. NESHAP: Ferroalloy Production	2060-AF29
3220	SAN No. 3553. Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations	2060-AF34
3221	SAN No. 3516. Radiation Waste Management Regulations	2060-AF41
3222	SAN No. 3569. Federal Implementation Plan To Control Emissions From Two Power Stations Located on Navajo Nation Lands	2060-AF42
3223	SAN No. 3572. Acid Rain Program: Revisions to Applicability, Exemptions, Allocations, and Small Diesel Refineries	2060-AF45
3224	SAN No. 3576. Control of Air Pollution From Aircraft and Aircraft Engines; Emission Standards and Test Procedures	2060-AF50
3225	SAN No. 3649. Amendments to Method 24 (Water-Based Coatings)	2060-AF72
3226	SAN No. 3637. Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2060-AF84
3227	SAN No. 3598. Amendment of Enhanced Inspection/Maintenance Performance Standard	2060-AG07

EPA

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

Sequence Number	Title	Regulation Identifier Number
3228	SAN No. 3599. Fourier Transform Infrared Spectroscopy (FTIR) Extractive Test Method - Self-Validating Procedure and CEM Performance Specification	2060-AG08
3229	SAN No. 3743. Amendments to Part 60, Part 61, and Part 63	2060-AG21
3230	SAN No. 3650. Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead	2060-AG23
3231	SAN No. 3748. Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry	2060-AG28
3232	SAN No. 3845. Transitional Lock-In Procedures for Phase II Reformulated Gasoline (RFG) Program	2060-AG43
3233	SAN No. 3808. Acid Rain Program: Continuous Emission Monitoring Rule Revisions for Technical Issues	2060-AG46
3234	SAN No. 3810. Protection of Strat. Ozone: Reconsideration of Petition Criteria/Incorporation of 1995 Protocol Decisions	2060-AG48
3235	SAN No. 3812. Radiation Protection Standards for Scrap Metal	2060-AG51
3236	SAN No. 3832. Revision of PSI (Part 58 Appendix G)	2060-AG62
3237	SAN No. 3814. Guidance for the Implementation of EPA's Radiation Protection Standards for the Management and Storage of Transuranic Radioactive Waste at the Waste Isolation Pilot Plant (WIPP)	2060-AG74
3238	SAN No. 3898. 1998 Revision of Acid Rain Allowance Allocations	2060-AG86
3239	SAN No. 3900. Addition of Method 207 to Appendix M of 40 CFR Part 51 - Method for Measuring Isocyanates in Stationary Source Emissions,	2060-AG88
3240	SAN No. 3279. State Implementation Plans; Milestone Compliance Demonstration	2060-AG89
3241	SAN No. 3868. Federal Operating Permits Program in Indian Country	2060-AG90
3242	SAN No. 3901. Revised Permit Revision Procedures for the Federal Operating Permits Program	2060-AG92
3243	SAN No. 3913. Revision to the Light-Duty Vehicle Emission Compliance Procedure	2060-AH05
3244	SAN No. 3912. Emission Regulations for 1978 and Later New Motorcycles— Proposed Changes to the Definition of Weight Limitations for Motorcycles	2060-AH06
3245	SAN No. 3987. Addition of Method 14A to 40 CFR Part 60, Appendix A	2060-AH24
3246	SAN No. 3982. Protection of Stratospheric Ozone: Control of Methyl Bromide Emissions Through Use of Tarps	2060-AH26
3247	SAN No. 3943. Review of Definition of Volatile Organic Compounds - Exclusion of Methyl Acetate	2060-AH27
3248	SAN No. 3978. Revisions to Service Information Availability Requirements	2060-AH28
3249	SAN No. 3981. Revisions for Opting Into the Acid Rain Program	2060-AH36
3250	SAN No. 3975. Review of New Sources and Modifications in Indian Country	2060-AH37
3251	SAN No. 3984. Ban the Sale of Halon Blends and the Intentional Release of Halons During Testing and Training	2060-AH44
3252	SAN No. 3977. Revisions To Clarify the Permit Content Requirements for State Operating Permits	2060-AH46
3253	SAN No. 3568. Environmental Radiation Protection Standards for Yucca Mountain, Nevada	2060-AG14
3254	SAN No. 3974. Ambient Air Quality Surveillance: Changes To Accommodate Revised Ozone NAAQS & Implementation Strategies	2060-AH30
3255	SAN No. 3470. Next Revision of Appendix W to 40 CFR Part 51	2060-AF01
3256	SAN No. 3105. Integrated NESHAP and Effluent Guidelines: Pulp and Paper	2060-AD03
3257	SAN No. 3461. NESHAP: Mineral Wool Production Industry	2060-AE08
3258	SAN No. 3229. NESHAP: Oil and Natural Gas Production	2060-AE34
3259	SAN No. 3228. NESHAP for Formaldehyde-Based Resins (Polymers and Resins Group III)	2060-AE36
3260	SAN No. 3345. NESHAP: Steel Pickling, HC1 Process	2060-AE41
3261	SAN No. 3340. NESHAP: Primary Copper Smelting	2060-AE46
3262	SAN No. 3479. Amendments to Parts 51, 52, 63, 70 and 71 Regarding the Provisions for Determining Potential To Emit	2060-AE63
3263	SAN No. 3123. NESHAP: Wool Fiberglass Manufacturing Industry	2060-AE75
3264	SAN No. 3078. NESHAP: Secondary Aluminum Industry	2060-AE77
3265	SAN No. 3079. NESHAP: Portland Cement Manufacturing	2060-AE78
3266	SAN No. 3408. NESHAP: Polyether Polyols Production	2060-AE81
3267	SAN No. 3451. NESHAP: Pharmaceuticals Production	2060-AE83
3268	SAN No. 3450. NESHAP: Pesticide Active Ingredient Production (Production of Agricultural Chemicals)	2060-AE84
3269	SAN No. 3449. NESHAP: Chlorine Production	2060-AE85
3270	SAN No. 3467. NESHAP: Primary Lead Smelters	2060-AE97
3271	SAN No. 3378. NESHAP: Manufacturers of Acrylic/Modacrylic Fibers	2060-AF06
3272	SAN No. 3465. NESHAP: Polycarbonates Production	2060-AF09
3273	SAN No. 3377. Publicly Owned Treatment Works (POTW) NESHAP	2060-AF26
3274	SAN No. 3551. Amendments to Subpart A and B for 40 CFR 63	2060-AF31
3275	SAN No. 3829. Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities	2060-AG60
3276	SAN No. 3901. Generic MACT for Source Categories with Few Sources	2060-AG91
3277	SAN No. 3654. NESHAP: Hydrogen Fluoride Production	2060-AG94
3278	SAN No. 3193. NESHAP: Secondary Lead Smelter Amendment	2060-AH07

EPA

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

Sequence Number	Title	Regulation Identifier Number
3279	SAN No. 2841. NESHAP: Chromium Electroplating Amendment	2060-AH08
3280	SAN No. 3960. Specific Pollutants: List of Categories Emitting 7 Specified Hazardous Air Pollutants	2060-AH20
3281	SAN No. 3613. New Source Performance Standards (NSPS) and Emission Guidelines for Industrial and Commercial Waste Incinerators	2060-AF91
3282	SAN No. 3917. Transportation Conformity Rule Amendment: Clarification of Trading Provisions	2060-AH31
3283	SAN No. 3914. Transportation Conformity Pilot Approval; Comformity SIP	2060-AH32
3284	SAN No. 3838. Reduction of Volatile Organic Compound (VOC) Emissions From Coatings Used in the Aerospace, Wood Furniture, and Shipbuilding Industries Under Clean Air Act Section 183(e)	2060-AG59
3285	SAN No. 3139. Amendment Concerning the Location of Selective Enforcement Audits of Foreign Manufactured Vehicles and Engines	2060-AD90
3286	SAN No. 3979. Review of Federal Test Procedures for Emissions From Motor Vehicles; Test Procedure Adjustments to Fuel Economy and Emission Test Results	2060-AH38
3287	SAN No. 3091. Specification of Substantially Similar Definition for Diesel Fuels	2060-AD77
3288	SAN No. 3844. Modifications to Standards for Reformulated and Conventional Gasoline	2060-AG76
3289	SAN No. 3842. Amendment Concerning Applicability of On Highway Heavy-Duty Certified Engines for Use in Nonroad Heavy-Duty Vehicles and Equipment	2060-AG78
3290	SAN No. 3361. Nonroad Spark-Ignition Engines at or Below 19 Kilowatts (25 Horsepower) (Phase 2)	2060-AE29
3291	SAN No. 3915. Technical Amendments for Non-Road Compression Ignition Engines	2060-AH33
3292	SAN No. 3916. Amendment to Urban Bus Retrofit/Rebuild Program Regulations	2060-AH45
3293	SAN No. 3352. NSPS: Nitrogen Oxide Emissions From Fossil-Fuel Fired Steam Generating Units—Revision	2060-AE56
3294	SAN No. 3560. Amendment to the Refrigerant Recycling Rule To Include All Refrigerants	2060-AF37
3295	SAN No. 3673. Protection of Stratospheric Ozone: Reconsideration of Section 608 Sales Restriction	2060-AG20
3296	SAN No. 3910. Streamlined Evaporative Test Procedures	2060-AH34
3297	SAN No. 3983. Servicing of Motor Vehicle Air Conditioners: Standards for Equipment That Recovers and Recycles Refrigerants Other Than CFC-12 and HCF-134A	2060-AH29
3298	SAN No. 3640. Supplemental Rule To Require Certain Products Made With HCFCs To Bear Warning Label	2060-AF93
3299	SAN No. 3525. Update of the Acceptability List Under the Significant New Alternatives Policy (SNAP) Program	2060-AG12

Clean Air Act (CAA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3300	SAN No. 2942. Compliance Assurance Monitoring Program (Previously Enhanced Monitoring Program)	2060-AD18
3301	SAN No. 3448. NAAQS: Particulate Matter (Review)	2060-AE66
3302	SAN No. 3380. NSPS: Synthetic Organic Chemicals Manufacturing Industry - Wastewater	2060-AE94
3303	SAN No. 3506. Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources	2060-AF02
3304	SAN No. 3570. Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act	2060-AF43
3305	SAN No. 3573. Acid Rain Program: Deletion of Certain Units	2060-AF46
3306	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
3307	SAN No. 3412. Operating Permits: Revisions (Part 70)	2060-AF70
3308	SAN No. 2915. Methods for Measurement of Visible Emissions - Addition of Methods 203A, 203B, and 203C to Appendix M of Part 51	2060-AF83
3309	SAN No. 3638. Revision of EPA's Radiological Emergency Response Plan	2060-AF85
3310	SAN No. 3643. Sales Volume Limit Provisions for Small-Volume Manufacture Certification for Clean Fuel and Conventional Vehicle Conversions and Related Provisions	2060-AF87
3311	SAN No. 3740. Transportation Conformity Rule Amendments: Flexibility and Streamlining	2060-AG16
3312	SAN No. 3744. Amendment to Standards of Performance for New Stationary Sources; Monitoring Requirements (PS-1)	2060-AG22
3313	SAN No. 3750. Regulation Review/Burden Reduction	2060-AG30
3314	SAN No. 3811. Radionuclide Dose Methodology Update	2060-AG49
3315	SAN No. 3838. Revision to Definition of Volatile Organic Compounds (VOC) - Exclusion of 16 Compounds	2060-AG70
3316	SAN No. 3911. Tier II (Phase II) Study To Assess Further Reductions in LOV and LDT Tailpipe Emission Standards	2060-AH04
3317	SAN No. 3958. Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)	2060-AH23

EPA

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

Sequence Number	Title	Regulation Identifier Number
3318	SAN No. 3087. Indian Tribes: Air Quality Planning and Management	2060-AF79
3319	SAN No. 1002. NAAQS: Sulfur Dioxide (Review and Implementation)	2060-AA61
3320	SAN No. 3353. NAAQS: Ozone (Review)	2060-AE57
3321	SAN No. 2719. Medical Waste Incinerators (MWI)	2060-AC62
3322	SAN No. 3753. Revision to NSPS: Nonmetallic Minerals Processing	2060-AG33
3323	SAN No. 3965. NSPS Revisions for Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	2060-AH16
3324	SAN No. 3303. NESHAP: Phosphoric Acid Manufacturing	2060-AE40
3325	SAN No. 3304. NESHAP: Phosphate Fertilizers Production	2060-AE44
3326	SAN No. 3072. NESHAP: Primary Aluminum Plants	2060-AE76
3327	SAN No. 3338. NESHAP: Flexible Polyurethane Foam Production	2060-AE86
3328	SAN No. 3469. NESHAP: Manufacture of Tetrahydrobenzaldehyde	2060-AE99
3329	SAN No. 2547. National Emission Standard for Radon Emissions From Phosphogypsum Stacks	2060-AF04
3330	SAN No. 3836. Technical Amendments to Aerospace NESHAP	2060-AG65
3331	SAN No. 2965. Wood Furniture Manufacturing Operations NESHAP: Technical Corrections and Clarifications	2060-AG95
3332	SAN No. 3604. Standards for Reformulated and Conventional Gasoline, Individual Baseline Fuel Adjustments	2060-AG80
3333	SAN No. 3948. Fuels and Fuel Additives; Elimination of Oxygenated Program Reformulated Gasoline Category From the Reformulated Gasoline Regulations	2060-AH43
3334	SAN No. 3610. Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program	2060-AG79
3335	SAN No. 3281. National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings	2060-AE35
3336	SAN No. 3351. VOC Regulation for Architectural Coatings	2060-AE55
3337	SAN No. 3658. National VOC Emission Standards for Consumer Products	2060-AF62
3338	SAN No. 3660. Open-Market Trading Guidance	2060-AF60
3339	SAN No. 3300. Revised Carbon Monoxide (CO) Standard for Class I and II Nonhandheld New Nonroad Phase I Small Spark-Ignited Engines	2060-AG81
3340	SAN No. 3646. National 49-State Low-Emission Vehicles Program	2060-AF75
3341	SAN No. 3645 and 3878 Control of Emissions of Air Pollution From Highway Heavy-Duty Engines and Nonroad Diesel Engines	2060-AF76
3342	SAN No. 3843. Revision to the Covered Areas Provision for Reformulated Gasoline	2060-AG77
3343	SAN No. 3789. Outer Continental Shelf Air Regulations Delegation Remand	2060-AG39
3344	SAN No. 3790. Outer Continental Shelf Air Regulations Offset Remand	2060-AG40
3345	SAN No. 3555. Final Rule for Servicing of Motor Vehicle Air Conditioners	2060-AF35
3346	SAN No. 3556. Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608	2060-AF36
3347	SAN No. 3792. Hazardous Waste Treatment, Storage and Disposal Facilities (TSDF) and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers	2060-AG44

Clean Air Act (CAA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3348	SAN No. 3964. NESHAP for Leather Tanning and Finishing Operations	2060-AH17
3349	SAN No. 3259. New Source Review (NSR) Reform	2060-AE11
3350	SAN No. 3741. Service Information Availability	2060-AG13
3351	SAN No. 3795. Acid Rain Program: Elimination of Direct Sale Program and IPP Written Guarantee; and ANPRM To Modify Allowance Auction	2060-AG41
3352	SAN No. 3819. NSPS for Sewage Sludge Incinerators	2060-AG50
3353	SAN No. 3820. NESHAP for Plywood and Particle Board Manufacturing	2060-AG52
3354	SAN No. 3835. Amendment to the User Fees for Radon Proficiency Programs Rule	2060-AG64
3355	SAN No. 3966. Storage Tank Rule Revisions	2060-AH15
3356	SAN No. 3656. Internal Combustion Engine NESHAP/NSPS	2060-AG63
3357	SAN No. 3657. Combustion Turbine NESHAP/NSPS	2060-AG67
3358	SAN No. 3343. NESHAP—Iron Foundries and Steel Foundries	2060-AE43
3359	SAN No. 3341. NESHAP—Cyanide Chemical Manufacturing	2060-AE45
3360	SAN No. 3346. NESHAP: Integrated Iron and Steel	2060-AE48
3361	SAN No. 3326. NESHAP: Reinforced Plastic Composites Production	2060-AE79

EPA

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

Sequence Number	Title	Regulation Identifier Number
3362	SAN No. 3452. NESHAP: Miscellaneous Organic Chemical Production and Processes	2060-AE82
3363	SAN No. 3550. NESHAP: Baker's Yeast Manufacturing Industry	2060-AF30
3364	SAN No. 3746. National Emission Standard for Hazardous Air Pollutants for Paint Stripper Users	2060-AG26
3365	SAN No. 3747. NESHAP for Boat Manufacturing	2060-AG27
3366	SAN No. 3749. NESHAP for Tire Manufacturing	2060-AG29
3367	SAN No. 3752. NESHAP for Aerosol Can Filling Facilities	2060-AG32
3368	SAN No. 3754. Petroleum Solvent Dry Cleaners MACT Standard	2060-AG34
3369	SAN No. 3821. NESHAP for Ethylene Processes	2060-AG53
3370	SAN No. 3823. Large Appliance Coatings Integrated Regulation	2060-AG54
3371	SAN No. 3655. Asphalt Roofing and Processing NESHAP	2060-AG66
3372	SAN No. 3652. NESHAP Chromium Refractories	2060-AG68
3373	SAN No. 3837. NESHAP for Industrial, Commercial and Institutional Boilers and Process Heaters	2060-AG69
3374	SAN No. 3651. NESHAP: Lime Manufacturing	2060-AG72
3375	SAN No. 3872. Industrial Combustion Coordinated Rulemaking - ICCR Project	2060-AG84
3376	SAN No. 3899. NESHAP: Friction Products Manufacturing	2060-AG87
3377	SAN No. 3902. NESHAP: Semiconductor Production	2060-AG93
3378	SAN No. 3906. NESHAP: Metal Can (Surface Coating) Industry	2060-AG96
3379	SAN No. 3905. NESHAP: Metal Coil (Surface Coating) Industry	2060-AG97
3380	SAN No. 3909. NESHAP: Fabric Printing, Coating and Dyeing	2060-AG98
3381	SAN No. 3907. Automobile and Light-Duty Truck Manufacturing Integrated Rule Development	2060-AG99
3382	SAN No. 3908. Offset Lithographic Printing National VOC Rule	2060-AH00
3383	SAN No. 3924. NESHAP: Primary Magnesium Refining	2060-AH03
3384	SAN No. 3970. NESHAP for Miscellaneous Cellulose Production	2060-AH11
3385	SAN No. 3968. NESHAP for Site Remediation	2060-AH12
3386	SAN No. 3969. NESHAP for Municipal Solid Waste Landfills	2060-AH13
3387	SAN No. 3967. NESHAP: Spandex Production	2060-AH14
3388	SAN No. 3963. NESHAP for Cellulose Production Categories	2060-AH18
3389	SAN No. 3962. NESHAP for the Manufacture of Carbon Black	2060-AH19
3390	SAN No. 3959. National Strategy for Urban Area Sources of Toxic Air Emissions	2060-AH21
3391	SAN No. 3903. NESHAP: Vegetable Oil Production	2060-AH22
3392	SAN No. 3972. Rocket Engine Test Firing/Engine Test Facilities	2060-AH35
3393	SAN No. 3971. NESHAP for Organic Liquid Distribution	2060-AH41
3394	SAN No. 3973. NESHAP for Flexible Polyurethane Foam Fabrication Operations	2060-AH42
3395	SAN No. 3939. NESHAP for Group I Polymers and Resins and Group IV Polymers and Resins and Group IV Polymers and Resins	2060-AH47
3396	SAN No. 3751. New Source Performance Standards and Emission Guidelines for Other Solid Waste Incinerators	2060-AG31
3397	SAN No. 3824. Metal Furniture Coatings Integrated Regulation	2060-AG55
3398	SAN No. 3904. Flatwood Paneling (Surface Coating) Integrated Rule	2060-AH02
3399	SAN No. 3825. Surface Coating of Miscellaneous Metal Parts and Products—Integrated	2060-AG56
3400	SAN No. 3826. Plastic Parts Coating Integrated Rule for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs)	2060-AG57
3401	SAN No. 3827. Integrated Rule for Paper, and Other Web Coating and Coatings: MACT for NESHAP; and BAC for National VOC Rule	2060-AG58

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3402	SAN No. 2909. Revisions to the New Source Review Regulations	2060-AD13
3403	SAN No. 3009. Acid Rain Opt-In Regulations	2060-AD43
3404	SAN No. 3302. Consolidated Emission Reporting	2060-AE32
3405	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
3406	SAN No. 3642. NESHAP for Perchloroethylene Dry Cleaning Facilities: Amendments	2060-AF90
3407	SAN No. 3756. Protection of Stratospheric Ozone: Reconsideration of Ban on Fire Extinguishers Containing HCFCs	2060-AG19

EPA

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

Sequence Number	Title	Regulation Identifier Number
3408	SAN No. 3745. Revision to Definition of Volatile Organic Compounds - Exclusion of HFC 4310me and HCFC 225ca and cb	2060-AG24
3409	SAN No. 3795. Acid Rain Program: SO2 Allowance Auction and Electronic Allowance Transfer	2060-AG75
3410	SAN No. 1004. NAAQS: Nitrogen Dioxide (Review)	2060-AC06
3411	SAN No. 3106. NSPS for Sulfur Dioxide (SO2) - Revision	2060-AD04
3412	SAN No. 2932. Guidance for the Implementation of Section 112(g)—Modifications	2060-AD06
3413	SAN No. 3548. NESHAP: Nylon 6 Production	2060-AF27
3414	SAN No. 2939. Regulations Governing Awards Under Section 113(f) of the Clean Air Act	2060-AD81
3415	SAN No. 2937. Field Citation Program	2060-AD82
3416	SAN No. 3552. Regional Haze Protection Rule	2060-AF32
3417	SAN No. 3029. Control Technology Guidelines (CTG)	2060-AD05
3418	SAN No. 3323. Review of the Federal Test Procedure for Emissions From Motor Vehicles and Motor Vehicle Engines	2060-AE27
3419	SAN No. 3389. Fuels and Fuel Additives Waiver Application Criteria	2060-AE68
3420	SAN No. 2940. Regulations Governing Prior Notice of Citizen Suits Brought Under Section 304 of the Clean Air Act	2060-AD80
3421	SAN No. 2888. Acid Rain Nitrogen Oxides Control Regulation	2060-AD45
3422	SAN No. 3575. Acid Rain Phase II Nitrogen Oxides Reduction Program	2060-AF48

Superfund (CERCLA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3423	SAN No. 3885. Streamlining the Preauthorization Mixed Funding for Application and Implementation of Claims Against Superfund	2050-AE38
3424	SAN No. 3994. Modification of the Extremely Hazardous Substance (EHS) List	2050-AE42
3425	SAN No. 3806. Grants for Technical Assistance Rule Reform - 40 CFR Part 35 Subpart M	2050-AE33
3426	SAN No. 3423. Reportable Quantity Adjustments for Carbamates	2050-AE12
3427	SAN No. 3439. National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules	2050-AD75
3428	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
3429	SAN No. 3993. Modification of Threshold Planning Quantity for Isophorone Diisocyanate	2050-AE43
3430	SAN No. 3787. List of Regulated Substances and Thresholds for Accidental Release Prevention	2050-AE35
3431	SAN No. 3884. Revision of the Local Government Reimbursement Regulation	2050-AE36
3432	SAN No. 3054. Administrative Reporting Exemptions for Certain Radionuclide Releases	2050-AD46

Superfund (CERCLA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3433	SAN No. 2394. Reporting Exemptions for Federally-Permitted Releases of Hazardous Substances	2050-AB82
3434	SAN No. 3050. Deletion of Saccharin From the List of Hazardous Wastes Under RCRA and the List of Hazardous Substances Under CERCLA	2050-AD45
3435	SAN No. 3424. Reportable Quantity Adjustment for Radon-222	2050-AE20

EPA

General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3436	SAN No. 3624. Guidelines for Neurotoxicity Risk Assessment	2080-AA08
3437	SAN No. 3580. Incorporation of Class Deviation Into EPAAR	2030-AA37
3438	SAN No. 3629. EPA Mentor-Protege Program	2030-AA40
3439	SAN No. 3876. Incrementally Funding Fixed Price Contracts	2030-AA50
3440	SAN No. 3874. Revision of EPA Acquisition Regulations for Quality Systems for Environmental Programs	2030-AA51
3441	SAN No. 3879. Update Procedures for Making Profit/Fee Determinations	2030-AA53
3442	SAN No. 3816. Agency Implementation of Federal Acquisition Streamlining Act (FASA) Changes to Truth in Negotiations Act (TINA)	2030-AA47
3443	SAN No. 3854. Value Engineering	2030-AA49
3444	SAN No. 2662. Amendments to Part 22 Consolidated Procedural Rules	2020-AA13
3445	SAN No. 3817. Implementation of Changes to 40 CFR Part 32 as a Result of the Federal Acquisition Streamlining Act (FASA)	2030-AA48
3446	SAN No. 3807. Consolidation of Good Laboratory Practice Standards (GLPS) Regulations Currently Under TSCA and FIFRA Into One Rule	2020-AA26

General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3447	SAN No. 3670. Proposed Guidelines for Ecological Risk Assessment	2080-AA07
3448	SAN No. 2937. Field Citation Program	2020-AA32
3449	SAN No. 3240. Public Information and Confidentiality Regulations	2020-AA21
3450	SAN No. 3432. Pesticide Management and Disposal	2020-AA33
3451	SAN No. 3933. Environmental Impact Assessment of Nongovernmental Activities in Antarctica	2020-AA34

General—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3452	SAN No. 3671. Guidelines for Carcinogen Risk Assessment	2080-AA06
3453	SAN No. 2939. Regulations Governing Awards Under Section 113(f) of the Clean Air Act	2020-AA31
3454	SAN No. 2940. Regulations Governing Prior Notice of Citizen Suits Brought Under Section 304 of the Clean Air Act	2020-AA30
3455	SAN No. 2720. Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration	2020-AA29
3456	SAN No. 2725. FIFRA Books and Records of Pesticide Production and Distribution (Revision)	2020-AA28
3457	SAN No. 3936. Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order	2020-AA35

General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3458	SAN No. 3923. Final Guidelines for Reproductive Toxicity Risk Assessment	2080-AA05
3459	SAN No. 3934. Credible Evidence Revisions	2020-AA27
3460	SAN No. 3765. Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Cost Recovery	2020-AA25
3461	SAN No. 3486. Rules of Practice for Enforcement Actions Not Governed by the Administrative Procedure Act	2020-AA23
3462	SAN No. 3875. Notice To Clarify Existing Conflict of Interest Coverage Regarding Policy/Response Action Contractor Exclusions	2030-AA52
3463	SAN No. 3815. Conforming Amendments to the EPAAR From the Federal Acquisition Streamlining Act	2030-AA46
3464	SAN No. 2725. FIFRA Books and Records of Pesticide Production and Distribution (Revision)	2070-AC07
3465	SAN No. 3432. Pesticide Management and Disposal	2070-AC81

EPA

General—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3466	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
3467	SAN No. 2512. Administrative Hearing Procedures for Class II Penalties Under CERCLA and Emergency Planning and Community Right-to-Know Act	2050-AC39

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3022. WORKER PROTECTION STANDARDS; PESTICIDE HAZARD COMMUNICATION

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

Unfunded Mandates: Undetermined

Legal Authority: 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 170

Legal Deadline: None

Abstract: In 1992, EPA proposed to 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. Specific hazard information would be made available to agricultural workers and pesticide handlers concerning the pesticides to which they are exposed. EPA is reconsidering the specifics of the proposal to simplify and streamline this requirement. Working with States and interested parties, EPA plans to issue a new proposal by 1998.

Timetable:

Action	Date	FR Cite
NPRM	08/21/92	57 FR 38167
ANPRM	09/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 1640.

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

RIN: 2070–AC34

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3023. ANTIMICROBIAL PESTICIDE REGISTRATION REFORM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(h)

CFR Citation: 40 CFR 152; 40 CFR 156; 40 CFR 158; 40 CFR 177; 40 CFR 180

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

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

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3892.

Agency Contact: Jean M. Frane, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 401 M treet, SW (7506C), Washington, DC 20460
Phone: 703 305-5944
Email: frane.jean@epamail.epa.gov

RIN: 2070–AD14

3024. PESTICIDE DATA REQUIREMENTS FOR REGISTRATION (REVISION)

Priority: Other Significant

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

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 register ability of antimicrobial pesticide products. Reasons for the revisions include recent health and environmental concerns advancements in testing technology, and new statutory requirements. The

revisions will clarify all data requirements to reflect current practice and new risk assessment approaches mandated by FQPA. 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	09/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2687.

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

RIN: 2070–AC12

3025. MODIFICATIONS TO PESTICIDE WORKER PROTECTION STANDARD

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136w

CFR Citation: 40 CFR 170

Legal Deadline: None

Abstract: Since the issuance of the 1992 WPS and the January 1, 1995 implementation, farmworker groups have expressed an interest in enhancing specific protection measures, while grower groups, the National Association of State Departments of Agriculture and others have expressed an interest in addressing practical, operational concerns. The Agency received various requests and comments in the form of letters, petitions, and individual and public meetings to address the concerns with the WPS. As a result, there may be a need to make further changes of a minor nature to the WPS rule. EPA will take such actions as rules, policy statements or other documents as appropriate. Currently planned actions are listed below:

Timetable:

Glove requirements	
NPRM	04/00/97

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3731.

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

RIN: 2070–AC93

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3026. PESTICIDES, SELF-CERTIFICATION

Priority: Other Significant

Unfunded Mandates: Undetermined

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

Legal Authority: 7 USC 136 to 136y

CFR Citation: 40 CFR 152

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) is evaluating self-certification as a possible approach to reinventing the registration process for pesticides. The goal of this effort is to simplify, speed up, and increase the efficiency of the registration process while maintaining protection to human health and the environment.

Timetable:

Action	Date	FR Cite
Final Notification Rule	06/26/96	61 FR 33039
Draft Notice of Availability	02/04/97	62 FR 5228
Final Notice of Availability	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3932.

Agency Contact: Jeff Kempter, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7505C), Washington, DC 20460
Phone: 703 305-5448
Email: kempter.jeff@epamail.epa.gov
Debby Sisco, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances
Phone: 703-305-7096

RIN: 2070–AD00

3027. CROSS-CONTAMINATION OF PESTICIDE PRODUCTS

Priority: Substantive, Nonsignificant

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

Legal Authority: 7 USC 136a

CFR Citation: 40 CFR 158.167

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Final Action (PR Notice)	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3739.

Agency Contact: Jim Jones, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505W, Washington, DC 20460
Phone: 703 308-8799
Fax: 703 308-8369
Email: jones.jim@epamail.epa.gov

RIN: 2070–AD03

3028. REGULATION OF PLANT-PRODUCED PESTICIDES UNDER FIFRA AND FFDCA

Priority: Other Significant

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

Legal Authority: 7 USC 136 et seq; 21 USC 346a et seq

CFR Citation: 40 CFR 152.20; 40 CFR 180; 40 CFR 174

Legal Deadline: None

Abstract: EPA will make clear that the substances that plants produce to protect themselves against pests and disease are pesticides under FIFRA. The Agency designates these substances along with the genetic material necessary to produce them, as plant-pesticides. The Agency will clarify that the focus of EPA's regulation will be on these substances rather than on the plants that produce the pesticidal substance. The Agency will define the categories of plant-pesticides that would be regulated and those that would be exempt under FIFRA and FFDCA. For those plant-pesticides that would be subject to Agency requirements, the Agency will outline the process by which these pesticides will be regulated and the information that would be needed in the Agency's review.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60496
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2684.

Agency Contact: Janet Anderson, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7501W), Washington, DC 20460
Phone: 703 308-8290
Email: anderson.janet@epamail.epa.gov

RIN: 2070–AC02

3029. PESTICIDE FLAMMABILITY LABELING REQUIREMENTS FOR TOTAL RELEASE FOGGERS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 156.10

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/15/94	59 FR 18058
Final Action	06/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3135.

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

RIN: 2070–AC60

3030. RESTRICTED USE CRITERIA FOR PESTICIDES IN GROUNDWATER

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a /FIFRA 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	05/13/91	56 FR 22076
Final Action	06/00/97	

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, 7506C, Washington, DC 20460
Phone: 703 305-5131
Email: GILLIS,CHRISTINE

RIN: 2070–AB60

3031. PESTICIDES AND GROUNDWATER STATE MANAGEMENT PLAN REGULATION

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: 7 USC 136/FIFRA 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33259
Final Action	10/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3222.

Agency Contact: Arden Calvert, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7506C), Washington, DC 20460
Phone: 703 305-7099
Email: CALVERT,ARDEN

RIN: 2070–AC46

3032. REPORTING REQUIREMENTS FOR RISK/BENEFIT INFORMATION (REVISION)

Priority: Other Significant

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

Legal Authority: 7 USC 136d/FIFRA6

CFR Citation: 40 CFR 153; 40 CFR 159

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Final Action Interpretive and Policy Rule	08/23/78	43 FR 37611
Final Action Enforcement Policy	07/12/79	44 FR 40716
Final Action Codified Interpretive Rule	09/20/85	50 FR 38115
NPRM	09/24/92	57 FR 44290
Final Action	05/00/97	

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, Office of Prevention, Pesticides and Toxic Substances, (7506C), Washington, DC 20460
Phone: 703 305-7102
Email: ROELOFS,JAMES V

RIN: 2070–AB50

3033. SCOPE AND CLARIFICATION OF THE WPS EXCEPTIONS PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136w

CFR Citation: 40 CFR 170

Legal Deadline: None

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

Timetable:

Worker Protection Standard Exceptions Process	
Scope and Clarification Document	04/00/97

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3733.

Agency Contact: Don Eckerman, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
Phone: 703 305-7666
Fax: 703 308-2962
Email: eckerman.don@epamail.epa.gov

RIN: 2070–AC96

3034. PESTICIDE EXPORT POLICY

Priority: Other Significant

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

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

CFR Citation: 40 CFR 168; 40 CFR 169

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3736.

Agency Contact: Kennan Garvey, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501C, Washington, DC 20460
Phone: 703 305-7106
Fax: 703 305-6244
Email: garvey.kennan@epamail.epa.gov

RIN: 2070–AD02

3035. TOLERANCES FOR PESTICIDE EMERGENCY EXEMPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346a

CFR Citation: 40 CFR 176

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

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

EPA—FIFRA — Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

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

Additional Information: SAN No. 3890.

Agency Contact: Robert Forrest, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7505W), Washington, DC 20460
Phone: 703 308-8417
Fax: 703 308-8369
Email: Forrest.Robert@epamail.epa.gov

RIN: 2070–AD15

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3036. PESTICIDE TOLERANCES; PORTION OF FOOD COMMODITIES TO BE ANALYZED FOR PESTICIDE RESIDUES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 180

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jean Frane
Phone: 703 305-5944

RIN: 2070–AC45

3037. ENDANGERED SPECIES PROTECTION PROGRAM

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

CFR Citation: Not yet determined

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Larry Turner
Phone: 703 305-5007
Email: turner.larry@epamail.epa.gov

RIN: 2070–AC42

3038. THE 10-ACRE LIMITATION FOR PESTICIDE SMALL-SCALE FIELD TESTING

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 172

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Tribal

Agency Contact: Jim Tompkins
Phone: 703 305-5697
Fax: 703 308-1825
Email: Tompkins.James@epamail.epa.gov

RIN: 2070–AC99

3039. FACILITY IDENTIFICATION INITIATIVE

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

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
Notice	10/07/96	61 FR 52588
Notice	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Mary Hanley
Phone: 202 260-1624
Email: hanley.mary@epamail.epa.gov
Sam Sasnett
Phone: 202-260-8020
Email: sasnett.sam@epamail.epa.gov

RIN: 2070–AD01

3040. PESTICIDE LABELING CLAIMS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 156.10

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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

RIN: 2070–AC85

3041. EXCEPTIONS TO PESTICIDE WORKER PROTECTION STANDARD

Priority: Routine and Frequent

CFR Citation: 40 CFR 170

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

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

RIN: 2070–AC95

3042. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT

Priority: Other Significant

CFR Citation: 40 CFR 165; 40 CFR 156

EPA—FIFRA — Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM (Container Design & Residue Removal & Bulk Containment)	02/11/94	59 FR 6712
Final Action	04/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Nancy Fitz
Phone: 703 305-7385
Email: fitz.nancy@epamail.epa.gov

RIN: 2070–AB95

3043. CHILD-RESISTANT PACKAGING REGULATIONS (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 157

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind L. Gross
Phone: 703 308-8354
Email: gross.rosalind@epamail.epa.gov

RIN: 2070–AB96

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3044. ANTIMICROBIAL PESTICIDE REGISTRATION REFORM

Completed:

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 2070-AD14	03/05/97	

RIN: 2070–AD12

3045. PESTICIDE TOLERANCE DECISIONS UNDER THE DELANEY CLAUSE

Priority: Other Significant

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

Completed:

Reason	Date	FR Cite
Final Action	09/26/96	61 FR 50684

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Jean M. Frane
Phone: 703-305-5944
Fax: 703-305-6244
Email: frane.jean@epamail.epa.gov

RIN: 2070–AC55

3046. CLASSIFICATION OF CERTAIN PESTICIDES FOR RESTRICTED USE DUE TO GROUNDWATER CONCERNS

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

CFR Citation: 40 CFR 152.170

Completed:

Reason	Date	FR Cite
Withdrawn No further action planned.	03/15/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Gillis
Phone: 703 305-5131

RIN: 2070–AC33

3047. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2020-AA29	04/11/97	

RIN: 2070–AC08

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage
Toxic Substances Control Act (TSCA)

3048. REPORTING THRESHOLD AMENDMENT; TOXIC CHEMICALS RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

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

Legal Authority: PL 9909-499

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The Toxics Release Inventory (TRI) currently requires reporting from facilities which manufacture or process at least 25,000 pounds of a listed chemical, or otherwise use 10,000 lbs of a listed chemical. These thresholds were initially established under the Emergency Planning and Community Right-to-know Act (EPCRA) section 313(f)(1). Section 313(f)(2) of EPCRA gives the Administrator the power to establish a threshold amount for a toxic chemical different from the amount established by paragraph (1) and that such altered thresholds may be based on classes of chemicals. EPA is considering lowering the thresholds for those chemicals which it determines to be highly toxic at very low dose levels and/or have physical, chemical, or biological properties that make the chemicals persist for extended periods in the environment, and/or bioaccumulate through the food chain. Persistent bioaccumulative toxic chemicals are of particular concern in ecosystems such as the Great Lakes Basin due to the long retention time of the individual lakes and the cycling of the chemicals from one component of the ecosystem to another. EPA is currently conducting analysis to determine which chemicals present the specific problems described above, and to determine what the altered threshold value(s) should be.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

EPA—TSCA — Prerule Stage

Sectors Affected: 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3880.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460
Phone: 202 260-1024
Fax: 202 401-8142
Email: hazen.susan@epamail.epa.gov

RIN: 2070–AD09

3049. REVISED ASBESTOS MODEL ACCREDITATION PLAN

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

Unfunded Mandates: Undetermined

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

Legal Authority: 15 USC 2646/TSCA 6

CFR Citation: 40 CFR 763

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

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

Timetable:

Action	Date	FR Cite
NPRM	05/13/92	57 FR 20438
Interim Final Rule	02/03/94	59 FR 5236
ANPRM	04/00/97	
Notice	04/00/97	
NPRM	02/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3148.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: Cantor.Doreen@epamail.epa.gov

RIN: 2070–AC51

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Toxic Substances Control Act (TSCA)

3050. TSCA INVENTORY UPDATE RULE AMENDMENTS

Priority: Other Significant

Legal Authority: 15 USC 2607(a)

CFR Citation: 40 CFR 710

Legal Deadline: None

Abstract: This action would amend the current Toxic Substances Control Act (TSCA) Inventory Update Rule (IUR) to require chemical manufacturers to report to EPA data on exposures and 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 2,400 facilities reported data on about 8,300 unique chemicals during the last reporting cycle under the 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 TSCA Inventory Update Rule Amendments Project.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis; RIA

Additional Information: SAN No. 3301.

Agency Contact: Ward Penberthy, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202-260-1730
Email: penberthy.ward@epamail.epa.gov

RIN: 2070–AC61

3051. DELETION OF ISOPROPYL ALCOHOL; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Routine and Frequent

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

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	12/00/97	
Final Action	08/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3388.

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

RIN: 2070–AC77

3052. DATA EXPANSION AMENDMENTS; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Economically Significant. Major under 5 USC 801.

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: The original Toxics Release Inventory (TRI) required reporting from manufacturing facilities on the releases and transfers of toxic chemicals and wastes including waste treatment and disposal methods. This requirement was imposed under the Emergency Planning and Community Right-to-Know Act (EPCRA) section 313(g). Information on waste management practices, including recycling, energy recovery, and source reduction activities, were added to TRI pursuant to the 1990 passage of the Pollution Prevention Act. EPA is currently considering whether additional data elements related to a mass balance/materials accounting program should be considered for incorporation into the TRI database. The additional data elements included for consideration include: quantity brought on site; quantity produced on site; quantity consumed on site; quantities manufactured, processed or otherwise used; quantity contained in or as product; quantity stored on site as waste, and beginning and ending raw materials inventory. The issue of collecting mass balance/materials accounting information has been debated for over a decade. Congress, in enacting EPCRA, directed the National Academy of Sciences (NAS) to study this issue further. NAS recommended that the issue of adding materials accounting data merited further analysis.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/96	61 FR 51322
NPRM	12/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Sectors Affected: 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3877.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460
Phone: 202-260-1024
Fax: 202-401-8142
Email: hazen.susan@epamail.epa.gov

RIN: 2070–AD08

3053. RESPONSES TO PETITIONS RECEIVED TO ADD TO OR DELETE CHEMICALS FROM THE LIST OF TOXIC CHEMICALS SUBJECT TO TOXIC RELEASE REPORTING UNDER EPCRA SECTION 313

Priority: Routine and Frequent

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

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

CFR Citation: 40 CFR 372

Legal Deadline: None

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:

Action	Date	FR Cite
Response	04/00/97	
Response	05/00/97	
Response	06/00/97	
Response	11/00/97	
Response	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Sectors Affected: 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2425.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460
Phone: 202 260-1024
Email: hazen.susan@epamail.epa.gov

RIN: 2070–AC00

3054. MANDATORY POLLUTION PREVENTION REPORTING FOR TOXIC RELEASE INVENTORY (TRI)

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

Unfunded Mandates: Undetermined

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

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

CFR Citation: 40 CFR 372

Legal Deadline: None

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

This proposed regulation would also redesign form R to make it easier and more logical to complete.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2847.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460
Phone: 202 260-1024
Email: Hazen.Susan@epamail,epa.gov

RIN: 2070–AC24

3055. LEAD HAZARD STANDARDS

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

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2683

CFR Citation: 40 CFR 745

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

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	11/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3243.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: Cantor.Doreen@epamail.epa.gov

RIN: 2070–AC63

3056. 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(1)	09/02/94	59 FR 45872
Final Action (1)	08/29/96	61 FR 45778
NPRM(2)	12/00/97	
Final Action (2)	12/00/98	

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: Brion Cook, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1878
Email: cook.brion@epamail.epa.gov

RIN: 2070–AC64

3057. AMENDMENTS TO THE ASBESTOS WORKER PROTECTION RULE

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

Unfunded Mandates: Undetermined

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

Legal Authority: 15 USC 2605/TSCA 4; 15 USC 2607/TSCA 6

CFR Citation: 40 CFR 763

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 (1)	11/01/94	59 FR 54746
NPRM (2)	02/00/98	

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, (7404), Washington, DC 20460
Phone: 202 260-1777

Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AC66

3058. TSCA REQUIREMENTS FOR THE DISPOSAL OF LEAD-BASED PAINT DEBRIS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: Currently, waste derived from lead-based paint (LBP) abatements is managed under the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. Other Federal agencies (Department of Housing and Urban Development, Department of Health and Human Services) and several States and advocacy groups have expressed concern that the costs associated with the disposal of large volume architectural components (e.g., doors and windows) may interfere with abatement activities. EPA's Office of Prevention, Pesticides and Toxic Substances and the Office of Solid Waste have initiated a joint rulemaking to address the disposal of these architectural components. This rulemaking would develop disposal standards for these components under the Toxic Substances Control Act (TSCA) Title IV, (the definition of abatement under TSCA Title IV, section 401(1)(B), includes disposal). The TSCA regulations would establish appropriate disposal standards for LBP architectural components and identify recycling and incineration activities that would be controlled or prohibited.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	
Final Action	09/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3508.

Agency Contact: Clarence Lewis, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1878
Email: lewis.clarence@epamail.epa.gov

RIN: 2070–AC72

3059. TSCA BIOTECHNOLOGY FOLLOW-UP RULES

Priority: Substantive, Nonsignificant

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

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

Legal Authority: 15 USC 2604

CFR Citation: 40 CFR 720

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	08/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

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

Additional Information: SAN No. 3894.

Agency Contact: David Giamporcaro, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202-260-6362
Email: giamporcaro.david@epamail.epa.gov

RIN: 2070–AD13

3060. ● OECD SIDS HIGH PRODUCTION VOLUME CHEMICAL SCREENING TEST RULE

Priority: Info./Admin./Other

Legal Authority: 15 USC 2603

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: A multi-chemical test rule requires the testing of many chemicals for certain effects. This type of rule is a more efficient alternative to rules that require testing only one chemical. EPA is proposing screening-level testing on a group of chemicals as part of an international program that is also an essential part of EPA's own chemical assessment activities.

Since 1990 member countries of the Organization for Economic Cooperation and Development (OECD) have aimed to collect a standard minimum set of data for chemicals having the highest worldwide production. The basic level of testing and other information devised by the OECD is called the Screening Information Data Set, or SIDS. OECD and EPA use the data to screen these high-production-volume (HPV) chemicals for their potential risks to man and the environment.

The SIDS program benefits EPA because it directs resources toward the chemicals of greatest potential risk; improves environmental protection and human health as existing chemicals are investigated more effectively; reduces overall costs of testing as a result of increased international cooperation; and provides greater flexibility for EPA and the private sector because of the voluntary aspect of the program.

EPA earlier relied on the voluntary efforts of US industry to meet its commitments to the SIDS program. More recently, fewer US parties have come forward to sponsor SIDS chemicals. EPA has decided to use test rules where necessary to acquire the limited toxicity and environmental fate data needed to meet its OECD SIDS obligations. Therefore, for a given round of chemical selection for SIDS, EPA will identify a set of chemicals for US sponsorship. For chemicals having no industry sponsor to perform testing and other voluntary SIDS activities, EPA will obtain testing by rule and use its own resources to carry out related information-gathering and review activities.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 28 Chemicals and Allied Products; 29 Petroleum Refining and Related Industries

Additional Information: SAN No. 3990.

Agency Contact: Ralph Northrop, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-5023
Fax: 202 260-1096
Email: northrop.ralph@epamail.epa.gov

Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, SE., Washington, DC
Phone: 202-260-1830
Email: kover.frank@epamail.epa.gov

RIN: 2070–AD16

3061. PROPOSED DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799

Legal Deadline: NPRM, Statutory, June 15, 1998.
NPRM must be published within one year of ITC designation.
Other, Statutory, NPRM must be published within one year of ITCdesignation.

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 06/00/97
OSHA Chemicals with Insuf. Skin Absorption Data (ITC List 32)
NPRM or ECA 06/00/97
OSHA Chemicals with No Skin Absorption Data (ITC List 31)
NPRM or ECA 06/00/97
OSHA Chemicals with No Skin Absorption Data (ITC List 35)
NPRM or ECA 06/00/97

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3494.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8130
Email: kover.frank@epamail.epa.gov

RIN: 2070–AB07

3062. 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	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 2563.

Agency Contact: Robert W. Jones, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-1096
Email: Jones.Robert@epamail.epa.gov

RIN: 2070–AB79

3063. MULTICHEMICAL ENDPOINT(S) TEST RULE; DEVELOPMENTAL AND REPRODUCTIVE TOXICITY

Priority: Other Significant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799.5050

Legal Deadline: None

Abstract: A multi-chemical endpoint test rule will require the testing of many chemicals for a specific effect or endpoint, e.g., developmental toxicity. This type of rule is an alternative to

single chemical rules which require testing of one chemical for many effects. The multi-chemical endpoint rule approach will obtain a significant amount of testing while conserving Agency resources. The multi-chemical rule for developmental and reproductive toxicity testing will require testing of seven chemicals for developmental and/or reproductive effects. This rule may be amended in the future to require the same testing for other chemicals. Also, future multi-chemical rules will require testing of additional endpoints and chemicals. The testing requirements for each chemical in a multi-chemical rule will be listed in a single table by chemical under section 799.5050. This table will be amended with each publication of a new multi-chemical rule.

Timetable:

Multi-Chemical Rule for Developmental and Reproductive Toxicity
NPRM 03/04/91 (56 FR 9092)
Reproposal 06/00/97

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 2865.

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

RIN: 2070–AC27

3064. MULTICHEMICAL ENDPOINT TEST RULE; CHEMICAL FATE AND ENVIRONMENTAL EFFECTS

Priority: Other Significant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799.5055

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Withdrawn No further action is planned.	02/25/97	
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2865.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8130
Email: kover.frank@epamail.epa.gov

RIN: 2070–AC36

3065. TEST RULE FOR CERTAIN METALS

Priority: Substantive, Nonsignificant

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

Legal Authority: 15 USC 2603; 15 USC 2611; 15 USC 2625

CFR Citation: 40 CFR 799

Legal Deadline: None

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

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

Additional users of the data from this action include EPA's Office of Water, Hazardous Waste Program under the Resource Conservation and Recovery Act (RCRA), the Toxic Release Inventory (TRI), the Integrated Risk Information System (IRIS), Office of Pesticide Programs, the National Toxicology Program, the National Institute of Occupational Safety and Health (NIOSH), the Mine Safety and Health Administration (MSHA), and State and local environmental authorities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3882.

Agency Contact: Robert W. Jones, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8150
Fax: 202 260-1096
Email: jones.robert@epamail.epa.gov

RIN: 2070–AD10

3066. FOLLOW-UP RULES ON EXISTING CHEMICALS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA has established a program to monitor the commercial

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

Timetable:

Action	Date	FR Cite
NPRM Amendment to Benzidine-based Chemical Substances SNUR	04/00/97	
Final Amendment to Benzidine-based Chemical Sunstances SNUR	12/00/97	
Benzidene-based Chemical Substances		
NPRM 08/30/95 (60 FR 45119)		
Final Action 10/07/96 (61 FR 52287)		
Chloranil		
NPRM 05/12/93 (58 FR 27980)		
Final Action 02/00/98		
Heavy Metal-Based Pigments in Aerosol Spray Paints		
NPRM 10/00/97		
Methylcyclopentane		
NPRM 04/00/97		
Final 06/00/97		
2 & 4 Pentanedione		
NPRM 09/27/89 (54 FR 39548)		
Final Action 12/00/97		
2-Ethoxyethanol & 2-Methoxyethanol & 2-Methoxyethanol Acetate		
NPRM 09/00/97		

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1923.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8130
Email: kover.frank@epamail.epa.gov
Ward Penberthy, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances
Phone: 202 260-1730
Email: PENBERT-HY.WARD@EPAMAIL.EPA.GOV

RIN: 2070–AA58

3067. NEGOTIATED CONSENT ORDER AND TEST RULE PROCEDURES

Priority: Substantive, Nonsignificant

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

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 790

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/85	50 FR 20652
Interim Final Rule	06/30/86	51 FR 23706
Interim Final Rule (Technical Modification)	09/01/89	54 FR 36311
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2245.

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

RIN: 2070–AB30

3068. AMENDMENTS TO THE ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE

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

Unfunded Mandates: Undetermined

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

Legal Authority: 15 USC 2605/TSCA 4; 15 USC 2607/TSCA 6; 15 USC 2647/TSCA 7

CFR Citation: 40 CFR 763

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	02/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3047.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AC62

3069. 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 12/00/98
Lead
ANPRM 09/28/94 (59 FR 49484)
NPRM 12/00/97
Refractory Ceramic Fiber
NPRM 03/21/94 (59 FR 13294)
Final Action 12/00/97

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 1923.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: Cantor.Doreen@epamail.epa.gov

RIN: 2070–AC37

3070. ● AMENDMENTS TO TSCA SECTION 8(D) HEALTH AND SAFETY DATA MODEL REPORTING RULE

Priority: Substantive, Nonsignificant

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

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

CFR Citation: 40 CFR 716

Legal Deadline: None

Abstract: Toxic Substances Control Act (TSCA) Health and Safety Data Reporting burden will be evaluated and amendments proposed to achieve a more appropriate balance between reporting burden and Federal information needs. Specifically, the need for data in assessing risk from exposure to chemicals falling under TSCA purview. Aspects addressed by the NPRM will include: definitions of health and safety studies; scope of data elements to be reported; reporting period length; types of studies not subject to reporting; and electronic submissions of data. Resulting amendments are expected to significantly reduce current reporting burdens and streamline health and safety data reporting requirements for all respondents (including small businesses) and contribute to enhancing access to reported information data.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3834.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, SE., Washington, DC 20460
Phone: 202 260-8130
Fax: 202 260-1096

RIN: 2070–AD17

3071. LEAD-BASED PAINT ACTIVITIES, TRAINING, AND CERTIFICATION: RENOVATION AND REMODELING

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

Unfunded Mandates: Undetermined

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	03/00/98	
Final Action	03/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis; RIA

Additional Information: SAN No. 3557.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AC83

3072. LEAD FEE RULE FOR LEAD-BASED PAINT ACTIVITIES TRAINING AND CERTIFICATION

Priority: Other Significant

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

CFR Citation: 40 CFR 745

Legal Deadline: None

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

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

EPA—TSCA **Proposed Rule Stage**

environment and protects the health of building occupants, especially children aged six years and younger.

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

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

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

Additional Information: SAN No. 3881.

Agency Contact: Betty Weiner, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-2924
Fax: 202 260-1580
Email: weiner.betty@epamail.epa.gov

RIN: 2070–AD11

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Toxic Substances Control Act (TSCA)

3073. FACILITY COVERAGE AMENDMENT; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Other Significant. Major under 5 USC 801.

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

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: The original Toxics Release Inventory (TRI) required reporting from facilities in Standard Industrial Classification (SIC) codes 20-39. These SIC codes cover manufacturing facilities only. This requirement was imposed under the Emergency Planning and Community Right-To-Know Act (EPCRA) section 313(b)(1)(A). The Environmental Protection Agency (EPA) is considering expanding this original list. EPCRA section 313(b)(1)(B) and (b)(2) provide the Administrator with the authority to add or delete SIC codes and the discretion to add particular facilities based on a broad set of factors. EPA is currently conducting analysis to determine which SIC codes (or portions thereof) should be considered for coverage in TRI. Facilities in a broad set of industries are under consideration, including but not limited to, electric utilities, waste management facilities, mining, oil and gas production, materials recovery and recycling, and some warehousing activities.

Timetable:

Action	Date	FR Cite
NPRM	06/27/96	61 FR 33588
Final Rule	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 20 Food and Kindred Products; 516 Chemicals and Allied Products; 517 Petroleum and Petroleum Products; 495 Sanitary Services

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3034.

Agency Contact: Susan B. Hazen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7408), Washington, DC 20460
Phone: 202 260-1024
TDD: 800 553-7672
Email: hazen.susan@epamail.epa.gov
Tim Crawford, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 401 M Street, SW., M.C. 7408, Washington, DC 20460
Phone: 202-260-1715
Email: crawford.tim@epamail.epa.gov

RIN: 2070–AC71

3074. LEAD-BASED PAINT DISCLOSURE REQUIREMENTS AT RENOVATION OF TARGET HOUSING

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-550, sec 406

CFR Citation: 40 CFR 745; 24 CFR 35

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

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

Timetable:

Action	Date	FR Cite
NPRM	03/02/94	59 FR 11108
Final Action	06/00/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3242.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AC65

3075. CFR REGULATORY REVIEW RELATED INITIATIVES

Priority: Other Significant

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

Legal Authority: 40 USC 11013 EPCRA 313

CFR Citation: 40 CFR 150 to 189; 40 CFR 372; 40 CFR 700 to 799

Legal Deadline: None

Abstract: On March 4, 1995, the President directed all Federal agencies and departments to conduct a comprehensive review of the regulations they administer, and by June 1, 1995, to identify those rules that are obsolete or unduly burdensome. The Office of Prevention Pesticides, and Toxic Substances (OPPTS) has reviewed regulations under its purview, that is, those issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Toxic Substances Control Act (TSCA), and the Emergency Planning and Community Right-to-Know Act (EPCRA). As a result of that review, OPPTS identified a number of regulations that can be eliminated from the CFR; in addition, OPPTS also identified a significant number of potential burden-reduction and streamlining opportunities through modifications to regulations and is further evaluating other regulations to determine if they can be simplified or streamlined. The Agency plans to involve the public as much as possible by soliciting comments and conducting stakeholder meetings and consultations.

Timetable:

Action	Date	FR Cite
Direct Final Pesticide Programs Line-by-Line Review	06/19/95	60 FR 32094
Direct Final Toxic Programs Line-by-Line Review	06/19/95	60 FR 31917
Final Action	05/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3755.

A number of program activities and regulations are being evaluated for the regulatory reform initiative. As these activities are developed, they will be included in the Regulatory Agenda when appropriate. Current regulatory reform initiatives are identified in the Regulatory Agenda individually.

Agency Contact: Angela Hofmann, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 401 M Street, S.W. (Mailcode 7101), Washington, DC 20460
Phone: 202 260-2922
Fax: 202-260-0951
Email: hofmann.angela@epamail.epa.gov
Pat Johnson, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances
Phone: 202-260-2893
Fax: 202-260-0951
Email: johnson.patriciaa@epamail.epa.gov

RIN: 2070–AC97

3076. SELECTED RULEMAKINGS FOR REDUCING RISKS FROM LEAD PAINT, DUST, AND SOIL

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

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2683; PL 102-550

CFR Citation: 40 CFR 745

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

Abstract: The Residential Lead-Based Hazard Reduction Act of 1992 requires EPA to promulgate regulations that establish standards for determining hazards associated with lead-based paint, lead-contaminated soil, and lead-contaminated dust. EPA is to (a)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 section 403 to provide preliminary information while a proposal is being developed); (b) promulgate regulations (section 402) 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 (section 404) which may be adopted by any State which seeks to administer and enforce a State Program); (c) promulgate regulations (section 406) requiring renovators to provide a lead hazard information brochure (developed separately by EPA) to clients before beginning work; (d) promulgate, with HUD, regulations (Section 1018) that require the following before the sale or lease of pre-1978 housing: disclosure of lead-based paint hazards, provisions of a lead-paint information brochure to the prospective buyer or renter, and for buyers, and the opportunity to conduct a lead risk assessment or inspection, and (e) promulgate regulations (Section 402(c)(3)) addressing lead risks from renovation and remodeling activities or state why no regulation is necessary.

Timetable:

Action	Date	FR Cite
NPRM	03/02/94	59 FR 11108
NPRM (1)	09/02/94	59 FR 45872
NPRM	11/02/94	59 FR 54984
Final Action	03/06/96	61 FR 9064
Final Action (1)	08/29/96	61 FR 45778
Final Action	06/00/97	
NPRM	11/00/97	
NPRM (2)	12/00/97	
NPRM	03/00/98	
Final Action	11/00/98	
Final Action (2)	12/00/98	
Final Action	03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3243.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AD06

3077. FINAL DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: EPA is requiring testing via rules, or will obtain testing through enforceable consent agreements (ECAs) or publish a notice which provides the reasons for not doing so for chemicals listed herein. These chemicals have

been designated for priority testing consideration by the ITC or recommended for testing consideration (for which the 12-month statutory requirement does not apply). The list also includes chemicals or categories of chemicals which have been identified for testing consideration by other EPA offices and through EPA review processes.

Timetable:

Alkyl (C 12-C 14) Glycidyl Ethers
(ECA) 03/22/96 (61 FR 11740)
Aryl Phosphates (ITC List 2)
ANPRM 12/29/83 (48 FR 57452)
NPRM 01/17/92 (57 FR 2138)
Final Action (ECA) 09/00/97
Brominated Flame Retardants
NPRM 06/25/91 (56 FR 29140)
Final Action (ECA) 06/00/97
DiBasic Esters (CPSC)
Final Action (ECA) 08/00/97
Hexamethylene Diisocyanate (ITC List 22)
NPRM 05/17/89 (54 FR 21240)
Final Action 06/00/97
IRIS I Chemicals (ITC List 27)
Final Action 06/00/97
Mesityl Oxide
Withdrawal of Test Rule 06/27/96 (61 FR 33375)
Silicon-Based Glycidyl Ethers
Final Action (ECA) 04/00/97
TAME (OAR Request)
Final Action (ECA) 03/21/95 (60 FR 14910)
White Phosphorus (ITC List 34) - Withdrawal of Test Rule
Final Action (ECA) 07/30/96 (61 FR 39832)

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3493.

Agency Contact: Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8130
Email: kover.frank@epamail.epa.gov

RIN: 2070–AB94

3078. HAZARDOUS AIR POLLUTANTS TEST RULE

Priority: Other Significant

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

CFR Citation: 40 CFR 789 to 795

Legal Deadline: None

Abstract: 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), and requirements for an accidental release control program. These data will also be important for the right-to-know program given the large release of these chemicals to the atmosphere. In order to implement these and other programs and requirements under section 112, EPA must identify the health and environment 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, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3504.

Agency Contact: Richard Leukroth, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-0321
Email: leukroty.richard@epamail.epa.gov

RIN: 2070–AC76

3079. 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 07/00/97
Aluminum Cross-linked Sodium Carboxymethylcellulose
NPRM 06/11/93 (58 FR 32628)
Final Action 07/00/97
Diphenyl-2&4&6-Trimethylbenzol Phosphine Oxide (87-586)
NPRM 02/02/88 (53 FR 2857)
Final Action 07/00/97
1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)
NPRM 12/08/87 (52 FR 46496)
Final Action 07/00/97

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1976.

Agency Contact: James Alwood, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-1857
Email: alwood.james@epamail.epa.gov

RIN: 2070–AA59

3080. CHEMICAL-SPECIFIC SIGNIFICANT NEW USE RULES (SNURS) TO EXTEND PROVISIONS OF SECTION 5(E) ORDERS

Priority: Routine and Frequent

Legal Authority: 15 USC 2604/TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None

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

Timetable:

Aromatic Amino Ether (P90-1840)
NPRM 06/06/94 (59 FR 29255)
Final Action 06/00/97

Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433
NPRM 05/27/93 (58 FR 30744)
Final Action 06/00/97

Polyalkylene Polyamine
NPRM 12/19/94 (59 FR 65248)
Final Action 04/00/97

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, (7405), Washington, DC 20460
Phone: 202 260-1857
Email: ALWOOD.JAMES@EPAMAIL.EPA.GOV

RIN: 2070–AB27

3081. RULEMAKING CONCERNING CERTAIN MICROBIAL PRODUCTS (BIOTECHNOLOGY) UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant

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

Legal Authority: 15 USC 2604/TSCA 5

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/01/94	59 FR 45526
Final Action	04/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2326.

Agency Contact: David Giamporcaro, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-6362
Email: Giamporcaro.David@epamail.epa.gov

RIN: 2070–AB61

3082. 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 one specific use of lead: fishing sinkers.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3252.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-1777
Email: Cantor.Doreen@epamail.epa.gov

RIN: 2070–AC21

3083. USE OF ACRYLAMIDE FOR GROUTING

Priority: Other Significant

Legal Authority: 15 USC 2605/TSCA 6

CFR Citation: 40 CFR 764

Legal Deadline: None

Abstract: On October 2, 1991, EPA proposed a regulation of acrylamide and NMA grouts based on the unreasonable risk associated with their usage. EPA's rule would prohibit the manufacture, distribution in commerce, and use of acrylamide grout. In February 1996, EPA reopened the record for 30 days to take additional comments, specifically to seek data on the durability of acrylamide and NMA grouts. The Agency is currently reviewing responses.

Timetable:

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863
Final Action	08/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2779.

Agency Contact: Ward Penberthy, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-1730
Email: Penberthy.Ward@epamail.epa.gov

RIN: 2070–AC17

3084. POLYCHLORINATED BIPHENYLS (PCBS) TRANSFORMER RECLASSIFICATION RULE

Priority: Substantive, Nonsignificant

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

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

CFR Citation: 40 CFR 761

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/18/93	58 FR 60970
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3021.

Agency Contact: Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-3933
Email: baney.tony@epamail.epa.gov

RIN: 2070–AC39

3085. POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL AMENDMENTS

Priority: Other Significant

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

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

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: This rulemaking will make over 50 modifications, additions, and deletions to the existing PCB management program under the Toxic Substances Control Act (TSCA). A notice of proposed rulemaking was published on December 6, 1994 and covered the manufacture (including import) processing, distribution in commerce, export use, disposal, and marking of PCBs.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2878.

Agency Contact: Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
Phone: 202 260-3933
Email: baney.tony@epamail.epa.gov

RIN: 2070–AD04

3086. SECTION 8(A) PRELIMINARY ASSESSMENT INFORMATION RULES

Priority: Routine and Frequent

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

CFR Citation: 40 CFR 712

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Final Action 37th ITS List	02/28/96	61 FR 7421
Final Action 38th ITC List	10/29/96	61 FR 55871
Final Action 39th ITC List	04/00/97	
Final Action 40th ITC List	07/00/97	
Final Action 41st ITC List	02/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2178.

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

Phone: 202 260-8130
Email: kover.frank@epamail.epa.gov

RIN: 2070–AB08

3087. SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES

Priority: Routine and Frequent

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

CFR Citation: 40 CFR 716

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Final Action 35th ITC List	07/05/95	60 FR 34879
Final Action 37th ITC List	02/28/96	61 FR 7421
Final Action 38th ITC List	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1139.

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

RIN: 2070–AB11

3088. TSCA SECTION 8(E); NOTICE OF CLARIFICATION AND SOLICITATION OF PUBLIC COMMENT

Priority: Substantive, Nonsignificant

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

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

CFR Citation: None

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/13/93	58 FR 37735
Final Action	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3118.

Agency Contact: Richard Hefter, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7402), Washington, DC 20460
Phone: 202 260-3470
Email: hefter.richard@epamail.epa.gov

RIN: 2070–AC80

3089. NOTICE OF TSCA SECTION 4 REIMBURSEMENT PERIOD AND TSCA SECTION 12(B) EXPORT NOTIFICATION PERIOD SUNSET DATES FOR TSCA SECTION 4 SUBSTANCES

Priority: Info./Admin./Other

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

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

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

Legal Deadline: None

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

(1) The end of section 4 reporting requirements (40 CFR 790)

(2) The end of the reimbursement period under which persons subject to test rules are subject to an obligation to reimburse test sponsors (40 CFR 791)

(3) The end of the period during which export notification requirements under TSCA section 12(b) are triggered.

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

Timetable:

Action	Date	FR Cite
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3559.

Agency Contact: Frank D. Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7405), Washington, DC 20460
Phone: 202 260-8130
Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AC84

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Toxic Substances Control Act (TSCA)

3090. CHEMICAL LIST EXPANSION; EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT SECTION 313

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 372

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Susan B. Hazen
Phone: 202 260-1024
Email: Hazen.Susan@epamail.epa.gov

RIN: 2070–AC47

3091. DEVELOPMENT OF GUIDANCE AS MANDATED BY EXECUTIVE ORDER 12873, SECTION 503 ON ENVIRONMENTALLY PREFERABLE PRODUCTS

Priority: Other Significant

CFR Citation: None

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

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

Agency Contact: Eun-Sook Goidel
Phone: 202 260-3296
Email: goidel.eun-sook@epamail.epa.gov

RIN: 2070–AC78

3092. REGULATORY INVESTIGATION OF FORMALDEHYDE

Priority: Info./Admin./Other

CFR Citation: 40 CFR 765

Timetable:

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

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Frank Kover
Phone: 202 260-8130
Email: kover.frank@epamail.epa.gov

RIN: 2070–AB14

3093. POLYCHLORINATED BIPHENYLS (PCBS): EXEMPTIONS FROM THE PROHIBITIONS AGAINST MANUFACTURING, PROCESSING, AND DISTRIBUTION IN COMMERCE; NEW APPLICATIONS AND RENEWALS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 761

Timetable:

Group II
NPRM (2) 08/00/97
Group 1
NPRM (1) 12/06/94 (59 FR 62875)
Final Action (1) 12/00/97

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Tony Baney
Phone: 202 260-3933
Fax: 202 260-1724
Email: baney.tony@epamail.epa.gov

RIN: 2070–AB20

3094. PROCEDURES AND CRITERIA FOR TERMINATION OF POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL PERMITS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 761

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tony Baney
Phone: 202 260-3933
Email: Baney.Tony@epamail.epa.gov

RIN: 2070–AB81

3095. REGULATORY INVESTIGATION OF DIOXIN IN PULP AND PAPER MILL SLUDGE

Priority: Other Significant

CFR Citation: 40 CFR 744

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ward Penberthy
Phone: 202 260-1730
Email: Penberthy.Ward@epamail.epa.gov

RIN: 2070–AC05

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Toxic Substances Control Act (TSCA)

3096. EVALUATION OF PRODUCTS FOR LEAD-BASED PAINT ACTIVITIES

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

CFR Citation: None

Completed:

Reason	Date	FR Cite
Withdrawn - No further action is planned.	02/24/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Agency Contact: Doreen Cantor
Phone: 202 260-1777

RIN: 2070–AC88

3097. GENERIC SIGNIFICANT NEW USE RULE (SNUR) FOR ACRYLATE COMPOUNDS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 721

EPA—TSCA — Completed Actions

Completed:

Reason	Date	FR Cite
Withdrawn	01/09/97	62 FR 1305

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Alwood
Phone: 202 260-1857
Email: ALWOOD.JAMES@EPAMAIL.EPA.GOV

RIN: 2070–AB56

3098. POLYCHLORINATED BIPHENYLS - PCBS - DISPOSAL AMENDMENTS

Completed:

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 2070-AD04	03/07/97	

RIN: 2070–AC01

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage
Clean Water Act (CWA)

3099. WATER QUALITY STANDARDS REGULATION—REVISION

Priority: Other Significant

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

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

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: Water quality standards set by States and Indian Tribes establish the water quality goals for surface waters of the U.S. and the means by which attainment of these goals will be measured and assured. They are the foundation for protecting water quality and related public health and welfare and the ecological health of the nation's waters. Water quality standards regulations govern the development, review and revision of water quality standards under section 303 of the Clean Water Act by States and Indian Tribes and the review and approval of those standards by EPA. The ANPRM is a comprehensive review of the water quality standards regulation designed to determine what changes to the regulation should be made to reflect the experience gained in the program by EPA, States, Tribes, and interested parties. All major components of the Water Quality Standards Program will be reviewed for potential regulatory and implementation improvements to provide increased flexibility where appropriate and further strengthen the Standards Program through use of scientific advances as a key element of watershed-based water quality protection and management. Issues to be addressed include: establishing and revising waterbody use designations, development and implementation of water quality criteria including biological and sediment quality criteria, antidegradation policies and procedures, general policies such as mixing zone, variance and compliance schedule policies, and EPA's policy of independent application of criteria methods.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/97	
NPRM	06/00/98	
Final Action	06/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3662.

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

RIN: 2040–AC56

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage
Clean Water Act (CWA)

3100. ● AMENDMENT TO THE PESTICIDE CHEMICALS MANUFACTURING EFFLUENT LIMITATIONS GUIDELINES; PRETREATMENT STANDARDS; NEW AND EXISITING SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251

CFR Citation: 40 CFR 455

Legal Deadline: None

Abstract: EPA has entered into a Settlement Agreement with American Cyanamid; the sole manufacturer of pendamethalin. Based on additional data, EPA has agreed to revise the numerical limitation for new and existing facilities manufacturing pendamethalin. EPA will revise the limit to a slightly less stringent limit (i.e. from 1.17 x 10(-2)lb/1000lbs to 1.30 x 10(-2)lbs/1000lbs).

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Direct Final	05/00/97	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 3995.

Agency Contact: Shari Zuskin, Environmental Protection Agency, Water, (4303) SE., Washington, DC 20460
Phone: 202 260-7130
Fax: 202 260-7185
Email: zuskin.shari@epamail.epa.gov

RIN: 2040–AD01

3101. ● REVISIONS TO NPDES REQUIREMENTS FOR COMPLIANCE REPORTING AND COLLECTION SYSTEM DISCHARGES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1251

CFR Citation: 40 CFR 122.41

Legal Deadline: None

Abstract: USEPA is proposing revisions to the NPDES regulations. The proposed revisions will clarify how standard noncompliance reporting requirements and prohibition/defense provisions in NPDES permits apply to discharges from sanitary sewer and combined sewer collection systems owned and operated by municipal entities. These proposed revisions respond to recommendations made by a FACA Subcommittee (under the Urban Wet Weather Federal Advisory Committee) that was convened by USEPA to provide recommendations for improving NPDES program implementation efforts which address sanitary sewer overflows (SSOs) and sanitary sewer operation, management, and maintenance. The proposed revisions address combined sewers as well as separate sanitary sewers in order to avoid confusion among the regulatory community. Failures in sewer collection systems can result in discharges of wastewater containing raw sewage to surface waters. Pathogens and other pollutants in these discharges can create significant health and environmental risks. The SSO FACA Subcommittee identified inconsistent application of several key NPDES provisions to SSOs as a major implementation problem. There is substantial agreement among the SSO FACA Subcommittee that USEPA modify the NPDES regulations to clarify how noncompliance reporting and prohibition/defense provisions apply to dischargers to waters of the U.S. from a sanitary sewer collection system.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3999.

Agency Contact: Sharie Centilla, Environmental Protection Agency, Water, SE., Washington, DC 20460
Phone: 202 260-6052
Fax: 202 260-1460
Email: centilla.sharie@epamail.epa.gov

RIN: 2040–AD02

3102. ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS FOR THE STATE OF CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313/CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: Several municipal entities and one industry in California sued the California State Water Resources Control Board (SWRCB) in State court over whether the SWRCB's water quality control plans for inland surface waters and enclosed bays and estuaries were adopted in compliance with authorizing State law. The court issued its final decision in March 1994; the Court agreed with the plaintiffs and found that the plans could not remain in effect. The SWRCB was ordered to rescind its plans which contain the State's numeric criteria for priority toxic pollutants. In the absence of State criteria, the Clean Water Act requires the Administrator to promulgate water quality criteria for priority toxic pollutants where EPA has issued section 304(a) criteria guidance when the discharge of such pollutants could reasonably be expected to interfere with the State's designated uses.

Timetable:

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

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3504.

Agency Contact: Diane Frankel, Environmental Protection Agency, Water, Region IX, San Francisco, CA 94105
Phone: 415 744-2004

RIN: 2040–AC44

3103. STREAMLINING THE STATE SEWAGE SLUDGE MANAGEMENT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251/CWA 101

CFR Citation: 40 CFR 123; 40 CFR 501

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/11/97	62 FR 11270
NPRM Comment Period End	05/12/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3788.

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

RIN: 2040–AC87

3104. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE - PHASE TWO

Priority: Substantive, Nonsignificant

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

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

CFR Citation: 40 CFR 503

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal

Regulation in two phases (i.e., Phase One and Phase Two). Phase Two will address issues presented by judicial remand of specific requirements in the final rule (part 503) and requests for reconsideration and will modify certain technical requirements. The proposed changes will impact Federal, State, local and tribal governments as well as small businesses. EPA expects that these changes will increase flexibility and thus reduce the regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3497.

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

RIN: 2040–AC53

3105. EFFLUENT GUIDELINES AND STANDARDS FOR THE CENTRALIZED WASTE TREATMENT INDUSTRY

Priority: Other Significant

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

CFR Citation: 40 CFR 437

Legal Deadline:
NPRM, Judicial, December 15, 1994.
Final, Judicial, August 15, 1999.

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

Timetable:

Action	Date	FR Cite
NPRM	01/27/95	60 FR 5464
Reproposal	01/00/98	
Final Action	08/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2805.

Agency Contact: Jan Matuszko, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-9126
Fax: 202 260-7185
Email: matuszko.jan@epamail.epa.gov

RIN: 2040–AB78

3106. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL LAUNDRIES CATEGORY

Priority: Other Significant

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

CFR Citation: 40 CFR 441

Legal Deadline:
NPRM, Judicial, September 30, 1997.
Final, Judicial, June 30, 1999.

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	
Final Action	06/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3209.

Agency Contact: Susan Burris, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-5379
Fax: 202 260-7185
Email: burris.susan@epamail.epa.gov

RIN: 2040–AB97

3107. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY

Priority: Other Significant

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

CFR Citation: 40 CFR 442

Legal Deadline:
NPRM, Judicial, January 31, 1998.
Final, Judicial, February 28, 2000.

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

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
Final Action	02/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3204.

Agency Contact: Gina Matthews, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-6036
Fax: 202 260-7185
Email: matthews.gina@epamail.epa.gov

RIN: 2040–AB98

3108. EFFLUENT GUIDELINES AND STANDARDS FOR LANDFILLS AND INCINERATORS

Priority: Other Significant

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

CFR Citation: 40 CFR 437

Legal Deadline:
NPRM, Judicial, November 30, 1997.
Final, Judicial, November 30, 1999.

Abstract: EPA is developing effluent guidelines and standards for: a) industrial incinerators and thermal destruction units; and b) all landfills with leachate collection systems. This rule was formerly titled Waste Treatment, Phase II.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	11/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3489.

Agency Contact: Samantha Hopkins, (Incinerators), Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7149
Fax: 202 260-7185
Email: hopkins.samantha@epamail.epa.gov
John Tinger, (Landfills), Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-4992
Fax: 202 260-7185
Email: tinger.john@epamail.epa.gov

RIN: 2040–AC23

3109. NPDES STREAMLINING RULE—ROUND III

Priority: Substantive, Nonsignificant

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

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

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

Legal Deadline: None

Abstract: On February 21, 1995, President Clinton issued a directive requesting that Federal agencies review their regulatory programs to eliminate any obsolete, ineffective, or unduly burdensome regulations. In response to that directive, EPA plans to issue several rulemaking packages to revise NPDES requirements in parts 122, 123, and 124 to eliminate redundant regulations, provide clarification, and remove or streamline unnecessary procedures. Revisions under consideration in this rule include adding additional permit modifications that can be considered minor modifications at 122.63, and changes to requirements concerning EPA's review of State permits. Other revisions may be considered as work on this rule progresses. This rulemaking is expected to affect entities which implement the NPDES program or are regulated by it. This includes small businesses and State and local governments. Most of these effects are expected to be deregulatory or streamlining in nature.

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3786.

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

RIN: 2040–AC84

3110. STREAMLINING 301(H) WAIVER RENEWAL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311/CWA 301

CFR Citation: 40 CFR 125

Legal Deadline: None

Abstract: EPA is proposing an amendment to the regulations contained in 40 CFR Part 125, Subpart G. These regulations implement Section 301(h) of the Clean Water Act, 33 USC Section 1311(h). Section 301(h) provides publicly owned treatment works (POTWs) discharging to marine waters an opportunity to obtain a modification of secondary treatment requirements if they demonstrate to EPA that they comply with a number of criteria aimed at protecting the marine environment. This proposal is designed to streamline the renewal process for POTWs with 301(h) modified permits. The action would eliminate unnecessary paperwork. It specifies that a completed application would not be required for renewals in cases where EPA already has the required information. Additional information would only be required as necessary to determine ongoing compliance with the 301(h) criteria. This regulation should reduce paperwork submissions from municipalities, which should save time and resources.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 3804.

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

RIN: 2040–AC89

3111. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF TRACE METALS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 136 to approve new EPA methods for the determination of trace metals at EPA's water quality criteria levels. These methods are necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. Water quality-based permits are necessary when technology-based controls do not allow a particular water body to meet the state's designated water quality standard. Since the methods currently approved under 40 CFR Part 136 were designed to meet technology-based permitting needs, and since these technology-based levels are as much as 280 times higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

This action will not have a significant economic impact on state, local, or tribal governments or small businesses. This regulation would approve a test

procedure to be used in measuring trace metals under the National Pollution Discharge Elimination System unless the Regional Administrator approves an alternative procedure.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3702.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamail.epa.gov

RIN: 2040–AC75

3112. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF CYANIDE UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

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

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

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

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

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3701.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamail.epa.gov

RIN: 2040–AC76

3113. REFORMATTING OF EFFLUENT GUIDELINES AND STANDARDS IN 40 CFR PARTS 405 THROUGH 471

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

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

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

CFR Citation: 40 CFR 405 to 471 as amended

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	11/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3767.

Agency Contact: Jan Goodwin, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7152
Fax: 202 260-7185
Email: goodwin.janet@epamail.epa.gov

RIN: 2040–AC79

3114. STREAMLINING THE GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

Priority: Other Significant

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

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

CFR Citation: 40 CFR 403

Legal Deadline: None

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

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3663.

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

RIN: 2040–AC58

3115. INCREASED METHOD FLEXIBILITY FOR TEST PROCEDURES APPROVED FOR CLEAN WATER ACT COMPLIANCE MONITORING UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This regulatory action would highlight the flexibility already contained in the 600 and 1600 series methods that are currently approved for Clean Water Act compliance monitoring under 40 CFR Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants. These methods typically contain a statement that, ''In recognition of advances that are occurring in analytical technology, and to allow the analyst to overcome sample matrix interferences, the analyst is permitted certain options to improve separations or lower the costs of measurements. These options include alternate extraction, concentration, cleanup procedures, and changes in columns and detectors . . ..'' The methods further require the analyst to demonstrate that the method modifications will not adversely affect the quality of data by generating quality control results that meet the specifications contained in the method. Despite this stated flexibility, OW has found that many permitting authorities are not aware of this flexibility when issuing or enforcing NPDES and pretreatment permits. Therefore, this regulatory action will highlight the existing method flexibility and clarify OW's position regarding its application. This action will also propose to extend this flexibility to all methods currently approved under 40 CFR Part 136. The purpose of extending this flexibility to all methods is to (1) increase consistency between methods, (2) provide for increased recognition of advances in analytical technology, and (3) reduce costs associated with analytical measurements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	12/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3714.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460 Phone: 202 260-5251 Fax: 202 260-7185 Email: telliard.william@epamail.epa.gov

RIN: 2040–AC92

3116. UNIFORM NATIONAL DISCHARGE STANDARDS FOR ARMED FORCES VESSELS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 140

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

Abstract: The 1996 Defense Authorization Act authorizes EPA and the Navy, in consultation with other Federal agencies and affected States, to develop Uniform National Discharge Standards (UNDS) for discharges from armed forces vessels. These regulations will enable the Navy to design vessels to one protective uniform standard, instead of attempting to conform to diverse State standards. Promulgation of uniform standards may result in innovative waste management technologies that can be transferred to the private sector. The first phase of the legislation requires promulgation of joint regulations that signify which discharges require regulation, which entail the use of marine pollution control devices, as well as those which will not require regulation. Marine pollution control devices may be a piece of equipment designed to control a particular waste stream, or a management practice that would reduce the impacts of a discharge. The Navy and EPA will determine the nature and environmental effects of vessel discharges, as well as the practicability of installing marine pollution control devises for those discharges that require regulation. This regulation only applies to vessels of the armed forces, and therefore will have no impact on small businesses. State governments will be involved in the rulemaking process as this rule may impact State standards, if any exist, by taking precedence over those standards for vessels of the armed forces. The uniform national standards proposed by this action will regulate those liquid vessel discharges that would have adverse impacts on the marine environment. If there is new information that suggests the standard should be changed, a State may petition for review any standard promulgated under this action.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3925.

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

RIN: 2040–AC96

3117. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C—WASTEWATER DISCHARGE INFORMATION

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

Unfunded Mandates: Undetermined

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

Legal Authority: 33 USC 1342/CWA 402

EPA—CWA — Proposed Rule Stage

CFR Citation: 40 CFR 122.21(g)

Legal Deadline: None

Abstract: All existing manufacturing, commercial, mining, and silvicultural operations requiring a National Pollutant Discharge Elimination System (NPDES) permit must submit an application in order to obtain a permit. The existing industrial application form has not been revised since 1984 and needs to be updated to reflect statutory and regulatory changes in the NPDES program, advances in analytical methods and an increased emphasis on toxic control. The purpose of this action is to revise and consolidate existing application forms and requirements for industries, and to streamline the permit application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency will seek to allow the use of existing data to the extent possible 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 the data. The Agency is reviewing ways to minimize the need for information from small dischargers, including tribal facilities. EPA will also seek to minimize and reduce the burden on States through improvements to the application forms.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	01/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3234.

Agency Contact: Ruby Cooper Ford, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-6051

RIN: 2040–AC26

3118. COMPREHENSIVE NPDES STORMWATER PHASE II REGULATIONS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 122; 40 CFR 123

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

Abstract: EPA will be proposing changes to the stormwater regulations for the remaining unregulated dischargers that require regulation. Also known as Phase II dischargers, these sources potentially could include all stormwater discharges from commercial, retail, and institutional facilities and from municipal separate storm sewer systems serving populations of less than 100,000. Data collected under sections 305(b) and 402(p)(5) of the CWA indicate that benefits will be derived from addressing these discharges under the Phase II program. Urban stormwater runoff is a real cause of water quality use impairment. EPA has invited stakeholders to participate in the development of comprehensive Phase II rules under the Federal Advisory Committee Act (FACA). This FACA group will assist in the development of the rule. Currently all Phase II dischargers are required to have stormwater permits by 2001. EPA is planning to limit the universe of designated Phase II sources and is planning to recommend an approach that would promote the use of general permits for most Phase II sources.

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3785.

Agency Contact: George Utting, Environmental Protection Agency, Water, (4203), Washington, DC 20460
Phone: 202 260-9530
Fax: 202 260-1460

RIN: 2040–AC82

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Clean Water Act (CWA)

3119. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE—PHASE ONE

Priority: Substantive, Nonsignificant

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

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

CFR Citation: 40 CFR 503

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal Regulation in two phases (i.e., Phase One and Phase Two). Phase I will respond to minor comments received on the Final Sewage Sludge Use or Disposal Round I Rule (Part 503), correct some publication errors, and include some technical amendments. This action will modify the existing regulation to make the requirements for sewage sludge incinerators self-implementing and provide the regulated community flexibility in meeting other Part 503 requirements. The changes should not have any adverse impact on State,local, or tribal government or small businesses because no additional requirements are being imposed.

Timetable:

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54771
Final Action	05/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3497.

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

RIN: 2040–AC29

3120. STREAMLINED PROCEDURES AND GUIDANCE FOR APPROVING TEST PROCEDURES UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/28/97	62 FR 14975
Final Action	03/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3713.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamail.epa.gov
Environmental Protection Agency, Water
Phone: 202-260-7117

RIN: 2040–AC93

3121. SELENIUM CRITERION MAXIMUM CONCENTRATION FOR WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1268/CWA 118

CFR Citation: 40 CFR 132

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/16/96	61 FR 66007
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3921.

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

RIN: 2040–AC97

3122. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY

Priority: Economically Significant. Major under 5 USC 801.

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

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

CFR Citation: 40 CFR 430; 40 CFR 431

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

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

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2712.

Agency Contact: Donald Anderson, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7189
Fax: 202 260-7185
Email: anderson.donaldf@epamail.epa.gov

RIN: 2040–AB53

3123. NPDES STREAMLINING RULE—ROUND II

Priority: Substantive, Nonsignificant

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

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

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

Legal Deadline: None

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

that directive, the Office of Wastewater Management plans to issue a comprehensive rulemaking package revising certain NPDES requirements in parts 122, 123 and 124 to eliminate redundant regulations, provide clarification, and remove or streamline unnecessary procedures which do not provide any environmental benefits. Some of these revisions include: 1) consolidating regulatory definitions; 2) removal of Part 124 Subpart F non-adversary panel hearings; 3) possible removal of storm water group application requirements; 4) streamlining permit termination procedures; and 5) removing Part 124 evidentiary hearing procedures.

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

Timetable:

Action	Date	FR Cite
NPRM	12/11/96	61 FR 65267
Final Action	07/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3762.

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

RIN: 2040–AC70

3124. WATER QUALITY STANDARDS; ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS; STATES' COMPLIANCE

Priority: Substantive, Nonsignificant

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

Legal Authority: 33 USC 1313/CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

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

This action is de-regulatory in nature, but is not expected to impact the health of aquatic life in the water column. EPA expects this rule to result in less stringent permit limits and therefore a potential cost savings in wastewater treatment for dischargers of metals in the 11 covered States. In May 1995, EPA promulgated an interim final rule revising the metals criteria. This action will make the interim final rule final.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/04/95	60 FR 22229
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3661.

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

RIN: 2040–AC55

3125. STREAMLINED PROCEDURES FOR DEVELOPING AND MAINTAINING APPROVED PUBLICLY-OWNED TREATMENT WORKS PRETREATMENT PROGRAMS

Priority: Substantive, Nonsignificant

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

Legal Authority: 33 USC 1314/CWA 304; 33 USC 1317/CWA 307; 33 USC 1342(b)(8)/CWA 402(b)(8); 33 USC 1361/CWA 501

CFR Citation: 40 CFR 403.18

Legal Deadline: None

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

Under the new regulations, the POTW's NPDES permit would include only certain significant elements of the approved POTW pretreatment program. EPA or the State would need to approve changes to the POTW pretreatment program only where the program is made less restrictive or when EPA or the State requests approval. In many cases, only a single public notice of a change to the POTW pretreatment program would be required.

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

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3625.

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

RIN: 2040–AC57

3126. GUIDELINES ESTABLISHING OIL AND GREASE TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	01/23/96	61 FR 1730
Final Action	07/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3617.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamail.epa.gov

RIN: 2040–AC63

3127. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF 2,3,7,8-SUBSTITUTED DIBENZO-P-DIOXINS AND DIBENZO FURANS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR part 136 to approve EPA Method 1613 for the determination of 2,3,7,8-substituted dibenzo-p-dioxins and dibenzo furans (CDDs/CDFs). Method 1613 is necessary to extend minimum levels of quantitation of CDDs/CDFs into the low part-per-quadrillion (PPQ) range to support the development of effluent limitations guidelines and for compliance monitoring under the Clean Water Act National Pollutant Discharge Elimination System (NPDES) program and pretreatment program. This regulation approves a test procedure to be used in measuring 2,3,7,8 substituted dibenzo-p-dioxins and di-benzo furans under the National Pollutant Discharge Elimination System unless the Regional Administrator approves an alternate test procedure.

Timetable:

Action	Date	FR Cite
NPRM	02/07/91	56 FR 5090
Final Action	06/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3679.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamil.epa.gov

RIN: 2040–AC64

3128. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR 136 to approve new procedures for the analysis of miscellaneous metals, anions, and volatile organics under the Clean Water Act (CWA). These methods are used for implementing water quality based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. This action will not have a significant economic impact on state, local, or tribal governments, or small businesses. This regulation would approve test procedures to be used in measuring this group of compounds under the NPDES unless the Regional Administrator approves an alternative procedure.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Action	08/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3155.

Agency Contact: William A. Telliard, Environmental Protection Agency, Water, (4303), Washington, DC 20460
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamail.epa.gov

RIN: 2040–AC95

3129. CLARIFICATION OF THE APPLICATION REQUIREMENTS FOR STATES WANTING TO DESIGNATE DRINKING WATER INTAKE ZONES, THEREBY PROHIBITING THE DISCHARGE OF VESSEL SEWAGE WITHIN THOSE ZONES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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

Legal Authority: 33 USC 1322/CWA 312

CFR Citation: 40 CFR 140

Legal Deadline: None

Abstract: Section 312 of the Clean Water Act entitled Marine Sanitation Devices was established in the Federal Water Pollution Control Act of 1972 to regulate discharges of vessel sewage. EPA is developing a technical amendment to clarify the regulations implementing section 312. This proposed regulatory amendment to 40 CFR Part 140.4(b) would clarify the information required in a State application requesting EPA to designate State-specified surface water as a drinking water intake zone, thereby making it unlawful for vessels to discharge sewage within that zone. This amendment would provide guidance to EPA Regions and States on the specific information necessary for the designation of a drinking water intake zone.

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

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 54013
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3666.

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

RIN: 2040–AC61

3130. NPDES WASTEWATER PERMIT APPLICATION FORMS AND REGULATORY REVISIONS FOR MUNICIPAL DISCHARGES AND SEWAGE SLUDGE USE OR DISPOSAL

Priority: Other Significant

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

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

CFR Citation: 40 CFR 122.21(j)

Legal Deadline: None

Abstract: The purpose of this action is to revise and consolidate existing application forms and requirements for Publicly Owned Treatment Works (POTWs) and other Treatment Works 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 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 because of improvements to the application forms.

Timetable:

Action	Date	FR Cite
NPRM	12/06/95	60 FR 62545
Final Action	09/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2501.

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

RIN: 2040–AB39

3131. SHORE PROTECTION ACT, SECTION 4103(B) REGULATIONS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 237

Legal Deadline: None

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

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	05/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 2820.

EPA—CWA **Final Rule Stage**

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

RIN: 2040–AB85

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Clean Water Act (CWA)

3132. GUIDELINES ESTABLISHING WHOLE EFFLUENT TOXICITY WEST COAST TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 136

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William Telliard
Phone: 202 260-7134
Fax: 202 260-7185
Email: telliard.william@epamail.epa.gov

RIN: 2040–AC54

3133. STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE (ROUND II)

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 503

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

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

RIN: 2040–AC25

3134. EFFLUENT GUIDELINES AND STANDARDS FOR THE PHARMACEUTICAL MANUFACTURING CATEGORY

Priority: Other Significant

CFR Citation: 40 CFR 439

Timetable:

Action	Date	FR Cite
NPRM (NSPS)	10/27/83	48 FR 49832
NPRM	05/02/95	60 FR 21592
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Frank Hund
Phone: 202 260-7182
Fax: 202 260-7185
Email: hund.frank@epamail.epa.gov

RIN: 2040–AA13

3135. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASES I AND 2

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 438

Timetable:

Action	Date	FR Cite
NPRM (phase 1)	05/30/95	60 FR 28210
NPRM (consolidated Phase 1 and 2)	10/00/00	
Final Action	12/00/02	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Steven Geil
Phone: 202 260-9817
Fax: 202 260-7185
Email: geil.steve@epamail.epa.gov

RIN: 2040–AB79

3136. CRITERIA AND STANDARDS REFLECTING BEST TECHNOLOGY AVAILABLE (BTA) FOR COOLING WATER INTAKE STRUCTURES UNDER SECTION 316(B) OF THE CLEAN WATER ACT

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 125; 40 CFR 401

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Deborah Nagle
Phone: 202 260-2656

RIN: 2040–AC34

3137. EFFLUENT GUIDELINES AND STANDARDS FOR IRON AND STEEL MANUFACTURING POINT SOURCE CATEGORY

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 420

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: George M. Jett
Phone: 202 260-7151
Fax: 202 260-7185
Email: Jett.George@EPAMAIL.EPA.GOV

RIN: 2040–AC90

3138. STREAMLINING REVISIONS TO THE WATER QUALITY PLANNING AND MANAGEMENT REGULATIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 130

EPA—CWA — Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	12/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Mimi Dannel
Phone: 202 260-1897

RIN: 2040–AC65

3139. AMENDMENT TO EFFLUENT GUIDELINES AND STANDARDS FOR ORE MINING AND DRESSING POINT SOURCE CATEGORY, NEW SOURCE PERFORMANCE STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 440

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Ronald G. Kirby
Phone: 202 260-7168
Fax: 202 260-7185
Email: kirby.ron@epamail.epa.gov

RIN: 2040–AC74

3140. CLEAN WATER ACT SECTION 404 PROGRAM DEFINITION OF THE WATERS OF THE UNITED STATES—ISOLATED WATERS AND ARTIFICIAL WATERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 232

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hazel Groman
Phone: 202 260-8798

RIN: 2040–AB74

3141. COMPARISON OF DREDGED MATERIAL TO REFERENCE SEDIMENT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 230

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Goodin
Phone: 202 260-9910

RIN: 2040–AC14

3142. REVISIONS TO OCEAN DUMPING REGULATIONS FOR DREDGED MATERIAL

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

Unfunded Mandates: Undetermined

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

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

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Heisler
Phone: 202 260-8448

RIN: 2040–AB62

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Clean Water Act (CWA)

3143. STREAMLINING NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM REQUIREMENTS, INCLUDING GENERAL PRETREATMENT REQUIREMENTS

Priority: Economically Significant

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 122; 40 CFR 403

Completed:

Reason	Date	FR Cite
Withdrawn - Split Into Several Separate Actions	03/11/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Traci Brown
Phone: 202 260-8487

RIN: 2040–AC69

3144. REVISIONS TO THE PCB CRITERIA FOR HUMAN HEALTH AND WILDLIFE FOR THE WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 132

Completed:

Reason	Date	FR Cite
Final Action	03/12/97	62 FR 11723

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Mark Morris
Phone: 202 260-0312

RIN: 2040–AC94

3145. EFFLUENT GUIDELINES AND STANDARDS FOR THE COASTAL SUBCATEGORY OF THE OIL AND GAS EXTRACTION CATEGORY

Priority: Other Significant

CFR Citation: 40 CFR 435

Completed:

Reason	Date	FR Cite
Final Action	12/16/96	61 FR 66085

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

EPA—CWA — Completed Actions

Agency Contact: Charles White
Phone: 202 260-5411
Fax: 202 260-7185
Email: white.chuck@epamail.epa.gov

RIN: 2040–AB72

3146. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASE II

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 438

Completed:

Reason	Date	FR Cite
Merged With RIN 2040-AB79	03/11/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Mark Ingle
Phone: 202-260-7191
Fax: 202 260-7185
Email: ingle.mark@epamail.epa.gov

RIN: 2040–AC30

3147. WATER QUALITY STANDARDS FOR PENNSYLVANIA

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 131

Completed:

Reason	Date	FR Cite
Final Action	12/09/96	61 FR 64816

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Agency Contact: Evelyn S. MacKnight
Phone: 215 566-5717
Fax: 215 566-2301

RIN: 2040–AC78

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Atomic Energy Act (AEA)

3148. ENVIRONMENTAL PROTECTION AGENCY RADIATION SITE CLEANUP REGULATION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 2201/AEA 161; 42 USC 2021/AEA 274; Reorganization Plan No. 3 of 1970; 42 USC 2011-2296

CFR Citation: 40 CFR 196

Legal Deadline: None

Abstract: Under the authority of the Atomic Energy Act of 1954, as amended, and Reorganization Plan No. 3 of 1970, the Agency is proposing regulations to set standards limiting the amount of radiation that members of the public may receive from a contaminated site released from federal control.

EPA estimates that about 5000 sites may be contaminated with radioactive materials in the United States. Included are sites on EPA's National Priorities List, and other sites under the authority of various Federal agencies, predominately DOE and DoD, sites licensed by the NRC and NRC Agreement States, and sites licensed by States. Based on data provided by DOE, DoD, and NRC, many of those sites are non-Federal NPL sites or sites licensed by either the NRC or NRC Agreement States. There are also sites that are under the control of either DOE, DoD, or other Federal agencies. Contamination extends to all environmental media and includes all types of radioactive materials. It also includes mixed waste, which contains both radioactive and hazardous components. To date, progress in cleaning up these sites has been slow, largely due to the absence of a uniform, national radiation site cleanup standard.

Under current programs, cleanup standards for radioactive materials are determined on a site-by-site basis. A risk assessment is conducted to analyze the extent of the potential threat that the radioactive materials at the site pose to human health. However, direction is still needed on the level of human health and environmental protection to be achieved at these sites. To address this problem, the Agency has developed standards that will establish cleanup levels for these sites.

Timetable:

Action	Date	FR Cite
ANPRM	10/21/93	58 FR 54474
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Additional Information: SAN No. 2073.

Agency Contact: John M. Karhnak, Environmental Protection Agency, Air and Radiation, (6603J), Washington, DC 20460
Phone: 202 233-9237

RIN: 2060–AB31

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage
Atomic Energy Act (AEA)

3149. FEDERAL RADIATION PROTECTION GUIDANCE FOR EXPOSURE OF THE GENERAL PUBLIC

Priority: Other Significant

Unfunded Mandates: Undetermined

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

CFR Citation: Not applicable

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	06/18/86	51 FR 22264
NPRM	12/23/94	59 FR 66414
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3321.

Agency Contact: Allan Richardson, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460
Phone: 202 254-3826
Fax: 202-233-9213

RIN: 2060–AE61

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions
Atomic Energy Act (AEA)

3150. PROTECTIVE ACTION GUIDANCE FOR DRINKING WATER

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 41 CFR 351

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles Blue
Phone: 202 233-9488

RIN: 2060–AF39

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions
Atomic Energy Act (AEA)

3151. ENVIRONMENTAL PROTECTION STANDARDS FOR LOW-LEVEL RADIOACTIVE WASTE

Priority: Other Significant

CFR Citation: 40 CFR 193

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action on this rule.	02/26/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Tara Chhay Cameron
Phone: 202 233-9310

RIN: 2060–AA04

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage
Safe Drinking Water Act (SDWA)

3152. ● DRINKING WATER CONSUMER CONFIDENCE REPORT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300g-3c

CFR Citation: 40 CFR 141 subpart A; 40 CFR 141 subpart N; 40 CFR 142 subpart B

Legal Deadline:
Final, Statutory, August 6, 1998.

Abstract: The SDWA amendments of 1996 require EPA to promulgate regulations requiring all community water systems to prepare Consumer Confidence Reports regarding the quality of the drinking water they provide. The regulations must specify the form and content of these reports. The reports must be prepared annually and mailed to customers except that the Governor of a State can exempt systems serving fewer than 10,000 customers from the mailing requirements. The reports must contain (1) information on the source of the drinking water, (2) brief and plainly worded definitions of certain key terms such as MCL and MCLG, (3) information on all detected contaminants and health information for contaminants which exceed an MCL, (4) information on compliance with primary drinking water regulations, (5) information on unregulated contaminants if detected. The reports must refer to an EPA hotline for additional health information. No sampling or monitoring is required by these regulations. The reports are a compilation of information obtained to comply with other requirements under the SDWA.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	08/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Sectors Affected: 494 Water Supply

Additional Information: SAN No. 3947.

Agency Contact: Francoise M. Brasier, Environmental Protection Agency, Water
Phone: 202 260-5668
Fax: 202 260-0732

EPA—SDWA — Proposed Rule Stage

Email: brasier.francoise@epamail.gov

RIN: 2040–AC99

3153. ANALYTICAL METHODS FOR REGULATED DRINKING WATER CONTAMINANTS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

Abstract: In promulgating National Primary Drinking Water Regulations, EPA includes analytical methods for determination of regulated drinking water contaminants. EPA approved methods include EPA methods, Standard Methods (methods evaluated and recommended for use by the America Public Health Association (APHA)), American Society for Testing and Materials (ASTM) Methods, United States Geological Survey (USGS) Methods and others. Periodically, the Agency updates and revises methods to incorporate newer technologies. Standard setting organizations such as APHA, ASTM, and USGS also routinely revise and update methods.

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

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3726.

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

RIN: 2040–AC77

3154. STREAMLINING DRINKING WATER MONITORING REQUIREMENTS

Priority: Other Significant

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

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

CFR Citation: 40 CFR 141

Legal Deadline: None

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

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3761.

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

RIN: 2040–AC73

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Safe Drinking Water Act (SDWA)

3155. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR LEAD AND COPPER

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300g-1 /SDWA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: EPA will promulgate revisions to the National Primary Drinking Water Regulations for Lead and Copper published June 7, 1991. The basic lead and copper regulations will remain intact, however, EPA will promulgate minor revisions to refine specific requirements and improve implementation of the rule. Some of these revisions are deregulatory in nature, in that they will lessen monitoring requirements for public water systems which have consistently shown very low levels of lead and copper at the tap. EPA also plans to promulgate changes that will provide many community water systems more flexibility in the delivery of lead public education requirements, and allow States to invalidate inappropriate samples. Other revisions would promote consistent national implementation by clarifying the monitoring requirements that apply in different circumstances. Finally, EPA plans to respond to a remand in American Water Works Association v. EPA, 40 F.3D 1266 (DC Circuit 1994), on portions of the Lead and Copper regulation by promulgating a revised definition of control as it applies to lead service line replacement and to address the current exemption of transient non-community water systems from coverage under the rule.

EPA—SDWA — Final Rule Stage

Nationally, EPA estimates the changes will not affect the cost or benefits of the Lead and Copper Rule significantly. State governments should experience a minor decrease in costs as a result of these revisions. Many local and tribal governments and small businesses that operate public water systems should also experience a decrease in annual costs.

Timetable:

Action	Date	FR Cite
NPRM	04/12/96	61 FR 16348
Final Action	03/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3440.

Agency Contact: Judy Lebowich, Environmental Protection Agency, Water, (4607), Washington, DC 20460
Phone: 202 260-7595

RIN: 2040–AC27

3156. REFORMATTING OF DRINKING WATER REGULATIONS

Priority: Info./Admin./Other

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

Legal Authority: 42 USC 300g-1 /SDWA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Direct Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3563.

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

RIN: 2040–AC41

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Safe Drinking Water Act (SDWA)

3157. ● REVISIONS TO STATE PRIMACY REQUIREMENTS TO IMPLEMENT FEDERAL DRINKING WATER REGULATIONS

Priority: Other Significant

Legal Authority: 42 USC 300g-2

CFR Citation: 40 CFR 142.10; 40 CFR 142.11; 40 CFR 142.12; 40 CFR 142.13

Legal Deadline:
NPRM, Statutory, February 6, 1997.
Final, Statutory, May 6, 1997.

Abstract: The 1996 Amendments to the Safe Drinking Water Act changed the requirements for States to assume primary responsibility for implementation and enforcement of the national primary drinking water regulations. This action will update the Federal regulations to conform to the amendments.

Timetable:

Action	Date	FR Cite
NPRM	08/00/98	
Final	08/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3996.

Agency Contact: Mike Muse, Environmental Protection Agency, Water, SE., Washington, DC
Phone: 202 260-3874
Fax: 202 260-3464

RIN: 2040–AD00

3158. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADON

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Notice	02/00/99	
Reproposal	08/00/99	
Final	08/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sylvia Malm
Phone: 202 260-3762

RIN: 2040–AA94

3159. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUNDWATER DISINFECTION

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Action	05/00/02	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bruce Macler
Phone: 415 744-1884
Erin K. Flanagan
Phone: 202-260-5545

RIN: 2040–AA97

3160. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Irene Dooley
Phone: 202 260-9531

RIN: 2040–AB75

3161. NATIONAL PRIMARY DRINKING WATER REGULATIONS: STAGE I DISINFECTANT/ DISINFECTION BY-PRODUCTS RULE

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38668
Final Action	11/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Tom Grubbs
Phone: 202 260-7270

RIN: 2040–AB82

3162. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE

Priority: Other Significant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Jim Taft
Phone: 202 260-5519

RIN: 2040–AC07

3163. NATIONAL PRIMARY DRINKING WATER STANDARDS FOR ALDICARB

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: James Taft
Phone: 202 260-5519

RIN: 2040–AC13

3164. UNDERGROUND INJECTION CONTROL PROGRAM STREAMLINING RULE

Priority: Other Significant

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

CFR Citation: 40 CFR 144; 40 CFR 146

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Agency Contact: Denny Cruz
Phone: 202 260-7776
Fax: 202 260-0732

RIN: 2040–AC83

3165. NATIONAL PRIMARY DRINKING WATER REGULATIONS: INTERIM ENHANCED SURFACE WATER TREATMENT RULE

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38832
Final Action	11/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Elizabeth Corr
Phone: 202 260-8907

RIN: 2040–AC91

3166. ● NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADIUM, URANIUM, ALPHA, BETA AND PHOTON EMITTERS

Priority: Economically Significant

Legal Authority: 42 USC 300/SDWA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:
Final, Judicial, December 2000, Uranium.
Other, Judicial, December 2000, Final or statement of rationalefor not taking final action: Radi.

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. 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 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.

By December 15, 1995, EPA and the litigants will agree on the time needed to negotiate a revised schedule for this rule.

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Final Action	12/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3992.

Agency Contact: Dave Huber, Environmental Protection Agency, Water, (4607), Washington, DC 20460 Phone: 202 260-9566

RIN: 2040–AC98

3167. MANAGEMENT OF CLASS V INJECTION WELLS UNDER PART C OF THE SAFE DRINKING WATER ACT

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 144; 40 CFR 145; 40 CFR 146

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44652
Reproposal	06/00/98	
Final Action	07/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Lee Whitehurst Phone: 202 260-5532

RIN: 2040–AB83

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Safe Drinking Water Act (SDWA)

3168. NATIONAL PRIMARY DRINKING WATER REGULATIONS: PHASE VI-B—ORGANIC AND INORGANIC CONTAMINANTS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 141; 40 CFR 142

Completed:

Reason	Date	FR Cite
Withdrawn - No further action is planned.	03/07/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: David Huber Phone: 202 260-9566

RIN: 2040–AC22

3169. STREAMLINING REVISIONS TO THE NATIONAL PRIMARY DRINKING WATER REGULATIONS

Priority: Other Significant

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

CFR Citation: 40 CFR 141

Completed:

Reason	Date	FR Cite
Withdrawn - Split into three separate entries	03/11/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: George Hoessel Phone: 202 260-7097

RIN: 2040–AC66

3170. ANALYTIC METHODS FOR MEASURING RADIONUCLIDES IN THE DRINKING WATER PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 141; 40 CFR 143

Completed:

Reason	Date	FR Cite
Final Action	03/05/97	62 FR 10168

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Dr. Jitendra Saxena Phone: 202 260-9579

RIN: 2040–AC88

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Resource Conservation and Recovery Act (RCRA)

3171. REVIEW OF TOXICITY CHARACTERISTIC LEVEL FOR SILVER UNDER THE RESOURCE CONSERVATION RECOVERY ACT (RCRA)

Priority: Info./Admin./Other

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

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6938

CFR Citation: 40 CFR 261; 40 CFR 268

Legal Deadline: None

Abstract: This action initiates a technical review of the possible risks associated with management of silver-bearing wastes, which is being conducted in response to petitions submitted to the Agency to delete the toxicity characteristic level for silver. EPA will address all potential pathways for risks from silver-bearing wastes, including possible ecological effects.

Silver is on the toxicity characteristic list because it was a regulated drinking water contaminant. In January 1991, the Agency deleted the primary drinking

EPA—RCRA **Prerule Stage**

water maximum contaminant level (MCL) for silver because the Agency concluded that silver causes no adverse human health effects. The petitioners, users of silver materials and silver waste generators, petitioned the Agency to delete silver from the TC list on the basis of the Agency's conclusions regarding silver toxicity to humans in deleting the MCL.

The Agency believes that before a decision can be made to delete or modify the toxicity characteristic level for silver, a more complete assessment of risks posed by management of silver-bearing wastes must be conducted, including a review of possible ecological risks.

Pending the outcome of this review, the Agency may revise or delete the TC level for silver, if warranted.

Timetable:

Action	Date	FR Cite
Pre-Rule	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3886.

Agency Contact: Anna Tschursin, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703-308-8807
Fax: 703-308-0522

RIN: 2050–AE37

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Resource Conservation and Recovery Act (RCRA)

3172. REVISIONS TO THE OIL POLLUTION PREVENTION REGULATION

Priority: Other Significant

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

Legal Authority: 33 USC 1321/CWA 311(j)(l)(C)

CFR Citation: 40 CFR 112

Legal Deadline: None

Abstract: Following a major inland oil spill with substantial environmental impacts (i.e., Ashland Oil in Floreffe, PA, in January 1988), and interagency task force recommended steps to improve EPA's oil spill prevention program (40 CFR part 112). This program requires oil storage facilities to prevent and contain discharges that could reach waters of the United States. On October 22, 1991, the Agency proposed revisions to implement some of the task force recommendations. This action supplements the 1991 proposed revisions, and proposes to reduce burdens associated with the rule by reducing the recordkeeping provisions or exempting some facilities from some or all recordkeeping requirements. In proposing these burden reductions, EPA will consider available data on how factors, such as facility type, size, throughput, and location, may affect the threat of discharging oil to waters of the United States.

Timetable:

Action	Date	FR Cite
NPRM	10/22/91	56 FR 54612
Supplemental NPRM	07/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2634.

Agency Contact: Hugo Fleischman, Environmental Protection Agency, Solid Waste and Emergency Response, (5203G), Washington, DC 20460
Phone: 703 603-8769

RIN: 2050–AC62

3173. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C, HAZARDOUS WASTE TESTING MANUAL, SW-846, THIRD EDITION, UPDATE IV

Priority: Info./Admin./Other

Legal Authority: 42 USC 6912/RCRA 2002; 42 USC 6921/RCRA 3001; 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005; 42 USC 6926/RCRA 3006

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 270

Legal Deadline: None

Abstract: This action will revise certain testing methods and add other new testing methods that are approved or required under Subtitle C of RCRA. These new and revised methods will be added to EPA's solid waste testing guidance (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA publication SW-846). These revisions are necessary to provide improved and more complete analytical methods for RCRA-relating testing. This action will assist States and Tribal governments in implementing the RCRA program. There will be no impacts on local governments or small businesses.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3547.

Agency Contact: Kim Kirkland, Environmental Protection Agency, Solid Waste and Emergency Response, (5307W), Washington, DC 20460
Phone: 703-308-0490

RIN: 2050–AE25

3174. HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; RECYCLED USED OIL MANAGEMENT STANDARDS

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

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

CFR Citation: 40 CFR 279

Legal Deadline: None

Abstract: In response to a September 15, 1994, order from the United States Court of Appeals for the District of Columbia Circuit, the Agency is

reviewing the validity of the used oil mixture rule, 40 CFR 279.10(b). EPA has concluded that further analysis is necessary to determine whether mixtures of used oil destined for recycling and characteristic hazardous wastes differ significantly from other mixtures containing characteristic wastes in terms of potential threat to human health and the environment.

The used oil mixture rule provides that a mixture of hazardous waste and used oil destined for recycling, if the mixture is hazardous solely because it exhibits a hazardous waste characteristic, is regulated under the used oil management standards. Under the used oil mixture rule, such a decharacterized mixture, therefore, is not subject to the hazardous waste regulations, including those relating to land disposal restrictions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3668.

Agency Contact: Rita Cestaric, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703 308-8850

RIN: 2050–AE28

3175. PAINT MANUFACTURING WASTES LISTING: HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6926; 42 USC 6938; 42 USC 9602; 42 USC 9603; 42 USC 9604; 33 USC 1321; 33 USC 1361

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

Legal Deadline:
NPRM, Judicial, September 30, 1997.
Final, Judicial, September 30, 1998.

Abstract: This action addresses the potential risks posed by wastes from the production of paints, and determines whether these wastes should be listed as hazardous under RCRA to control these risks. Any new wastes listed as hazardous will also be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3805.

Agency Contact: Dr. Cate Jenkins, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703 308-0453
Fax: 703 308-0514

RIN: 2050–AE32

3176. • REMOVAL OF REQUIREMENT TO USE SW-846 METHODS (TEST METHODS FOR EVALUATING SOLID WASTE: PHYSICAL/CHEMICAL METHODS)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934 to 6939; 42 USC 6974

CFR Citation: 40 CFR 260.22(d)(1)(I); 40 CFR 261.35(b)(2)(iii)(A); 40 CFR 264.1034(d)(1)(iii); 40 CFR 265.1034(d)(1)(iii); 40 CFR 264.1063(d)(2); 40 CFR 265.1063(d)(2); 40 CFR 266.106(a); 40 CFR 266.112(b)(1) and (2)(I); 40 CFR 270.19(c)(1)(iii) and (iv); 40 CFR 270.62(b)(2)(I)(C) and (D); 40 CFR 270.22(a)(2)(ii)(B); 40 CFR 270.66(c)(2)(I) and (ii)

Legal Deadline: None

Abstract: The EPA Office of Solid Waste (OSW) has been actively working to break down the barriers that the environmental monitoring community faces when trying to use new monitoring techniques. As a first step, OSW has speeded up the process of getting new methods reviewed by EPA and published in SW-846 by chopping 15 months off the proposal to promulgation cycle. This was accomplished by eliminating several unnecessary internal review steps, and by streamlining the internal approval process for each new method.

However, there are currently 14 citations in Title 40 of the Code of Federal Regulations (CFR) where the use of SW-846 methods is required. As a second step for speeding up the approval process, OSW plans to remove the requirements to use SW-846 methods for other than method defined parameters (i.e., where the method defines the regulations, such as the Toxicity Characteristic Leaching Procedure) from 40 CFR. This will likely lead to an even more streamlined approval process since SW-846 will then be able to be handled strictly as guidance and not need the regulatory process for approval.

This additional streamlining will permit new, more cost-effective methods to attain public and regulatory authority acceptance in much less time, allowing required monitoring to be done cheaper, faster and, in some cases, more accurately.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3989.

Agency Contact: Barry Lesnik, Environmental Protection Agency, Solid Waste and Emergency Response, 5307W, Washington, DC 20460
Phone: 703 308-0476
Fax: 703 308-0509
Email: lesnik.barry@epamail.epa.gov

RIN: 2050–AE41

3177. MODIFICATIONS TO THE DEFINITION OF SOLID WASTE AND REGULATIONS OF HAZARDOUS WASTE RECYCLING: GENERAL

Priority: Other Significant

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

Legal Authority: 42 USC 6905/RCRA 1004; 42 USC 6921 to 6928/RCRA 3001 to 3008

CFR Citation: 40 CFR 261; 40 CFR 266

Legal Deadline: None

Abstract: Recycling of hazardous waste is governed by the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. The portion of these regulations known as the Definition of Solid Waste (DSW) specifies whether hazardous materials that are recycled are regulated under RCRA or not. Other parts of the regulations set forth requirements for managing recycled hazardous waste. This regulatory action will revise the hazardous waste recycling regulations to address several issues. First, the recycling regulations have been criticized for being overly complex, difficult to understand, and for posing a barrier to safe hazardous waste recycling. Second, since the recycling regulations were promulgated in 1985, a number of court cases have clarified the scope of the Agency's authority under RCRA to regulate recycled materials. This regulatory action will revise both the Definition of Solid Waste and the requirements for managing recycled hazardous waste in an effort to simplify the recycling regulations, remove disincentives to safe recycling, and address the court cases.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 2872.

Agency Contact: Charlotte Mooney, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460 Phone: 703-308-7025

RIN: 2050–AD18

3178. CHLORINATED ALIPHATICS LISTING DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:

NPRM, Judicial, April 11, 1997.
Final, Judicial, July 31, 1997.

Abstract: This action addresses the potential risks posed by wastes from the production of chlorinated aliphatics, and determines whether these wastes should be listed as hazardous wastes under RCRA to control these risks. Any wastes newly listed as hazardous also will be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined. The dates for the proposed and final rule are the subject of further settlement negotiations with the plaintiffs in EDF v. Browner, Civil Action No. 89-0598 (D.D.C.).

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3151.

Agency Contact: Wanda Levine, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460 Phone: 703 308-0438

RIN: 2050–AD85

3179. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS (SWMUS) AT HAZARDOUS WASTE MANAGEMENT FACILITIES

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: 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 Resource Conservation and Recovery Act (RCRA) facilities have resulted in releases of hazardous constituents from some waste management units. These releases may cause contamination of soils, groundwater, surface water, and air. This regulation provides a framework for investigating and remediating releases at RCRA facilities as necessary to protect human health and the environment.

The Agency plans to issue the corrective action regulations in several phases. Phase I was issued in February 1993 (e.g., regulations concerning Corrective Action Management Units (CAMU)). An advance notice of proposed rulemaking (ANPRM) was published on May 1, 1996. The following phase (Phase II) will include assessing comments on the ANPRM, and striking the appropriate balance between finalizing certain provisions of the July 27, 1990 proposal, issuing a proposal that includes a reproposal of some provisions from the July 1990 notice and proposing new provisions. The last phase (Phase III) will involve finalizing any newly proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/27/90	55 FR 30798
Final Rule (Phase I)	02/16/93	58 FR 8658
ANPRM	05/01/96	61 FR 19432
NPRM	12/00/97	
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2390.

Agency Contact: Hugh Davis, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460 Phone: 703 308-8633

RIN: 2050–AB80

3180. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

Priority: Other Significant

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

Legal Authority: 42 USC 6912(a)/RCRA 6002(e)

CFR Citation: 40 CFR 247

Legal Deadline: None

Abstract: RCRA section 6002 requires EPA to issue guidelines which designate items that are or can be made with recovered materials and to recommend practices for government procurement of these materials. Once designated, procuring agencies are required to purchase these items with the highest percentage of recovered materials practicable. On May 1, 1995, under RCRA and Executive Order 12873, ''Federal Acquisition, Recycling, and Waste Prevention,'' EPA designated 19 items in a Comprehensive Procurement Guideline (CPG) (60 FR 21370). EPA also issued purchasing recommendations in a related Recovered Materials Advisory Notice (RMAN) (60 FR 21386). The Order requires EPA to update the CPG and issue RMANs annually. On November 7, 1996, EPA proposed the first update to the CPG (CPG2), in which 13 additional items would be designated, and additional recommendations would be discussed in a RMAN. The new actions would: (1) finalize the designations proposed on 11/7/96 and, (2) propose the second update to the CPG (CPG3), including recommendations in RMANs.

Timetable:

Action	Date	FR Cite
NPRM (CPG2)	11/07/96	61 FR 57748
NPRM (CPG3)	10/00/97	
Final Action (CPG2)	11/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3545.

Agency Contact: Terry Grist, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460 Phone: 703 308-7257

RIN: 2050–AE23

3181. MANAGEMENT OF CEMENT KILN DUST (CKD)

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

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 6903(5)(b)/RCRA 1004(5)(B); 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921(a) and (b)(3)/RCRA 3001(a) and (b)(3); 42 USC 6924(x)/RCRA 3004(x)

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: CKD is a high volume material by-product of the cement manufacturing process. While it contains potentially hazardous constituents such as lead, cadmium and chromium, it has been exempted since November 1980 from hazardous waste regulation under RCRA Subtitle C by the Bevill Amendment, which modified Section 3001 of RCRA to exempt certain special wastes until further studies could be completed and any applicable regulations were promulgated. In December 1993, EPA submitted a Report to Congress with its findings on the nature and management practices associated with CKD. This was followed in January 1995 by an EPA regulatory determination published in the Federal Register (60 FR 7366, 2/7/95), which concluded that additional control of CKD is warranted. In the regulatory determination EPA committed to develop additional tailored regulations under RCRA Subtitle C and, if necessary, the Clean Air Act. As part of its regulatory development effort, the Office of Solid Waste within EPA's Office of Solid Waste and Emergency Response has initiated further studies and has held informal discussions with stakeholders interested in regulations under RCRA Subtitle C for the management of CKD. The proposed regulations will be tailored to protect human health and the environment while imposing minimal burden on the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3856.

Agency Contact: Bill Schoenborn, Environmental Protection Agency, Solid Waste and Emergency Response, (5306W), Washington, DC 20460 Phone: 703 308-8483

RIN: 2050–AE34

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Resource Conservation and Recovery Act (RCRA)

3182. MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT; CODIFICATION OF WASTE MANAGEMENT PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-142

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The purpose of this rule is to codify into the Code of Federal Regulations certain provisions of the Mercury-Containing and Rechargeable Battery Management Act that impact the May 11, 1995 Universal Waste Rule (60 FR 25492). The Act was signed by the President on May 13, 1996 and became immediately effective nationwide on the date of signature. Specifically, one provision of the law requires the collection, storage, and transportation of the following types of batteries be managed according to standards established in the Universal Waste rule: used rechargeable batteries, lead-acid batteries not covered by 40 CFR Part 266, rechargeable alkaline batteries, certain mercury-containing batteries banned from domestic sale, and used consumer products containing rechargeable batteries that are not easily removable. The law prohibits State imposed requirements that are not identical to those found in the final Federal universal waste rule, but allows States to adopt and enforce identical standards for labeling and to implement and enforce collection, storage, and transport requirements identical to those included in the universal waste rule.

The costs of this action should be minimal to the regulated industry since the community regulated by the law --

battery manufacturers, industries that use batteries in their consumer products, and the retail industry -- all support the law. In addition, the regulated community has rechargeable battery recycling programs already in place and such recycling programs are in compliance with the labeling and management provisions of the law. Second, most States have state rechargeable battery recycling statutes in place but their recycling programs vary to some degree with respect to labeling and management requirements. Therefore, modifications to State statutes for rechargeable battery recycling will be necessary, but not costly.

Timetable:

Action	Date	FR Cite
Direct Final	08/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3888.

Agency Contact: Bryan Groce, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703-308-8750
Fax: 703-308-0522

RIN: 2050–AE39

3183. FLEXIBILITY IN MANAGEMENT CRITERIA FOR SMALL MUNICIPAL SOLID WASTE LANDFILLS

Priority: Other Significant

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

Legal Authority: 42 USC 6949a/RCRA 4010

CFR Citation: 40 CFR 258

Legal Deadline:
Final, Judicial, March 26, 1998.

Abstract: On March 26, 1996, President Clinton signed into law the Land Disposal Program Flexibility Act of 1996 (LDPFA), H.R. 2036. Among other things, the LDPFA established a ground-water monitoring exemption for small municipal solid waste landfills (MSWLFs) located in dry or remote areas. EPA has revised the municipal solid waste disposal facility criteria (40 CFR Part 258) to establish a ground-water monitoring exemption for these facilities (the codification rule). The LDPFA also requires EPA to revise the Part 258 municipal solid waste disposal facility criteria to provide additional flexibility to small MSWLFs with respect to daily cover, the frequency of landfill gas monitoring, the use of an infiltration barrier in the final landfill cover, and the means for demonstrating financial assurance. These revisions must take into account climatic and hydrogeologic conditions and be protective of human health and the environment. EPA has begun work on a separate rulemaking to provide this flexibility while still ensuring protection of human health and the environment.

In 1991, the Agency promulgated final municipal solid waste disposal facility criteria (40 CFR Part 258), which established national minimum standards for municipal solid waste landfills (MSWLFs). The Part 258 criteria provided an exemption from ground-water monitoring for small MSWLF units located in dry or remote areas. In providing this exemption, EPA sought to balance the protection of human health and the environment with the practicable capability of these small community landfill owners and operators. This ground-water monitoring exemption was vacated in 1993 by the U.S. Court of Appeals for the District of Columbia Circuit.

On August 10, 1995, the Agency proposed a new rule on alternative ground-water monitoring options for small MSWLFs located in dry or remote areas. The proposed rule would have provided small MSWLFs with flexibility in meeting the Part 258 ground-water monitoring requirements. (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/10/95	60 FR 40799
Final Action on Delay of Compliance Date	10/06/95	60 FR 52337
Final Action to Codify Legislation	09/25/96	61 FR 50410
Direct Final Flexibility for Small MSWLFs	06/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3546.

ABSTRACT CONT: As a result of the enactment of the LDPFA and the re-establishment of the part 258 groundwater monitoring exemption for small MSWLFs located in dry or remote areas, many small landfills no longer need this flexibility because they are not subject to the groundwater monitoring requirements. Therefore, the Agency has withdrawn the proposed rule on alternative groundwater monitoring options, in the codification rule.

Agency Contact: Allen Geswein, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460
Phone: 703 308-7261

RIN: 2050–AE24

3184. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: HAZARDOUS WASTE IDENTIFICATION RULE (HWIR); WASTE

Priority: Other Significant

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

Legal Authority: 42 USC 6905/1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002; 42 USC 6926/RCRA 3006

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

Legal Deadline:
Final, Judicial, April 17, 1997.

Abstract: Under the current Resource Conservation and Recovery Act (RCRA) mixture and derived from rules, some low-risk wastes are currently regulated by the Environmental Protection Agency's (EPA's) hazardous waste regulations. To address this problem, this deregulatory action will make modifications to the mixture and derived from rules, and establish new criteria that would exempt certain low-risk wastes from the hazardous waste regulations. In developing the proposal, EPA has considered the views of all members of a Federal Advisory Committee Act (FACA) committee. Because this action is deregulatory, it is not expected to have adverse impacts on small business. The cost savings for small quantity generators is less certain and depends on the degree to which they aggregate their wastes and work

cooperatively with each other to cost-effectively gain exemption. This action will be implemented by EPA and authorized States.

Timetable:

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
NPRM Withdrawn	10/30/92	57 FR 49280
NPRM Reproposal	12/21/95	60 FR 66344
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3328.

Agency Contact: William A. Collins, Jr., Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460 Phone: 703-308-8748

RIN: 2050–AE07

3185. HAZARDOUS WASTE MANAGEMENT SYSTEM: POST-CLOSURE REQUIREMENTS

Priority: Other Significant

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

Legal Authority: 42 USC 6926/RCRA 3006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 124

Legal Deadline: None

Abstract: Under the current RCRA regulations, a facility that needs post-closure care must obtain a permit. In many cases, the post-closure permit is an appropriate mechanism for the regulatory agency to use to address the environmental needs at the facility. In other cases, however, a permit may not be appropriate. And, in some cases, the facility's post-closure care needs may have already been addressed through other legal mechanisms, such as enforcement actions or Superfund 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	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3042.

Agency Contact: Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460 Phone: 703 308-7057

RIN: 2050–AD55

3186. LISTING DETERMINATION FOR HAZARDOUS WASTES—ORGANOBROMINES CHEMICAL INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 6922/RCRA 3001; 42 USC 9602/CERCLA 102; 33 USC 1361/CERCLA 311

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:
Final, Judicial, April 15, 1997, EPA is seeking an extension tothe legal deadline.

Abstract: This action proposes to list as a hazardous waste under RCRA one additional waste stream generated during the production of organobromine compound chemicals used as fire retardants. These wastes would then have to be managed in accordance with the RCRA hazardous waste requirements. The date for final action is the subject of further settlement negotiations with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 (D.D.C.).

Timetable:

Action	Date	FR Cite
NPRM	05/11/94	59 FR 24530
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3065.

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460 Phone: 703-308-0458

RIN: 2050–AD79

3187. SPENT SOLVENTS LISTING DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:
NPRM, Judicial, July 31, 1996.
Final, Judicial, May 31, 1997, EPA is seeking an extension tothe deadline for the final.

Abstract: This action addresses the potential human health and environmental risks posed by certain used solvents and wastes from their use, and determines whether or not these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA these wastes would also be added to the CERCLA list of hazardous substances. The spent solvents studied are cumene, phenol, isophorone, acetonitrile, fufural, epichlorohydrin, methyl chloride, ethylene dibromide, benzyl chloride, p-dichlorobenzene, 2-methoxyethanol, 2-ethoxyethanol, 2-ethoxyethanol acetate, and cyclohexanol. The legal deadline for the final rule is the subject of further settlement negotiations with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 (D.D.C.). On August 14, 1996, the Agency proposed not to list any of the spent solvents studied.

Timetable:

Action	Date	FR Cite
NPRM	08/14/96	61 FR 42318
Final Action	05/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3134.

Agency Contact: Ron Josephson, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703-308-0442

RIN: 2050–AD84

3188. 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, delete some obsolete methods, and add other new testing methods that are approved or required under Subtitle C of RCRA. These new and revised methods will be added to EPA's solid waste testing guidance (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA publication SW-846). The revision to the manual is necessary to provide improved and more complete analytical methods for RCRA-relating testing. This action will assist States and Tribal governments in implementing the RCRA program. Impacts on small businesses and local governments are not expected.

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 37974
Final Action	04/00/97	

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, (5307W), Washington, DC 20460
Phone: 703-308-0490

RIN: 2050–AE14

3189. RCRA SUBTITLE D CORPORATE FINANCIAL TEST AND GUARANTEE

Priority: Other Significant

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

Legal Authority: 42 USC 6907/RCRA 1008; 42 USC 6944/RCRA 4004; 42 USC 6949a/RCRA 4010

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: On October 9, 1991 the Agency promulgated revised criteria for municipal solid waste landfills (MSWLFs) which included financial assurance requirements to ensure that adequate funds are readily available to cover the costs of closure, post-closure care, and corrective action associated with MSWLFs without incurring government response costs. The proposal would add a corporate financial test to the financial assurance mechanisms currently available to owners and operators of RCRA Subtitle D MSWLFs. EPA estimates that the rule would save owners and operators of MSWLFs approximately $45 million annually by allowing the use of a financial test rather than more expensive mechanisms such as surety bonds or letters of credit. The rule would have no impacts on local governments and could be implemented by state or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	10/12/94	59 FR 51523
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3179.

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460
Phone: 703 308-8192

RIN: 2050–AD77

3190. LISTING DETERMINATION OF WASTES GENERATED DURING THE MANUFACTURE OF AZO, ANTHRAQUINONE, AND TRIARYLMETHANE DYES AND PIGMENTS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:
NPRM, Judicial, April 11, 1997, For two waste streams.
Final, Judicial, April 11, 1997.

Abstract: This action addresses the potential human health and environmental risks posed by wastes from the manufacture of dyes and pigments, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any unacceptable risks. If listed under RCRA, these wastes would also be added to to the CERCLA list of hazardous substances. As part of this effort, EPA is also considering opportunities for pollution prevention and recycling. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined at this time. Two waste streams are subject to later deadlines for proposed and final action. The date for the proposed rule and final rule are based on current settlement discussions with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 (D.D.C.)

Timetable:

Action	Date	FR Cite
NPRM	12/22/94	59 FR 66072
Additional NPRM	04/00/97	
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3066.

Agency Contact: Wanda Levine, Environmental Protection Agency, Solid Waste and Emergency Response, (5304W), Washington, DC 20460
Phone: 703 308-0438

RIN: 2050–AD80

3191. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: PETROLEUM REFINING PROCESS WASTES

Priority: Other Significant

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

Legal Authority: 42 USC 6921/RCRA 3001; 42 USC 9602/CERCLA 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline:
Final, Judicial, April 30, 1998.

Abstract: This action addresses the potential human health and environmental risks posed by 14 waste streams from petroleum refining processes, and determines whether these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. As part of this action, the Agency is considering opportunities for source reduction, recycling, reclamation or reuse in other manufacturing processes. This action will be implemented by EPA and authorized States under RCRA. Impacts on small business are expected but are not significant.

Timetable:

Action	Date	FR Cite
NPRM	11/20/95	60 FR 57747
Interim Notice of Data Availability	04/00/97	
Final Action	04/00/98	

Small Entities Affected: Businesses

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, (5304W), Washington, DC 20460
Phone: 703 308-0439

RIN: 2050–AD88

3192. REVISED STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005; Clean Air Act Amendments sections 112 and 114

CFR Citation: 40 CFR 60; 40 CFR 63; 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270; 40 CFR 271

Legal Deadline:
Final, Judicial, December 1996.
Final, Judicial, December 1999.

Abstract: The Environmental Protection Agency's (EPA's) strategy for hazardous waste minimization and combustion and a judicial settlement agreement commit EPA to upgrade its 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	04/19/96	61 FR 17358
Final Action (comparable fuels exclusion	09/00/97	
Final Rule	03/00/98	
Final Rule permitting	03/00/98	
NPRM state authorization)	09/00/98	
NPRM Boilers	09/00/98	
Final Rule	12/00/99	
Final Rule Boilers	12/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3333.

EPA has signed a settlement agreement to promulgate revised rules for industrial furnaces and incinerators by December 1996 and boilers by December 1999. EPA discussions with the litigants are under way to extend the first date.

Agency Contact: Larry Denyer, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
Phone: 703 308-8770

RIN: 2050–AE01

3193. LAND DISPOSAL RESTRICTIONS—PHASE IV: PAPERWORK REDUCTION; TREATMENT STANDARDS FOR WOOD PRESERVING, MINERAL PROCESSING AND CHARACTERISTIC METAL WASTES; RELATED MINERAL PROCESSING ISSUES

Priority: Other Significant

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

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6924/RCRA 3004

CFR Citation: 40 CFR 148; 40 CFR 261; 40 CFR 268; 40 CFR 271

Legal Deadline:
NPRM, Judicial, April 15, 1997, Mineral Processing andCharacteristic Metal Wastes.
Final, Judicial, April 15, 1997, Wood Preserving Wastes.
Other, Judicial, April 15, 1998, Final - Mineral Processing andCharacteristic Metal Wastes.

Abstract: The Hazardous and Solid Waste Amendments of 1984 require the Environmental Protection Agency (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 characteristic mineral processing wastes, wood preserving wastes, and TC metal wastes. It also proposes changes to the definition of solid waste for mineral processing secondary materials which are recycled within the mineral processing industry sector.

Timetable:

Action	Date	FR Cite
ANPRM	10/24/91	56 FR 55160
NPRM	08/22/95	60 FR 43654
NPRM Supplemental Proposal	01/25/96	61 FR 2338
NPRM Supplemental (Mineral Processing and Characteristic Metal Wastes)	04/00/97	
Final Action (Wood Preserving Wastes)	04/00/97	
Final Action (Mineral Processing and Characteristic Metal Wastes)	04/00/98	

EPA—RCRA — Final Rule Stage

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3366.

Agency Contact: Sue Slotnick, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460 Phone: 703 308-8462

RIN: 2050–AE05

3194. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (REVISION)

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6924/RCRA 3004; 42 USC 6925/RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 280; 40 CFR 761

Legal Deadline: None

Abstract: The proposed revised financial responsibility test would be better than the current test at predicting which firms will enter bankruptcy and not be able to cover their financial obligations for liability and closure costs of hazardous waste treatment, storage and disposal facilities. A bankrupt firm may be unable to afford the proper closure of a facility which would require the government to incur response costs at the facility. The rule would also qualify owners and operators of RCRA Treatment, Storage, and Disposal Facilities which must currently use more expensive ways, such as surety bonds or letters of credit, of demonstrating financial assurance, to use the less expensive corporate financial responsibility test for more of their obligations. The combined savings from screening out riskier firms and making the test more available to viable firms would be approximately $19 million annually in public and private costs. These regulatory amendments would have no effect on local or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 51523
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2647.

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, (5303W), Washington, DC 20460 Phone: 703 308-8192

RIN: 2050–AC71

3195. RCRA SUBTITLE D SOLID WASTE FACILITIES; STATE PERMIT PROGRAM—DETERMINATION OF ADEQUACY

Priority: Other Significant

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

Legal Authority: 42 USC 6945/RCRA 4005; 42 USC 6912/RCRA 2002

CFR Citation: 40 CFR 239

Legal Deadline: None

Abstract: This action known as the State Implementation Rule or SIR, will delegate to States the authority to control the human health and environmental risks associated with municipal solid waste (MSW) landfill management, particularly groundwater contamination. The SIR will do so by establishing criteria and procedures for EPA to use to determine whether State 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 with permit programs deemed adequate under the SIR 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 SIR offers an opportunity to reduce the regulatory burden on State and local governments and on landfill owners and operators.

Timetable:

Action	Date	FR Cite
NPRM	01/26/96	61 FR 2584
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 2751.

Agency Contact: Karen Rudek, Environmental Protection Agency, Solid Waste and Emergency Response, (5306W), Washington, DC 20460 Phone: 703 308-1682

RIN: 2050–AD03

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Resource Conservation and Recovery Act (RCRA)

3196. FACILITY RESPONSE PLANNING FOR DELEGATED OFFSHORE FACILITIES

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 112

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bobbie Lively-Diebold Phone: 703 356-8774

RIN: 2050–AE18

3197. STANDARDS FOR THE MANAGEMENT AND USE OF SLAG RESIDUES DERIVED FROM HIGH TEMPERATURE METALS RECOVERY (HTMR) TREATMENT OF KO61, KO62 AND F006 WASTES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 261; 40 CFR 266

Timetable:

Action	Date	FR Cite
NPRM	12/29/94	59 FR 67256
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Narendra K. Chaudhari
Phone: 703 308-0454

RIN: 2050–AE15

3198. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO UNDERGROUND STORAGE TANKS, CONTAMINATED MEDIA, AND DEBRIS

Priority: Other Significant

CFR Citation: 40 CFR 261

Timetable:

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Heffelfinger
Phone: 703 603-7157

RIN: 2050–AD69

3199. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS

Priority: Substantive, Nonsignificant

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
Notice of Data Availability	02/12/93	58 FR 8273
Regulatory Determination (Phase I Four Fossil Fuel Wastes)	08/09/93	58 FR 42466
Regulatory Determination (Phase II Remaining Wastes)	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dennis Ruddy
Phone: 703 308-8430

RIN: 2050–AD91

3200. HAZARDOUS WASTE MANAGEMENT SYSTEM; MODIFICATION OF THE HAZARDOUS WASTE PROGRAM; MERCURY-CONTAINING LAMPS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 261

Timetable:

Action	Date	FR Cite
NPRM	07/27/94	59 FR 38288
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Rita Cestaric
Phone: 703-308-0769

RIN: 2050–AD93

3201. REQUIREMENTS FOR MANAGEMENT OF HAZARDOUS CONTAMINATED MEDIA COMMONLY REFERRED TO AS HAZARDOUS WASTE IDENTIFICATION RULE FOR CONTAMINATED MEDIA OR HWIR-MEDIA

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 268; 40 CFR 269; 40 CFR 271

Timetable:

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
Withdrawal of NPRM	10/30/92	57 FR 49280
Second NPRM	04/29/96	61 FR 18780
Final Action	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Carolyn Loomis Hoskinson
Phone: 703 308-8626

RIN: 2050–AE22

3202. HAZARDOUS WASTE MANIFEST REGULATION

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 271

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Tribal, Federal

Agency Contact: Ann Codrington
Phone: 703-308-8825

RIN: 2050–AE21

3203. UNDERGROUND STORAGE TANKS CONTAINING HAZARDOUS SUBSTANCES - FINANCIAL RESPONSIBILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 280

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local

Agency Contact: Mark Barolo
Phone: 703 603-7141

RIN: 2050–AC15

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Resource Conservation and Recovery Act (RCRA)

3204. ● LAND DISPOSAL RESTRICTIONS PHASE III; EMERGENCY EXTENSION OF THE K088 CAPACITY VARIANCE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268

Legal Deadline: None

Abstract: Under the Land Disposal Restrictions (LDR) program of the Resource Conservation and Recovery Act (RCRA), EPA extended the current national capacity variance for spent potliners from primary aluminum production (Hazardous Waste Number K088) for six months. Thus, K088 wastes do not have to be treated to meet LDR treatment standards until July 8, 1997, six months from the previous treatment standard effective date of January 8, 1997. EPA extended the national capacity variance due to unanticipated performance problems by the treatment technology which provides most of the available treatment capacity for these wastes. As a result, the Agency does not believe that sufficient treatment capacity which minimizes short and long-term threats to human health and the environment posed by land disposal of the potliners is presently available. The length of the extension of the national capacity variance is based on EPA's best current estimate of the time it will take to modify, evaluate, and correct the current deficiencies in treatment performance.

Timetable:

Action	Date	FR Cite
Final Action	01/14/97	62 FR 1992

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3988.

Agency Contact: John Austin, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460 Phone: 703 308-0436

RIN: 2050–AE40

3205. MILITARY MUNITIONS RULE: HAZARDOUS WASTE IDENTIFICATION AND MANAGEMENT; EXPLOSIVES EMERGENCIES; REDEFINITION OF ON-SITE

Priority: Other Significant

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

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270

Completed:

Reason	Date	FR Cite
Final Action	02/12/97	62 FR 6622

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Ken Shuster Phone: 703 308-8759

RIN: 2050–AD90

3206. RCRA SUBTITLE C INDIAN PROGRAM AUTHORIZATION

Priority: Other Significant

CFR Citation: 40 CFR 271; 40 CFR 270

Completed:

Reason	Date	FR Cite
Withdrawn - No further regulatory action is planned.	03/04/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jackie Tenusak Phone: 202 260-9433

RIN: 2050–AD07

3207. FINANCIAL TEST FOR LOCAL GOVERNMENTS THAT OWN/OPERATE MUNICIPAL SOLID WASTE LANDFILLS

Priority: Other Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 258

Completed:

Reason	Date	FR Cite
Final Action	11/27/96	61 FR 60328

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: George Garland Phone: 703 308-7272

RIN: 2050–AD04

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Clean Air Act (CAA)

3208. ● CONSOLIDATED EMISSION REPORTING RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410(a)(2)

CFR Citation: 12 CFR sec 120.2(d)(4); 40 CFR 51.321 to 323

Legal Deadline: None

Abstract: Three sections of the Clean air Act and its amendments require state agencies to report emission estimates to EPA. Some of these sections contain obsolete wording, inconsistent instructions, and duplicate reporting requirements. This Rule will consolidate the requirements into one area, eliminate obsolete wording, eliminate duplicate reporting requirements, and provide options for collecting and reporting data. There will be no impact on small businesses. State agencies will continue to report the same, or reduced, amounts of data to EPA. The rule will provide for flexibility in collecting and reporting data. There will be no affect on local agencies.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/97	
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3986.

Agency Contact: Steven Bromberg, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park,NC 27711
Phone: 919 514-1000
Fax: 919 541-0684
Email: Bromberg.steve@epamaile.epa.gov.

RIN: 2060–AH25

3209. REVISION OF INITIAL LIST OF CATEGORIES OF SOURCES AND SCHEDULE FOR STANDARDS UNDER SECTION 112(C) AND (E) OF THE CLEAN AIR ACT AMENDMENTS OF 1990

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

Legal Authority: CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Section 112 of the Clean Air Act requires the EPA to publish a list of major and area source categories which emit one or more of the 189 hazardous air pollutants identified in Section 112. The list of source categories was finalized in July 1992, and contained 174 categories. Section 112 further requires the Agency to prioritize the listed categories such that standards are promulgated for 40 source categories within 2 years of enactment, 25% of all initially listed categories within 4 years, 50% within 7 years, and 100% within 10 years. The schedule for the promulgation of emissions standards was published in December 1993.

This action revises the initial list of source categories and the corresponding schedule for emission standards. This is in accordance with the statute, which requires the Agency to periodically amend the list in response to public comment or new information, and no less often than every eight years. As a result of several additions and deletions of source categories, the list now contains 175 categories. Categories may be added at any time contingent upon showing that the category is a category of major sources or that a category of area sources poses a threat of adverse effect and warrants regulation under Section 112. Actions to add or remove area source categories are handled through separate Federal Register notices in order to provide the opportunity for public comment on them. Actions included within this action are: 1) adding categories of major sources, where major sources have been identified; 2) deleting categories of major sources which, upon further study, have been found to not contain major sources; 3) moving categories to different, more appropriate industry groups for purposes of clarity; 4) modifying titles and definitions of listed source categories to clarify applicability; and 5) reporting other relevant source category actions that were published independently of this action.

Timetable:

Action	Date	FR Cite
Notice of Revision	06/04/96	61 FR 28197
Correction Notice	07/18/96	61 FR 37542
ANPRM Listing Research and Development Facilities	04/00/97	
Notice of Revision	08/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3791.

Agency Contact: David J. Svendsqaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2380

RIN: 2060–AG42

3210. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY: PERMIT APPLICATION REVIEW PROCEDURES FOR NON-FEDERAL CLASS I AREAS

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

Legal Authority: 42 USC 7670 to 7479; Clean Air Act 160-169

CFR Citation: 40 CFR sec 51.166; 40 CFR Sec 52.21

Legal Deadline:
Other, Judicial, July 16, 1996.

Abstract: Under the Clean Air Act's prevention of significant deterioration (PSD) program, a State or Tribe may redesignate their lands as class I areas to provide enhanced protection for their air quality resources. This rule will clarify the PSD permit review procedures for new and modified major stationary sources near these non-Federal class I areas. EPA seeks to develop clarifying PSD permit application procedures that are effective, efficient, and equitable.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/97	
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3919.

Agency Contact: David LaRoche, Environmental Protection Agency, Air and Radiation, (6102), Washington, DC 20460
Phone: 202 260-7652
Fax: 202 260-8509
Email: dlaroche@epamail.epa.gov

RIN: 2060–AH01

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Clean Air Act (CAA)

3211. ● STATE IMPLEMENTATION PLAN CALLS FOR CERTAIN STATES IN THE OZONE TRANSPORT ASSESSMENT GROUP FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OF OZONE

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7410(a)(2)(D); 42 USC 7410(k)(5)

CFR Citation: 40 CFR 51; 40 CFR 52 a

Legal Deadline:
Other, Judicial, See additional information.

Abstract: Ozone and ozone precursors are transported across the north eastern United States. The Ozone Transport Assessment Group (OTAG) was formed in 1995 to document the amount and extent of this transport and to develop control recommendations. The OTAG is a collaborative process conducted by the affected States. The OTAG also includes representatives from EPA and interested members of the public, including environmental groups and industry, to evaluate the ozone transport problem and the development of solutions. Controls are intended to reduce the ozone and ozone precursors ''blowing into'' the nonattainment areas and allow the impacted States to design local control programs that they can consider in their strategies. The mandate for reductions is ''underpinned'' by the EPA action taken to declare existing SIPs inadequate and to require the OTAG reductions to be implemented in all necessary States with both attainment and nonattainment areas.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/10/97	62 FR 1422
NPRM	04/00/97	
Final	09/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3945.

Active litigation on ozone nonatttainment plans for serious and severe nonattainment areas. Sect. 126 petitions involved as are dates contained in Mary Nichols' Memorandum entitled 'Ozone Attainment Demonstrations' 3/2/95.

Agency Contact: Kimber Scavo, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-3354
Fax: 919 541-0824
Email: scavo.kimber@epamail.epa.gov

RIN: 2060–AH10

3212. ● REVIEW OF DEFINITON OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF CHLOROBROMOMETHANE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 7401 - 7641q

CFR Citation: 40 CFR 51.100 (s)

Legal Deadline: None

Abstract: EPA has received a petition to add chlorobromomethane to the list of compounds considered negligibly reactive in the definition of VOC in 40 CFR 51.100 (s). This would remove this compound from regulation as a VOC. Since available data supports classification as ''negligibly reactive'', EPA plans to propose the action. This action will be deregulatory since this compound would no longer be required to be controlled as a VOC. There should be no impact on small businesses or State/local/tribal governments since no new requirement will be imposed on them.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
FINAL	10/00/97	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3944.

Agency Contact: William L. Johnson, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5245

RIN: 2060–AH39

3213. WASTE ISOLATION PILOT PLANT (WIPP) COMPLIANCE CERTIFICATION RULEMAKING

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

Unfunded Mandates: Undetermined

Legal Authority: PL 102-579

CFR Citation: Not yet determined

Legal Deadline:
Other, Statutory, October 31, 1997.

Abstract: EPA regulates the release of radioactivity from the management, storage and disposal of radioactive waste to protect public health and the environment from radiation contamination. The waste isolation pilot plant (WIPP), which is under development by the Department of Energy (DOE), is a potential geologic disposal facility for transuranic radioactive waste generated as by-products from nuclear weapons production. If the WIPP opens, waste will be stored approximately 2,100 feet underground in excavated, natural salt formations near Carlsbad, New Mexico.

Before DOE can dispose of waste at the WIPP, it must demonstrate that the WIPP complies with EPA's radioactive waste disposal standards at subparts B and C of 40 CFR 191. DOE must submit an application to EPA showing how the WIPP facility will meet the standards. The compliance criteria at 40 CFR 194, which are specific to the WIPP, will be used by EPA to implement the radioactive waste disposal standards. The purpose of this rulemaking is to certify, through the use of the compliance criteria, whether the WIPP complies with the disposal standards...before waste disposal can begin.

Timetable:

Action	Date	FR Cite
ANPRM	11/15/96	61 FR 58499
NPRM	05/00/97	
Final	11/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3873.

Agency Contact: Mary Kruger, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460
Phone: 202 233-9025
Fax: 202 233-9626

RIN: 2060–AG85

3214. LOCOMOTIVE EMISSION STANDARDS

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7547

CFR Citation: 40 CFR 92

Legal Deadline:
Final, Statutory, November 15, 1995.
NPRM, Judicial, January 31, 1997.

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	04/00/97	
Final Action	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2961.

Agency Contact: Charles Maulis, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7826

RIN: 2060–AD33

3215. PERFORMANCE WARRANTY AND INSPECTION/MAINTENANCE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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	08/00/97	
Final Action	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3263.

Agency Contact: Eugene J. Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7820

RIN: 2060–AE20

3216. INSPECTION/MAINTENANCE RECALL REQUIREMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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	08/00/97	
Final Action	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 3262.

Agency Contact: Eugene J. Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313-741-7820

RIN: 2060–AE22

3217. METHOD 301: FIELD VALIDATION OF POLLUTION MEASUREMENT METHODS FOR VARIOUS MEDIAS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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	08/00/97	
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3407.

Agency Contact: Gary McAlister, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-1062

RIN: 2060–AF00

3218. NESHAP: PETROLEUM REFINERIES - FCC UNITS, REFORMERS AND SULFUR PLANTS

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401, et seq, as amended by PL 101-549, 104 Stat. 2399

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Title III of the Clean Air Act amendments of 1990 requires EPA to develop national emission standards for hazardous air pollutants (NESHAPs). EPA promulgated NESHAP rules for petroleum refineries on August 18, 1995 (RIN 2060-AD94). This action covers three process vents not covered under RIN 2060-AD94. These are the catalyst regeneration vents from fluid catalytic cracking units (FCCU) and catalytic reformers and the tail gas vents from sulfur recovery plants.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 291 Petroleum Refining

Additional Information: SAN No. 3549.

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884

RIN: 2060–AF28

3219. NESHAP: FERROALLOY PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 1857, et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
NPRM, Statutory, November 15, 1997.

Abstract: The Clean Air Act, as amended November 1990, requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that some plants in the ferroalloy production industry may be major sources for one or more hazardous air pollutants. As a consequence, production facilities are among the HAP-emitting source categories selected for regulation.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3082.

Agency Contact: Conrad Chin, Environmental Protection Agency, Air and Radiation, Industrial Studies Branch (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-1512

RIN: 2060–AF29

3220. IMPLEMENTATION OF OZONE AND PARTICULATE MATTER (PM) NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) AND REGIONAL HAZE REGULATIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: PL 95-95; PL 101-549

CFR Citation: 40 CFR 51; 40 CFR 81

Legal Deadline:
NPRM, Statutory, January 31, 1998.

Abstract: EPA has established a process designed to provide for significant stakeholder involvement in the development of integrated implementation strategies for possible new or revised ozone and particulate matter national ambient air quality standards, and development of a regional haze reduction program. This process involves a new subcommittee under the Clean Air Act Advisory Committee, established under the Federal Advisory Committee Act (FACA). The new subcommittee, the Subcommittee for Ozone, Particulate Matter and Regional Haze Implementation Programs, was established in September 1995 to address integrated strategies for implementation of potential new ozone and PM NAAQS, and a regional haze program. Since all three pollutants are products of interrelated chemical conversions in the atmosphere, new approaches will be needed to identify and characterize affected areas and to assign planning, management and control responsibilities.

The subcommittee is expected to examine key aspects of the implementation programs for ozone and PM to provide for more flexible and cost-effective implementation strategies, as well as to provide new approaches that could integrate broad regional and national control strategies with more localized efforts. In addition the subcommittee will consider new and innovative approaches to implementation, including market-based incentives. The focus of the subcommittee will be on assisting EPA in developing implementation control strategies, preparing supporting analyses, and identifying and resolving impediments to the adoption of the resulting programs. EPA will consider the subcommittee's recommendations in the development of an integration strategy for ozone and particulate matter, and a regional haze program.

Phase I of the implementation strategy addresses the air quality management framework (designations, monitoring, planning approach, and regional haze program). The focus of Phase II will be on emission reduction strategies, attainment dates, sanctions, etc.

Timetable:

Action	Date	FR Cite
ANPRM	12/13/96	61 FR 65764
Notice of Proposed Policy	12/13/96	61 FR 65752
NPRM	06/00/97	
NPRM	06/00/98	
Final Action	06/00/98	
Final Action	06/00/99	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3553.

Agency Contact: Denise Gerth, Environmental Protection Agency, Air and Radiation, OAQPS (MD-15), Research Triangle Park, NC 27711
Phone: 919 541-5550

RIN: 2060–AF34

3221. RADIATION WASTE MANAGEMENT REGULATIONS

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 2011 to 2296; 5 USC app 1; 15 USC 2601 to 2671

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The proper management (i.e., storage, treatment and disposal) of radioactive wastes depends on a number of factors. These include the type and quantity of waste, the availability of storage, treatment and disposal facilities, and the cost of management of these wastes. Another rulemaking, EPA's radiation site cleanup rule, will be concerned with the cleanup standards for sites contaminated with radioactivity. As contaminated sites are cleaned up, a tremendous quantity of radiation contaminated waste, including mixed waste, will be generated. The Agency intends that the comprehensive radiation waste management rule will promote consistent, protective, and cost-effective management of such wastes at Federal facilities.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: Multiple

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3516.

Agency Contact: Al Colli, Environmental Protection Agency, Air and Radiation, 6603J, Washington, DC 20460
Phone: 202 233-9445

RIN: 2060–AF41

3222. FEDERAL IMPLEMENTATION PLAN TO CONTROL EMISSIONS FROM TWO POWER STATIONS LOCATED ON NAVAJO NATION LANDS

Priority: Other Significant

Legal Authority: 42 USC 1740

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: EPA proposes to federalize standards from the Arizona and New Mexico State Implementation Plans (SIPS) applicable to the Navajo generating station and the Four Corners Plant, respectively. Where necessary, EPA's proposed emission standards modify the standards extracted from the States' regulatory programs to ensure comprehensive emission control and Federal consistency.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3569.

Agency Contact: Kenneth Bigos (A-5), Environmental Protection Agency, Air and Radiation, Region 9 75 Hawthorne Street, San Francisco, CA 94105
Phone: 415 744-1240

RIN: 2060–AF42

3223. ACID RAIN PROGRAM: REVISIONS TO APPLICABILITY, EXEMPTIONS, ALLOCATIONS, AND SMALL DIESEL REFINERIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 72; 40 CFR 73

Legal Deadline: None

Abstract: This regulatory revision would streamline several portions of the Acid Rain Program rules and make minor revisions to the small diesel allowance program. Based on experience implementing the Acid Rain Program, EPA would make the process for exempting new units and retired units easier. EPA would also allow units to be deleted from the tables of affected units if those units could be demonstrated to be unaffected or if the units will not be constructed. The eligibility provision and allowance calculation equation for small diesel refineries will be corrected.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 29 Petroleum Refining and Related Industries

Additional Information: SAN No. 3572.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9074

RIN: 2060–AF45

3224. CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES; EMISSION STANDARDS AND TEST PROCEDURES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CAA 231

CFR Citation: 40 CFR 87

Legal Deadline: None

Abstract: This action proposes to establish CO and NOx standards for aircraft gas turbine engines with equal to or greater than 26.7 kilonewtons rated thrust. These standards, which most of the affected engines are already achieving, will be added to current federal aircraft engine standards for HC emission so as to align federal standards with the standards established by the international community.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3576.

Agency Contact: Bryan Manning, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 741-7832

RIN: 2060–AF50

3225. AMENDMENTS TO METHOD 24 (WATER-BASED COATINGS)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: The determination of volatile organic compounds (VOCs) content ofa surface coating by reference method 24 involves determination of its water content, and calculation of its VOC content as the difference of the two measurements (volatile content minus water content). Method 24 is inherently less precise for water-based coatings than it is for solvent-based coatings and the imprecision increases as water content increases. This action will amend Method 24 by adding a direct measurement procedure for measuring VOC content of water-based coatings. This amendment will improve the precision of method 24 for water-based coatings.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3649.

Agency Contact: Candace Sorrell, Environmental Protection Agency, Air and Radiation, (MD-19), Research Triangle Park, NC 27711
Phone: 919 541-1064

RIN: 2060–AF72

3226. 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	05/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3637.

Agency Contact: Steve Body (AT-082), Environmental Protection Agency, Air and Radiation, Region 10 1200 Sixth Avenue, Seattle, WA 98101
Phone: 206 553-0782

RIN: 2060–AF84

3227. AMENDMENT OF ENHANCED INSPECTION/MAINTENANCE PERFORMANCE STANDARD

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act

CFR Citation: 40 CFR 51, subpart S

Legal Deadline: None

Abstract: This action is a technical amendment to the enhanced inspection/ maintenance (I/M) performance standard included in the November 5, 1992 I/M rule (40 CFR part 51, subpart S). The amendment is in response to a court ruling and will have no net effect on existing requirements for state and local I/M programs.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3598.

Agency Contact: Eugene J. Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4456

RIN: 2060–AG07

3228. FOURIER TRANSFORM INFRARED SPECTROSCOPY (FTIR) EXTRACTIVE TEST METHOD - SELF-VALIDATING PROCEDURE AND CEM PERFORMANCE SPECIFICATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 63 app A; 40 CFR 60 app F

Legal Deadline: None

Abstract: A generic test procedure that any industry can follow using FTIR analysis will be developed. This procedure would be self-validating. Generic procedures for using an FTIR as a continuous emission monitor would include several alternatives for sampling which would differ depending on the source.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3599.

Agency Contact: Rima Dishakjian, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-0443

RIN: 2060–AG08

3229. AMENDMENTS TO PART 60, PART 61, AND PART 63

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401; 42 USC 7410-12; 42 USC 7414; 42 USC 7416

CFR Citation: 40 CFR 60; 40 CFR 61; 40 CFR 63

Legal Deadline: None

Abstract: This rulemaking will amend the emission test methods and performance specifications in Appendices A and B of Part 60, Appendix B of Part 61, and Appendix A of Part 63 by revising the method format to conform with Environmental Monitoring Management Council (EMMC) guidelines. Conformance to the guidelines will promote consistency among inter-program methods. In addition, minor technical and printing errors in the methods will be corrected. Similar errors in various subparts of Part 60 will also be corrected.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3743.

Agency Contact: Foston Curtis, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-1063
Fax: 919 541-1039

RIN: 2060–AG21

3230. AMBIENT AIR QUALITY SURVEILLANCE, RECENSION OF NAMS AMBIENT AIR QUALITY MONITORING REQUIREMENTS FOR LEAD

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7409; 42 USC 7601(a); 42 USC 7410; 42 USC 7613; 42 USC 7619

CFR Citation: 40 CFR 50; 40 CFR 53; 40 CFR 58

Legal Deadline: None

Abstract: Because of the success in the reduction of ambient lead levels due to the elimination of lead in gasoline and the shift towards focusing on point sources, the EPA is revising the Part 58 Air Monitoring Regulations for Lead which would allow lead national ambient monitoring stations (NAMS) monitors to be discontinued. At the same time monitoring around point sources will be encouraged, for sources with emissions greater than 5 tons/year. This action is at the direct request of numerous State and local agencies whose NAMS lead monitors are recording values at the minimum detectable (MDL) of the methodology. Since small point sources are so variable in their emissions/impacts, that to prevent over-estimating ambient lead levels, complete sampling coverage is recommended. Complete sampling is defined as continuous or daily sampling. To provide complete everyday sampling at lead point sources at the same relative cost as the current procedure (one sample every 6 days followed by individual filter analysis), the regulation will be modified to allow: 1) use 2 or 3 high-

volume samplers at each location; 2) sample for 48 instead of 24 hours; 3) use a convenient continuous sampling schedule, i.e., noon-to-noon or 9a.m.-9a.m., etc.; (4) follow the AREAL approved procedure for composting up to 8 filters in a single analysis; and (5) report monthly averages which will be averaged together to produce the quarterly concentration to compare with the standard. This rule serves as both a regulation and as a guideline for State and local agencies in establishing and maintaining their ambient air monitoring networks.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3650.

Agency Contact: Neil Berg, Jr., Environmental Protection Agency, Air and Radiation, Monitoring and Quality Assurance Group, Research Triangle Park, NC 27711
Phone: 919 541-5520
Fax: 919 541-1903

RIN: 2060–AG23

3231. CONSOLIDATED FEDERAL AIR RULE FOR THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY

Priority: Other Significant

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 60; 40 CFR 61; 40 CFR 63

Legal Deadline: None

Abstract: Over the past 25 years, EPA has issued a series of national air regulations, many of which affect the same facility. Some facilities are now subject to five or six national rules, sometimes affecting the same emission points. Each rule has emission control requirements as well as monitoring, record keeping and reporting requirements. These requirements may be duplicative, overlaping, difficult to understand or inconsistent. It is often difficult for plant managers to determine compliance strategies to satisfy all requirements and for State and local permitting agencies to determine the applicability of different requirements for permitting purposes. Resources are often wasted by both industry and states and localities in sorting out and complying with the panoply of multiple requirements. Moreover, as the Agency continues to issue new air toxics rules, as mandated by the CAA, the problem is compounded.

All existing Federal air rules applicable to an industry sector will be reviewed to determine whether there provisions can be consolidated into a single new rule. Affected industries, state agencies, and other stakeholders will be consulted to identify duplicative and conflicting provisions and to provide assistance in drafting the single rule. The chemical industry and state representatives have agreed to work on a pilot project with EPA's air programs to explore this approach. If the approach is successful with the chemical industry, it will be expanded to air rules for other industry sectors. EPA will then consider extending this program to water and waste requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3748.

Agency Contact: Rick Colyer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5262
Fax: 919 541-3470

RIN: 2060–AG28

3232. TRANSITIONAL LOCK-IN PROCEDURES FOR PHASE II REFORMULATED GASOLINE (RFG) PROGRAM

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7545

CFR Citation: 40 CFR 80.2; 40 CFR 80.70; 40 CFR 80.72

Legal Deadline: None

Abstract: This action will provide proposed procedures for states to opt-out of the Reformulated Gasoline (RFG) Program before implementation of Phase II RFG. States will be required to announce by July 1997 whether their voluntary opt-in area(s) will remain in the RFG program. If a state decides to keep an opt-in area in the program, the area will be required to remain in the program for a specified period of time (i.e., lock-in to the program) to enable refiners to recover a portion of the capital investments associated with complying with Phase II gasoline requirements. This action provides the states the flexibility to opt-out of the program before implementation of Phase II while providing incentives to industry to supply Phase II RFG which provides environmental and health benefits (e.g., Phase II RFG reduces NOx, a precursor to ozone).

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3845.

Agency Contact: Mark Coryell, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460
Phone: 202 233-9014
Fax: 202 233-9557

RIN: 2060–AG43

3233. ACID RAIN PROGRAM: CONTINUOUS EMISSION MONITORING RULE REVISIONS FOR TECHNICAL ISSUES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 75 (Revision)

Legal Deadline: None

Abstract: On January 11, 1993, EPA promulgated the final core acid rain rules, including the CEM regulation at 40 CFR Part 75. Since the rule was promulgated, the 263 Phase I and 783 Phase II utility units have already complied with this regulation by installing and completing certification

testing by the January 1, 1995 statutory deadline. During implementation of the January 11, 1993 rule and of the technical revisions published May 17, 1995, EPA and industry found a small number of additional issues requiring policy guidance and rule changes. These issues include: using monitoring equipment capable of reading both controlled and uncontrolled emissions (dual range monitors); clarification of span language; a variation of the existing Appendix D method for determining SO2 emissions; an alternative method of determining flow (Appendix I); and greater flexibility in scheduling quality assurance testing.

These technical revisions will provide greater flexibility to the regulated community and will clarify parts of the rule. This action raises no major issues, but rather simplifies implementation by providing industry with more options and flexibility. This action is necessary because of the experience and additional information both EPA and industry has gained from 1993 to the present. Industry views this action as positive because it provides industry with more implementation flexibility.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3808.

Agency Contact: Jennifer Macedonia, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9123
Fax: 202 233-9595
Email: chandra.monika@epamail.epa.gov

RIN: 2060–AG46

3234. PROTECTION OF STRAT. OZONE: RECONSIDERATION OF PETITION CRITERIA/INCORPORATION OF 1995 PROTOCOL DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This action would reconsider a certain reporting requirement in the petition process to import previously used ozone-depleting substances in response to a legal stay. In addition, technical changes that reflect international decisions made in Vienna, Austria in 1995 by countries that are signatories of the Montreal Protocol.

Timetable:

Action	Date	FR Cite
Notice of Stay	01/31/96	61 FR 3316
Proposed Extension	01/31/96	61 FR 3361
NPRM	06/00/97	
Direct Final	06/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3810.

Agency Contact: Tom Land, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9185
Fax: 202 233-9577
Email: land.tom@epamail.epa.gov

RIN: 2060–AG48

3235. RADIATION PROTECTION STANDARDS FOR SCRAP METAL

Priority: Other Significant

Legal Authority: 42 USC 2011 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: Presently, radioactive materials, particularly metals, are being released from nuclear facilities for recycling under standards that are not based on protection of human health. The proposed rule will establish protective risk-based standards for recycling; provide economic benefits through recovering the value of recycled metals; and reduce the need for disposal.

Due to their ready recyclability, scrap metals may be released for recycling if the residual radioactive contamination is below certain levels. These release levels are currently specified in guidance developed by the Nuclear Regulatory Commission and federal agencies. However, current release criteria are not based on protection of human health. The current standards are based on measurement technologies and historical practices. Moreover, the release criteria were not intended to apply to recycling of materials.

The Agency is developing standards for scrap recycling which would be protective of public health. The rule would be based on the risks from recycling metals with residual radioactive contaminants. Scrap metals from site cleanups and ongoing operations of federal facilities and licensees of the NRC would be covered by the rule. EPA expects that these materials will be produced in sufficient quantities to warrant a standard, and while it is anticipated that much of this metal will not contain radioactivity, none should be recycled without a risk-based standard. Material that cannot be released for recycling would continue to be processed for LLW disposal.

Radiation protection standards for scrap metals would fill a regulatory vacuum. But most importantly, they would insure that the public is adequately protected from exposure to residual radioactivity in recycled metals. In addition, risk-based release standards would: (1) promote recovery of scrap metal, (2) reduce the disposal of materials that may not warrant disposal as low-level radioactive waste, and (cont.)

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 491 Electric Services; 963 Regulation and Administration of Communications, Electric, Gas, and Other Utilities; 331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills; 963 Regulation and Administration of Communications, Electric, Gas, and Other Utilities

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3812.

Agency Contact: John Karhnak, Environmental Protection Agency, Air and Radiation, 6603J, Washington, DC 20460
Phone: 202 233-9761
Fax: 202 233-9650
Email: karhnak.john@epamail.epa.gov

RIN: 2060–AG51

3236. REVISION OF PSI (PART 58 APPENDIX G)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7403, 7410, 7511a

CFR Citation: 40 CFR 58

Legal Deadline: None

Abstract: Revision of appendix G to part 58 (Pollutant Standards Index or PSI) is needed to reflect changes in the PM and Ozone standards set by the standards review process. The main focus is the revision of the PSI function for both PM and Ozone.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3832.

Agency Contact: Terence Fitz-Simons, Environmental Protection Agency, Air and Radiation, OAQPS (MD-14), Research Triangle Park, NC 27711
Phone: 919 541-0889
Fax: 919 541-1903
Email: ftz@tethys.rtpnc.epa.gov

RIN: 2060–AG62

3237. GUIDANCE FOR THE IMPLEMENTATION OF EPA'S RADIATION PROTECTION STANDARDS FOR THE MANAGEMENT AND STORAGE OF TRANSURANIC RADIOACTIVE WASTE AT THE WASTE ISOLATION PILOT PLANT (WIPP)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 20211 to 2296; PL 102-579

CFR Citation: 40 CFR 191

Legal Deadline: None

Abstract: The guidance will describe how EPA's existing standards for environmental radiation protection will be applied to the Department of Energy's Waste Isolation Pilot Plant (WIPP), a proposed facility for the disposal of transuranic radioactive waste, a highly radioactive waste generated during the construction of nuclear weapons. The WIPP must comply with EPA's radiation protection standards for the management and storage of transuranic radioactive wastes. By publishing this guidance, EPA will apply these generally applicable standards to the specific case of the WIPP so as to consider that facility's technical and operational characteristics. In part, EPA will use the guidance within the framework established by the WIPP Land Withdrawal Act of 1992. The Act requires EPA to determine on a biennial basis whether the WIPP complies with subpart A of 40 CFR Part 191, the standards for management and storage. In addition, EPA may conduct this determination at any other time as necessary.

The guidance will apply to the 25 to 30 year period during which packaged waste arrives at the above-ground portion of the WIPP, is unloaded and further handled, and ultimately lowered down a mechanical hoist and emplaced in the mined-out repository. During this period, the annual doses from radiation received by members of the public must not exceed the limits specified by EPA's radiation protection standards for management and storage. Such doses could occur, for example, through the airborne transmission of radioactive dust which is subsequently inhaled by a member of the public. In the event that the WIPP fails to be in compliance with the dose standards at any time after the emplacement of waste has begun, the WIPP Land Withdrawal Act authorizes EPA to request a remedial plan from the Department of Energy (DOE). If EPA determines that remedial plan is inadequate, or if DOE defaults on the plan's submission, the the Act requires that DOE retrieve the waste that has already been emplaced for disposal to the extent practicable.

This action will have no impact on small businesses or governmental entities other than the Federal Government.

Timetable:

Action	Date	FR Cite
Publication of Guidance	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3814.

Agency Contact: Betsy Forinash, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460
Phone: 202 233-9233
Fax: 202 233-9626
Email: Forinash.Betsy@epamail.epa.gov

RIN: 2060–AG74

3238. 1998 REVISION OF ACID RAIN ALLOWANCE ALLOCATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 73

Legal Deadline:
Final, Statutory, June 1, 1998.

Abstract: Title IV of the Clean Air Act directs the EPA to establish an acid rain program to reduce adverse effects of acidic deposition. The centerpiece of this control program is allocation of allowances, or authorizations to emit SO2, that are distributed by the Administrator in limited quantities to utility units and must be held by all affected units to cover their SO2 emissions. In 1993, EPA finalized the allowance allocations and provided, in the regulation, the methodology for revising the allocations in 1998 based on several statutory provisions. This rulemaking will implement that methodology, eliminate unaffected units, and eliminate unnecessary sections of regulation. This rulemaking will affect only utility units affected by the acid rain program requirements and does not affect small businesses or government entities.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3898.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, (6204J), Washington, DC 20460
Phone: 202 233-9074
Fax: 202 233-9584

RIN: 2060–AG86

3239. ADDITION OF METHOD 207 TO APPENDIX M OF 40 CFR PART 51 - METHOD FOR MEASURING ISOCYANATES IN STATIONARY SOURCE EMISSIONS,

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Clean Air Act Amendments of 1990 listed certain isocyanate compounds as hazardous air pollutants (HAPs). The Agency does not have any published test methods that would measure air emissions of these isocyanate compounds from stationary sources. This action would add a validated test method to measure isocyanate emissions to Appendix M of Part 51. Test methods in Part 51 can be adopted by any State for use in any regulation that requires the measurement of any of the isocyanate compounds on the HAP list. This action would not impose any new regulatory requirements that do not already exist. It should benefit State governments by providing them with a validated test procedure for measuring the emissions of isocyanate compounds.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3900.

Agency Contact: Gary McAlister, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-1062
Fax: 919 541-1039
Email: McAlister.Gary@EPAmail.EPA.GOV

RIN: 2060–AG88

3240. STATE IMPLEMENTATION PLANS; MILESTONE COMPLIANCE DEMONSTRATION

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7401-7671q

CFR Citation: 40 CFR 51

Legal Deadline:
Other, Statutory, February 15, 1997.

Abstract: The Clean Air Act requires serious and above nonattainment areas for ozone to achieve 15 percent reductions in volatile organic compound (VOC) emissions by 1996. This rule will describe the form and manner in which States shall submit demonstrations that have achieved the required percent VOC emissions reductions (milestone) by the end of each designated time period. Since the rule would only evaluate compliance with approved rules and control strategy demonstrations, the rule does not of itself impact small businesses. In fact, if approved 15 percent reductions in VOC are not evaluated, projected reductions might not actually occur, and air pollution could exceed earlier estimates in the approved 15 percent plans.

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	
Final Action	08/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3279.

Agency Contact: Ted Creekmore, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5699
Fax: 919 541-0824

RIN: 2060–AG89

3241. FEDERAL OPERATING PERMITS PROGRAM IN INDIAN COUNTRY

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

Legal Authority: 42 USC 7661a(d)(3)

CFR Citation: 40 CFR 71.4

Legal Deadline:
Other, Statutory, November 15, 1997, See additional information.

Abstract: Recognizing its trust responsibilities to Indian Tribes, EPA plans to exercise its regulatory authority to issue permits to sources of air pollution in Indian country where sources are not regulated by Indian Tribes. The Federal operating permits program for stationary air sources should extend to all of Indian country, but the regulation that created the program inadvertently created a regulatory gap. A change in regulations is needed to assure that each major source in Indian country is subject to either a State, Tribal, or Federal permit program.

The regulatory change would create a level playing field for industry. Also, the regulatory change would assure that EPA can regulate sources that create air pollution problems in Indian country or that are located in Indian country and generate air pollution problems for other areas.

There are no anticipated impacts on small businesses or State or local governments. The regulatory change would eliminate a burden on Tribal governments. They would not need to demonstrate their jurisdiction over an area in order for EPA to administer a permit program for the area.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3868.

Agency Contact: Candace Carraway, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
Phone: 919 541-3189
Fax: 919 541-5509

RIN: 2060–AG90

3242. REVISED PERMIT REVISION PROCEDURES FOR THE FEDERAL OPERATING PERMITS PROGRAM

Priority: Other Significant

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 7661a(d)(3)

CFR Citation: 40 CFR 71.1

Legal Deadline: None

Abstract: The proposed regulatory change would streamline permit revisions procedures for stationary air sources that are subject to the Federal operating permits program. Revised procedures for changes at a source that are less environmentally significant would provide industry with a more timely response from the permitting agency, enabling industry to more quickly make the changes in their operations that triggered the need for a revision to the permit.

The Agency does not anticipate any significant impact on small businesses and State/local/Tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: All

Additional Information: SAN No. 3901.

Agency Contact: Scott Voorhees, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
Phone: 919-541-5348
Fax: 919-541-5509

RIN: 2060–AG92

3243. REVISION TO THE LIGHT-DUTY VEHICLE EMISSION COMPLIANCE PROCEDURE

Priority: Other Significant

Legal Authority: Clean Air Act

CFR Citation: None

Legal Deadline: None

Abstract: The purpose of this NPRM is to propose changes to the emissions compliance procedures for light duty vehicles. These proposed changes will streamline the current process beginning with model year 2000. These proposed changes will improve in-use emissions with a potential decrease in the net burden on auto manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3913.

Agency Contact: Christi Poirier, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Rd., Ann Arbor, MI 48105
Phone: 313 741-7808
Fax: 313 741-7869
Email: Poirier.Christi

RIN: 2060–AH05

3244. EMISSION REGULATIONS FOR 1978 AND LATER NEW MOTORCYCLES—PROPOSED CHANGES TO THE DEFINITION OF WEIGHT LIMITATIONS FOR MOTORCYCLES

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act

CFR Citation: None

Legal Deadline: None

Abstract: This rule will propose changes to the present regulatory definition of a motorcycle to allow two- or three-wheeled vehicles weighing up to 1749 pounds to be considered motorcycles. The proposed changes could reduce administrative burden on the motor cycle industry.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	07/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3912.

Agency Contact: Frank Lamitola, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 668-4479
Fax: 313 741-7869
Email: Lamitola.Frank

RIN: 2060–AH06

3245. ● ADDITION OF METHOD 14A TO 40 CFR PART 60, APPENDIX A

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 12 USC 1701 et seq

CFR Citation: 12 CFR 120.2 (d)(4); 40 CFR 63

Legal Deadline: None

Abstract: This proposed action would add an additional emission test method which primary aluminum owners could use to assure compliance with the emission limits prescribed in the proposed primary aluminum Maximum Achievable Control Technology (MACT) regulation. Application of this method is anticipated to reduce the cost of assuring compliance.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3987.

Agency Contact: Terry Harrison, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-5233
Fax: 919 541-1039
Email: harrison.terry@epamail.epa.gov.

RIN: 2060–AH24

3246. ● PROTECTION OF STRATOSPHERIC OZONE: CONTROL OF METHYL BROMIDE EMISSIONS THROUGH USE OF TARPS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7671g

CFR Citation: 40 CFR 82

Legal Deadline:
NPRM, Statutory.
Final, Statutory.
NPRM, Judicial, December 15, 1997.
Final, Judicial, December 15, 1998.

Abstract: This action would require the use of tarps to control ozone-depleting emissions of methyl bromide where it is used on agricultural fields as a soil fumigant. Reduced emissions of methyl bromide would help prevent human health impacts such as skin cancer caused by increased ultraviolet radiation penetrating a weakened stratospheric ozone layer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3982.

Agency Contact: Carol Weisner, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9193
Fax: 202 233-9665
Email: weisneer.carol@epamail.epa.gov

RIN: 2060–AH26

3247. ● REVIEW OF DEFINITION OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF METHYL ACETATE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7641

CFR Citation: 40 CFR 51.100(2)

Legal Deadline: None

Abstract: EPA has received a petition to add methyl acetate to the list of compounds considered negligibly reactive in the definition of VOC in 40 CFR 51.100(s). This would remove this compound from regulation as a VOC. Since available data supports classification as ''negligibly reactive'', EPA plans to propose the action. This action will be deregulatory since this compound would no longer be required to be controlled as a VOC. There should be no impact on small businesses or State/local/tribal governments since no new requirement will be imposed on them.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 286 Industrial Organic Chemicals; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products

Additional Information: SAN No. 3943.

Agency Contact: William L. Johnson, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5245

RIN: 2060–AH27

3248. ● REVISIONS TO SERVICE INFORMATION AVAILABILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521

CFR Citation: 40 CFR 9 and 86

Legal Deadline: None

Abstract: Since publication of the final rule for service information availability in August of 1995, the Agency has gained experience and information that make it necessary to revise some of the requirements set forth by this regulation. This action will mainly impact automobile manufacturers and the automotive aftermarket industry, with minimal impact on small entities.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	
Final	02/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 551 Motor Vehicle Dealers (New and Used); 753 Automotive Repair Shops

Additional Information: SAN No. 3978.

Agency Contact: Cheryl Adelman, Environmental Protection Agency, Air and Radiation, VPCD/VRAG, Ann Arbor, MI 48105
Phone: 313 668-4434
Fax: 313 741-7869

RIN: 2060–AH28

3249. ● REVISIONS FOR OPTING INTO THE ACID RAIN PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7601 and 7651 et seq

CFR Citation: 40 CFR 74.4

Legal Deadline:
NPRM, Judicial, September 9, 1997, Settlement Agreement.
Final, Judicial, April 9, 1998, Settlement Agreement.

Abstract: In fulfilling the settlement of litigation, the Acid Rain Program is proposing to allow nonutility combustion or process sources located with affected utility units a limited exception to the general requirement that there be only one designated representative for all affected units at a source. We are also proposing language to clarify that a thermal energy plan may become effective quarterly rather than only on January 1. These revisions are intended to promote participation in the opt-in program and clarify the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	
Final	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3981.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation
Phone: 202 233-9074
Fax: 202 233-9584
Email: barylski.kathy@epamail.epa.gov

RIN: 2060–AH36

3250. ● REVIEW OF NEW SOURCES AND MODIFICATIONS IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51.165; 40 CFR 51.166; 40 CFR 52.10; 40 CFR 52.21

Legal Deadline: None

Abstract: Consistent with its trust responsibility to Indian Tribes, EPA proposes to develop a permit program that would extend to Indian country some of the same protections that States afford their citizens through minor new source review and non-attainment major new source review programs. The proposed rule would require that stationary air sources located in Indian country obtain a permit prior to construction or undergoing modification, in certain cases. Permits would be required of minor sources that exceed a specified emissions threshold if they propose to construct or make a modification that will increase emissions from the source. Major sources in non-attainment areas would be required to obtain pre-construction permits. The proposed rule would allow existing stationary sources to accept federally enforceable limits in order to be considered as minor sources for the applicability of source requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	
Final	03/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3975.

Agency Contact: Mike Sewell, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
Phone: 919 541-0873
Fax: 919 541-5509

RIN: 2060–AH37

3251. ● BAN THE SALE OF HALON BLENDS AND THE INTENTIONAL RELEASE OF HALONS DURING TESTING AND TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990

CFR Citation: 40 CFR 82

Legal Deadline:
NPRM, Judicial, July 30, 1997.

Abstract: This rule is in response to a lawsuit filed by the Sierra Club. EPA and the Sierra Club have reached contains provisions for the agency to propose rules banning the sale of halon blend and relative to the release of halons during testing and training as well as the disposal of halon containing equipment at the end of its useful life. These rules must be promulgated by June 30, 1997.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3984.

Agency Contact: Mavis Sanders, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9737

RIN: 2060–AH44

3252. ● REVISIONS TO CLARIFY THE PERMIT CONTENT REQUIREMENTS FOR STATE OPERATING PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 41 USC 7661 et seq

CFR Citation: 40 CFR 70.6

Legal Deadline: None

Abstract: The proposed rule will revise the permit content requirements for state operating permits programs to clarify EPA's existing regulations and policy that require all applicable requirements to be included in Title V operating permits. This action will also require a few approved State programs that are inconsistent with this policy, and that EPA did not identify as such during program approval actions, to be revised. This action is necessary to prevent future Court decisions that would overrule EPA permit program approval decisions, for State programs that contain similar permit content deficiencies, on the grounds that EPA policy is unclear and applied in an inconsistent manner. In addition, this action will take comment on allowing an exemption from permit content requirements for insignificant activities that are subject to certain applicable requirements that are found only in State Implementation Plans and will finalize such provisions if it is convinced by comments that such a policy is appropriate. The benefit of the proposed action is that it will clarify existing permit content requirements and prevent future Court decisions that would overrule EPA permits program approval decisions on the grounds that EPA applies its policies inconsistently. There is no anticipated impact on small businesses as this rulemaking only clarifies existing requirements and takes comment on exemptions that may further streamline permits. Impact on State or local governments is limited to a small number of State programs where certain applicable requirements are exempt from permit content requirements in conflict with existing EPA requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final	02/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3977.

Agency Contact: Jeff Herring, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
Phone: 919 541-3195

RIN: 2060–AH46

3253. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR YUCCA MOUNTAIN, NEVADA

Priority: Other Significant

Legal Authority: Energy Policy Act, section 801

CFR Citation: 40 CFR 197

Legal Deadline:
Final, Statutory, August 1, 1996.

Abstract: This rulemaking is in response to section 801 of the Energy Policy Act of 1992 which directs the Administrator to promulgate public health and safety standards for protection of the public from releases from radioactive materials stored or disposed of in the repository at the Yucca Mountain site. The only regulated entity is the U.S. Department of Energy.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3568.

Agency Contact: Ray Clark, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460
Phone: 202 233-9198
Fax: 202 233-9626
Email:
CLARK.RAY@EPAMAIL.EPA.GOV

RIN: 2060–AG14

3254. ● AMBIENT AIR QUALITY SURVEILLANCE: CHANGES TO ACCOMMODATE REVISED OZONE NAAQS & IMPLEMENTATION STRATEGIES

Priority: Other Significant

Legal Authority: 42 USC 7403; 42 USC 7410; 42 USC 7511a; 42 USC 7619

CFR Citation: 40 CFR 58

Legal Deadline: None

Abstract: This regulatory action will revise the ambient air monitoring regulation contained in 40 CFR 58 to accommodate the currently proposed revision to the ozone National Ambient Air Quality Standard (NAAQS). The proposed 8-hour ozone NAAQS was published in the Federal Register on December 13, 1996, and comments are currently being received on this new standard. If this proposed 8-hour ozone NAAQS is promulgated, it will be necessary to review and revise the existing ozone monitoring network requirements established for the existing 1-hour ozone NAAQS. These revisions will include different ozone monitoring seasons necessitated by the new ozone NAAQS, adjustments to the ozone precursor monitoring program, new ozone monitoring requirements based on Metropolitan Statistical Areas rather than urbanized areas, and other monitoring program adjustments as appropriate for a revised ozone NAAQS.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 951 Administration of Environmental Quality Programs

Additional Information: SAN No. 3974.

Agency Contact: Lee Ann Byrd, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park, NC 27711
Phone: 919 541-5367
Fax: 919 541-1903
Email: byrd.lee@epamail.epa.gov

RIN: 2060–AH30

3255. NEXT REVISION OF APPENDIX W TO 40 CFR PART 51

Priority: Substantive, Nonsignificant

Legal Authority: Section 110(a)(2) of the 1990 Clean Air Act amendments; Section 165(e) of the 1990 Clean Air Act amendments; Section 172(a) and (c) of the 1990 Clean Air Act amendments; Section 301(a)(1) of the 1990 Clean Air Act amendments; Section 320 of the 1990 Clean Air Act amendments

CFR Citation: 40 CFR 51.112; 40 CFR 51.160; 40 CFR 51.166; 40 CFR 52.21

Legal Deadline: None

Abstract: This action proposes revisions to the regulatory requirements for air quality models. Such models are used to predict ambient concentrations of pollutants for programs ranging from Prevention of Significant Deterioration (PSD) to State Implementation Plans (SIPs) for controlling air pollution sources. Appendix W to 40 CFR Part 51fulfills 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	11/00/97	
Final Action	05/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3470.

Agency Contact: Tom Coulter, Environmental Protection Agency, Air and Radiation, Air Quality Modeling Group (MD-14), Research Triangle Park, NC 27711
Phone: 919 541-0832

RIN: 2060–AF01

3256. INTEGRATED NESHAP AND EFFLUENT GUIDELINES: PULP AND PAPER

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7412; 42 USC 7414; 42 USC 7601; Clean Air Act Amendments of 1990 section 112, 114, and 301; 33 USC 1311, 1314, 1316, 1317, 1318, and 1361; Clean Water Act section 301, 304, 306, 307, 308, and 501

CFR Citation: 40 CFR 63; 40 CFR 430

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act (CAA) Amendments of 1990 direct the Environmental Protection Agency (EPA) to set National Emission Standards for Hazardous Air Pollutants (NESHAP) for new and existing sources under section 112 and to base these standards on maximum achievable control technology (MACT). The Clean Water Act (CWA) directs EPA to develop effluent guidelines for certain categories and classes of point sources. These guidelines are used for setting discharge limits for specific facilities that discharge to surface waters or municipal sewage treatment systems. For the pulp and paper industry, EPA is developing an integrated regulation that includes both effluent guidelines and air emission standards to control the release of pollutants to both the water and the air. The regulations are being developed jointly to provide greater protection to human health and the environment, to promote the concept of pollution prevention, and to enable the industry to more effectively plan compliance via a multimedia approach.

This Regulatory Plan entry also includes RIN 2040-AB53, Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category, reported in full in Part III of this issue of the Federal Register.

Timetable:

Action	Date	FR Cite
NPRM NESHAP Phase III - Nonchemical and Other Mills	03/08/96	61 FR 9383
NPRM NESHAP Phase II - Combustion Sources	06/00/97	
Final NESHAP Phases I and III and Effluent Guidelines Phase I	06/00/97	
Final NESHAP Phase II - Combustion Sources	06/00/98	
Final Action All NESHAP Phases	06/00/98	
Final Effluent Guidelines Phase III - Dissolving Grade	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3105.

Agency Contact: Penny Lassiter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5427
Donald F. Anderson, Environmental Protection Agency, Air and Radiation, Office of Water, Mail Code 4303, Washington, DC 20460
Phone: 202-260-7189

RIN: 2060–AD03

3257. NESHAP: MINERAL WOOL PRODUCTION INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act, as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of

emission reduction determined to be achievable by the Administrator. The Agency has determined that the mineral wool production industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the mineral wool production industry to promulgate emission standards within 7 years of enactment of the Clean Air Act Amendments.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3461.

Agency Contact: Mary K. Johnson, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5025

RIN: 2060–AE08

3258. 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: None

Abstract: Hazardous air pollutants (HAPs) known to be emitted from oil and gas production, storage, and transmission facilities include benzene, toluene, ethyl benzene, and xylene isomers (collectively referred to as BTEX), along with 2,2,4-trimethylpentane and n-hexane. Potential HAP emission sources are glycol dehydrator reboilers (stand-alone and co-located); condensate storage vessels; and equipment leaks at natural gas processing plants and off-shore production platforms.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 3229.

Agency Contact: Martha Smith, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-2421

RIN: 2060–AE34

3259. NESHAP FOR FORMALDEHYDE-BASED RESINS (POLYMERS AND RESINS GROUP III)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Title III of the amended Clean Air Act requires development of emission standards for all major sources, and selected area sources, emitting any of the 189 hazardous air pollutants identified in Section 112(b) of the Act. Amino, acetal, and phenelic resins productions have been listed as categories of major sources based on documented emissions of phenol and/or formaldehyde. The purpose of the Formaldehyde-based Resin (Polymers and Resins Group III) project is to initiate the regulatory process for sources engaged in the production of amino, acetal, and phenolic resins, and to ultimately develop a NESHAP based on candidate Maximum Achievable Control Technology. This standard is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3228.

Agency Contact: John Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711 Phone: 919 541-0298

RIN: 2060–AE36

3260. 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, See Additional Information.

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	04/00/97	
Final Action	11/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3345.

Agency Contact: James H. Maysilles, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-3265

RIN: 2060–AE41

3261. NESHAP: PRIMARY COPPER SMELTING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, sec 112 as amended November 1990

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997, See Additional Information.

Abstract: The primary copper smelting industry is known to emit a number of the hazardous air pollutants listed in Section 112 of the Clean Air Act, as amended November 1990. Most smelters have extensive control systems for oxides of sulfur and HAPs. However, fugitive emissions may cause several smelters to exceed major source levels.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3340.

Agency Contact: Eugene P. Crumpler, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-0881

RIN: 2060–AE46

3262. AMENDMENTS TO PARTS 51, 52, 63, 70 AND 71 REGARDING THE PROVISIONS FOR DETERMINING POTENTIAL TO EMIT

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract:

This action proposes to amend regulations already established to implement the new Federal air toxics program under section 112, including the General Provisions, the Federal operating permit program under title V, and the major source preconstruction programs under Parts C and D of Title I.

The proposed rule will address issues related to the determination of a stationary source's potential to emit in response to two court decisions.

This action resulted from splitting of RINs 2060-AC98 and 2060-2918.

This action is also being split into two several actions. The new rule entitled, ''Provisions for Limiting the Potential to Emit Under the Clean Air Act for Low-Emitting Source Categories (SAN 3952).'' This rule is being split out in order to propose one part of the proposal sooner than the other. This new action is intended to provide streamline ways for source owners in low-emitting source categories to limit their potential to emit under the Clean Air Act. The action will provide a consistent method that could be used by sources within several key source categories, that would serve as a complement to efforts already underway at the State and local level.

Timetable:

Action	Date	FR Cite
NPRM for Low-Emitting Source Categoires (SAN 3952)	08/00/97	
NPRM	10/00/97	
Final Action	10/00/98	
Final for Low-Emitting Source Categories (SAN 3952)	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3479.

Agency Contact: Tim Smith, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711 Phone: 919 541-4718

RIN: 2060–AE63

3263. NESHAP: WOOL FIBERGLASS MANUFACTURING INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the wool fiberglass manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the wool fiberglass manufacturing industry to promulgate emission standards within 7 years of enactment of the CAA amendments.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 327 Concrete, Gypsum, and Plaster Products

Additional Information: SAN No. 3123.

Agency Contact: William J. Neuffer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5435

RIN: 2060–AE75

3264. NESHAP: SECONDARY ALUMINUM INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: The Act requires EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the Act, to promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAP emission sources, and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the secondary aluminum industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the Act. As a consequence, the source category is included on the initial list of HAP emitting categories and is on the list of categories scheduled for standards promulgation within seven years of enactment of the Act. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 334 Secondary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3078.

Agency Contact: Juan E. Santiago, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-1084

RIN: 2060–AE77

3265. NESHAP: PORTLAND CEMENT MANUFACTURING

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that most plants in the Portland cement manufacturing industry are major sources of hazardous air pollutants.A regulation (emission standards) is being developed for the Portland cement manufacturing industry, to be promulgated by the statutory deadline of November 15, 1997. Cement kilns which burn RCRA hazardous waste are subject to a separate rule that have been proposed by the EPA Office of Solid Waste.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 324 Cement, Hydraulic

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3079.

Agency Contact: Joseph P. Wood, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5446

RIN: 2060–AE78

3266. NESHAP: POLYETHER POLYOLS PRODUCTION

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Title III of the CAA requires development of emission standards for all major sources emitting any of the 189 hazardous air pollutants (HAPs) identified in Section 112(b) of the CAA. Polyether Polyol Production has been listed as a category of major sources based on documented emissions of propylene oxide and ethylene oxide. This action will explore alternatives for controlling the release of HAPs from the following process areas located at polyether polyol manufacturing facilities: process vents (e.g. reactors), storage, equipment leaks and other fugitive sources, and wastewater operations. There are no anticipated impacts on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3408.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2380
Fax: 919 541-3470

RIN: 2060–AE81

3267. NESHAP: PHARMACEUTICALS PRODUCTION

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act as Amended in 1990, section 112

CFR Citation: 40 CFR 63 subpart GGG

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: This regulation would control emissions of hazardous air pollutants from production of pharmaceuticals. Pharmaceuticals production was included on the initial list of categories of sources that was published by EPA in July 1992. Emissions from process vents, equipment leaks, storage tanks, and wastewater systems will be addressed by this regulation for both new and existing facilities.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 283 Drugs

Additional Information: SAN No. 3451.

Agency Contact: Randy McDonald, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5402

RIN: 2060–AE83

3268. NESHAP: PESTICIDE ACTIVE INGREDIENT PRODUCTION (PRODUCTION OF AGRICULTURAL CHEMICALS)

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 section 112

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: The following ten source categories (which are all pesticide active ingredients) are listed under the Production of Agricultural Chemicals (PAC) industry group: 1) 2,4-D Salts and Esters Production; 2) 4-Chloro-2-Methylphenoxyacetic Acid Production; 3) 4, 6-Dinitro-o-Cresol Production; 4)

Captafol Production; 5) Captan Production; 6) Chloroneb Production; 7) Chlorothalonil Production; 8) Dacthal (tm) Production; 9) Sodium Pentachlorophenate Production; 10) Tordon (tm) Acid Production.

The EPA will propose to develop standards for all pesticide active ingredient producers including the 10 categories listed above. Any other pesticide active ingredient production plant which produces or uses any of the 189 listed hazardous air pollutants will also be included. A variety of HAPs are emitted including, toluene, formaldehyde, methanol, chlorinated compounds, etc.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3450.

Agency Contact: Lalit Banker, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5420

RIN: 2060–AE84

3269. 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 sources of hazardous air pollutants (HAPs) listed in Section 112(b). A preliminary determination made by the EPA indicates 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	09/00/97	
Final	09/00/98	

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, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5308

RIN: 2060–AE85

3270. NESHAP: PRIMARY LEAD SMELTERS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, section 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Primary lead smelters are a major source category of hazardous air pollutants. Potential emissions include compounds of lead, and other metallic HAPs as well as organic HAPs. Emission standards would establish maximum achievable control technology requirements for affected process units and fugitive dust sources. This industry is comprised of two companies which operate three smelters in two states.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3467.

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711 Phone: 919 541-2364

RIN: 2060–AE97

3271. NESHAP: MANUFACTURERS OF ACRYLIC/MODACRYLIC FIBERS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant emissions from facilities that manufacture acrylic or modacrylic fibers. Principal pollutants identified are vinyl acetate and acrylonitrile. The majority of emissions occur during the polymerization reaction. There are only two major sources in the United States that will be affected by this regulation.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3378.

Agency Contact: Tony Wayne, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711 Phone: 919-541-5439

RIN: 2060–AF06

3272. NESHAP: POLYCARBONATES PRODUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401/CAA 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant (HAP) emissions from the production of polycarbonate resins. This source category is being included in the General MACT Standard. The schedule below reflects the schedule of that rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3465.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060–AF09

3273. 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	05/00/97	
Final Action	05/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Local

Additional Information: SAN No. 3377.

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884

RIN: 2060–AF26

3274. AMENDMENTS TO SUBPART A AND B FOR 40 CFR 63

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549; Clean Air Act section 112

CFR Citation: 40 CFR 63.1; 40 CFR 63.51

Legal Deadline: None

Abstract: The General Provisions (subpart A) were promulgated on March 16, 1994 (59 FR 12408). The General Provisions create the technical and administrative framework and establish general procedures and criteria for implementing MACT standards. On May 16, 1994, six litigants filed petitions for EPA to review certain provisions of the General Provisions. Subpart B, the procedures for implementing Section 112(j), were promulgated on May 26, 1994. In June, 1994 litigants filed petitions for EPA to review the promulgated procedures. As a result of the litigation, it is anticipated that a number of technical and administrative amendments to Subpart A and B will be proposed.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: Multiple

Additional Information: SAN No. 3551.

Agency Contact: James Szykman, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0164

RIN: 2060–AF31

3275. REVISIONS TO THE REGULATION FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHORITIES

Priority: Other Significant

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

Legal Authority: Clean Air Act section112(l)

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Guidance in the form of rulemaking is being developed in accordance with the requirements of section 112(l) of the Clean Air Act Amendments of 1990 for the approval of State air toxic programs and the delegation of federal authorities to the States for the implementation and enforcement of section 112 emission standards and other requirements. This regulatory document will provide more flexibility to States in the following areas: minimum requirements for EPA approval of State air toxics regulations that are equivalent to or more stringent than the federal standards; and minimum requirements for EPA approval of State air toxics programs that are equivalent to or more stringent than the federal program. Specific issues that will be addressed include: alternative work practice standards; alternative monitoring, recordkeeping and reporting; alternative test method approval process; equivalency by Part 70 permits; and mechanisms and requirements for approval of State air toxics programs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	10/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: Multiple

Additional Information: SAN No. 3829.

Agency Contact: Tom Driscoll, Environmental Protection Agency, Air and Radiation, OAQPS (MD-12), Research Triangle Park, NC 27711
Phone: 919 541-5135
Fax: 919 541-5509

RIN: 2060–AG60

3276. GENERIC MACT FOR SOURCE CATEGORIES WITH FEW SOURCES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act 112

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Several of the source categories that are subject to MACT (maximum available control technology) standards contain only a few sources (e.g. less than 5). For such source categories, EPA plans to develop the underlying information through its MACT Partnership Program and then allow the affected sources and states to develop the detailed MACT requirements in a Title V operating

permit. To do this, EPA needs to develop a generic MACT standard for these source categories. This reinvention to the MACT standards development process will allow for proper participation by all stakeholders. Given the relatively few affected sources caught by the generic standard, the overall cost and environmental effects of this action are expected to be small, nationally.

The MACT program addresses hazardous air pollutants. This action will only affect major sources of these HAPs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 286 Industrial Organic Chemicals

Additional Information: SAN No. 3901.

Agency Contact: David Markwordt, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0837
Fax: 919 541-0942

RIN: 2060–AG91

3277. NESHAP: HYDROGEN FLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.
Other, Statutory, November 15, 2000, 10 year source category BIN.

Abstract: This rule will establish maximum achievable control technology (MACT) for hydrogen fluoride (HF) production facilities. The rule will affect two HF production facilities, both of which are currently well-controlled. This action will result in little or no additional emission reduction, but will establish a federal MACT level for these plants.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3654.

Agency Contact: Rick Colyer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919-541-5262
Fax: 919-541-0942
Email: colyer.rick@epamail.epa.gov

RIN: 2060–AG94

3278. NESHAP: SECONDARY LEAD SMELTER AMENDMENT

Priority: Other Significant

Legal Authority: 42 USC 7402/CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Final standards under section 112(d) for hazardous air pollutantsemissions from new and existing lead smelters (40 CFR 63, SubpartX) were promulgated on June 23, 1995. The Agency has been petitioned for reconsideration, and has agreed to revise portionsof the rule to address the comments contained in the petitions.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3193.

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-2364

RIN: 2060–AH07

3279. NESHAP: CHROMIUM ELECTROPLATING AMENDMENT

Priority: Other Significant

Legal Authority: 42 USC 7402/CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Final standards under section 112(d) for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks (40 CFR 63, Subpart N) were promulgated on January 25, 1995. Since promulgation, the Agency has determined that a class of chromium electroplating operations were inadvertently excluded from regulation. Specifically, the final standards do not apply to sources engaged in continuous chromium electroplating of steel sheet used to make cans and other containers. It is the Agency's intent to regulate all facilities engaged in chromium electroplating. Therefore, the Agency plans to amend the chromium electroplating rule to extend its applicability to continuous chromium electroplating operations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2841.

Agency Contact: Phil Mulrine, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5289

RIN: 2060–AH08

3280. ● SPECIFIC POLLUTANTS: LIST OF CATEGORIES EMITTING 7 SPECIFIED HAZARDOUS AIR POLLUTANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412(c)(6)/CAA 112(c)(6)

CFR Citation: Not yet determined

Legal Deadline:
NPRM, Judicial, April 30, 1997.
Final, Judicial, December 20, 1997.

Abstract: Under CAA section 112(c)(6), special studies are required to identify, for potential standards development, sources and national emissions of seven specific air toxics. These seven are alkylated lead compounds, polycyclic organic matter (POM), hexachlorobenzene, mercury, polychlorinated biphenyls (PCBs), 2,3,7,8-tetrachlorodibenzofurans

(2,3,7,8-TCDF), and 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD). EPA is required to identify the sources accounting for 90% of the emissions of these pollutants and assure that those sources are subject to standards.

Timetable:

Action	Date	FR Cite
Announcement of Availability	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3960.

Agency Contact: Laurel Driver, Environmental Protection Agency, Air and Radiation, MD-15, Reseach Triangle Park, NC 27711
Phone: 919 541-2859
Fax: 919 541-7690

RIN: 2060–AH20

3281. NEW SOURCE PERFORMANCE STANDARDS (NSPS) AND EMISSION GUIDELINES FOR INDUSTRIAL AND COMMERCIAL WASTE INCINERATORS

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act section 129

CFR Citation: 40 CFR 60

Legal Deadline:
Final, Statutory, November 15, 1994.
Other, Judicial, December 20, 1994, ANPRM.
NPRM, Judicial, March 15, 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). The Agency has received extensions on the court order to propose standards. Negotiations are currently on going with the litigants to grant a further extension to the Agency and combine ICWI with the other standards being developed under the Industrial Combustion Coordinated Rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period End	12/28/94	59 FR 66850
NPRM	04/00/97	
Final Action	11/00/00	

Small Entities Affected: Undetermined

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
Phone: 919 541-1549

RIN: 2060–AF91

3282. ● TRANSPORTATION CONFORMITY RULE AMENDMENT: CLARIFICATION OF TRADING PROVISIONS

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

Legal Authority: 42 USC 7401 to 7671; Clean Air Act section 176(c)

CFR Citation: 40 CFR 51 and 93

Legal Deadline: None

Abstract: The transportation conformity rule, promulgated in November 1993, ensures that transportation and air quality planning are consistent with Clean Air Act air quality standards. The Open Market Trading Guidance provides guidance to states for establishing a method to quantify emissions reductions (called ''discrete emissions reductions'' or DERs) that can be traded among parties and how such trading should occur. This action will amend the transportation conformity rule to clarify how emissions trading could be reconciled in the conformity process.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3917.

Agency Contact: Laura Voss, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7858
Fax: 313 668-4531
Email: voss.laura@epamail.epa.gov

RIN: 2060–AH31

3283. ● TRANSPORTATION CONFORMITY PILOT APPROVAL; COMFORMITY SIP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7671g

CFR Citation: 40 CFR 51 and 93

Legal Deadline: None

Abstract: This action would approve the conformity procedures developed by an area that has been selected to participate in the transportation conformity pilot program. Because EPA may select up to six areas to participate in the pilot program there may be six separate approval actions. These approval actions will be in the form of conformity SIP approvals.

The purpose and anticipated impact of the pilot program itself were discussed in the rulemaking that established the pilot program (see ''Transportation Conformity Rule Amendment and Solicitation for Participation in the Conformity Pilot Program'').

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3914.

Agency Contact: Meg Patulski, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7842
Fax: 313 668-4531
Email: Patulski-Meg@epamail.epa.gov

RIN: 2060–AH32

3284. REDUCTION OF VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS FROM COATINGS USED IN THE AEROSPACE, WOOD FURNITURE, AND SHIPBUILDING INDUSTRIES UNDER CLEAN AIR ACT SECTION 183(E)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline:
Final, Statutory, March 1997.

Abstract: This action would result in the reduction of volatile organic compound (VOC) emissions from the coatings used by the Aerospace, Wood

Furniture and Shipbuilding industries. The Agency will study the various VOC pollutants contained in these coatings and will evaluate pollution prevention and control techniques which can reduce these emissions; Control Techniques Guidelines can be issued in lieu of regulations if they are significantly as effective in reducing VOC emissions from the use of these coatings in ozone nonattainment areas. This rulemaking will be conducted in accordance with statutory requirements for VOC emission reduction under Section 183(e) of the Clean Air Act. The development of these VOC rules will use data recently gathered for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for these industries. This will maximize resources and avoid duplication of data gathering efforts. There are small businesses in these industries, but at this time it is not known how many will be affected by these rules or guidelines.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	01/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 37 Transportation Equipment; 45 Transportation by Air; 243 Millwork, Veneer, Plywood, and Structural Wood Members; 25 Furniture and Fixtures

Additional Information: SAN No. 3838.

Agency Contact: Daniel Brown, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5305
Fax: 919 541-5689
Email: brown.dan@epamail.epa.gov

RIN: 2060–AG59

3285. AMENDMENT CONCERNING THE LOCATION OF SELECTIVE ENFORCEMENT AUDITS OF FOREIGN MANUFACTURED VEHICLES AND ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7525/CAA 206(b)

CFR Citation: 40 CFR 86 subpart G (Revision); 40 CFR 86 subpart K (Revision)

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to include ports of entry as a location for EPA selection of foreign produced vehicles and engines for SEA emissions testing at laboratories in the U.S. While the regulations do not specify EPA authority to conduct such port selections, the increased flexibility provided by port selections warrants amending the regulations. Presently, EPA must travel overseas to conduct SEA audits of foreign manufactured vehicles and engines, even though most manufacturers now have access to laboratory facilities in the U.S. The benefits include a reduction in Agency cost since fewer overseas trips would be necessary. Also, EPA would be able to conduct more audits of foreign manufactured vehicles and engines.

Separate from the provisions proposed in this NPRM for amendments to allow port selection for SEAs, EPA is also proposing to make two other amendments to 40 CFR Part 86. The first would amend current Selective Enforcement Auditing regulations to change the minimum annual limit of Selective Enforcement Audits per manufacturer to two (2) per year. Currently, the minimum annual limit is one audit per manufacturer. Under the proposed amendments EPA would be able to perform a second audit on those manufacturers that might otherwise be limited to one audit.

The second additional proposed amendment to Part 86 would delete from Subparts A and E references to the Agency representation in certain types of administrative hearings. The two provisions state that the Office of General Counsel will represent the Agency in administrative procedures governing hearings on certification for light-duty vehicles, light-duty trucks, heavy-duty engines and motorcycles. The Agency is proposing to delete these two provisions in order to be consistent with other hearing procedures in Part 86.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3139.

Agency Contact: Richard Gezelle, Environmental Protection Agency, Air and Radiation, 6403-J), Washington, DC 20460
Phone: 202 233-9267

RIN: 2060–AD90

3286. ● REVIEW OF FEDERAL TEST PROCEDURES FOR EMISSIONS FROM MOTOR VEHICLES; TEST PROCEDURE ADJUSTMENTS TO FUEL ECONOMY AND EMISSION TEST RESULTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549

CFR Citation: 40 CFR 86; 40 CFR 600

Legal Deadline: None

Abstract: This action considers potential adjustments to fuel economy and emission test results to compensate for test procedure changes previously adopted; it applies to light duty vehicles and light duty trucks. This aspect of the previous rulemaking (SAN-3323, RIN: 2060-AE27) was deferred.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3979.

Agency Contact: R. W. Nash, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road (mail code VPCD), Ann Arbor, MI 48105
Phone: 313 668-4412

RIN: 2060–AH38

3287. SPECIFICATION OF SUBSTANTIALLY SIMILAR DEFINITION FOR DIESEL FUELS

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

Legal Authority: 42 USC 7545/CAAA 211(f)

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: EPA is proposing a definition of the term substantially similar, as used in section 211(f)(1)(B) of the Clean Air Act (CAA), with respect to diesel fuel and fuel additives. The prohibitions of section 211(f)(1)(A) apply to fuels and fuel additives which are not substantially similar to fuels or

additives used to certify vehicles to emissions standards. This definition will enable manufacturers to determine whether their diesel fuels and additives are covered by, or excluded from, the section 211(f)(1)(B) prohibitions. This definition will also reduce potential burdens on manufacturers and EPA for processing waivers for fuels and additives under 211(f)(4).

Timetable:

Action	Date	FR Cite
ANPRM	05/30/91	56 FR 24362
NPRM	07/00/97	
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3091.

Agency Contact: David Korotney, Environmental Protection Agency, Air and Radiation, NVFEL, Washington, DC 20460
Phone: 313-668-4507

RIN: 2060–AD77

3288. MODIFICATIONS TO STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7545/CAA 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act, as amended in 1990, EPA promulgated regulations to require a cleaner burning reformulated gasoline (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as covered areas, (e.g., areas in which non-RFG (conventional gasoline) is prohibited from being sold or dispensed to the ultimate consumers of the gasoline. Other ozone nonattainment areas may opt-in to the RFG program upon petition by the Governor of the state in which the area is located.

Since the RFG program became effective in January 1995, many enforcement related issues have been raised concerning the implementation of the program. Some of these issues have required the exercise of enforcement discretion through the use of informal question and answer guidance documents. This action will codify those guidances which are appropriate for incorporation into the RFG regulations. This action will also streamline the regulations, where appropriate, and include certain typographical and other minor corrections.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3844.

Agency Contact: Karen Smith, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460
Phone: 202 233-9006
Fax: 202 233-9557

RIN: 2060–AG76

3289. AMENDMENT CONCERNING APPLICABILITY OF ON HIGHWAY HEAVY-DUTY CERTIFIED ENGINES FOR USE IN NONROAD HEAVY-DUTY VEHICLES AND EQUIPMENT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 7521 to 7525; 42 USC 7541 to 7543; 42 USC 7547

CFR Citation: 40 CFR 9; 40 CFR 89

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to allow the use of on-highway heavy-duty certified engines in nonroad heavy-duty vehicles and equipment. This will eliminate hardships caused by the imposition of nonroad heavy-duty rules of specialty vehicles and equipment that have historically elected to use cleaner on-highway heavy-duty engines.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: RIA

Additional Information: SAN No. 3842.

Agency Contact: John Guy, Environmental Protection Agency, Air and Radiation, (6403J), Washington, DC 20460
Phone: 202 233-9276
Fax: 202 233-9596

RIN: 2060–AG78

3290. NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS (25 HORSEPOWER) (PHASE 2)

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7547/CAA 213

CFR Citation: 40 CFR 90

Legal Deadline:
Final, Statutory, November 15, 1992.
NPRM, Judicial, May 31, 1997.
NPRM, Judicial, December 31, 1997.

Abstract: This action will establish the second phase of emissions standards for new nonroad spark-ignition engines at or below 19 kilowatts (25 horsepower), as required by section 213(a)(3) of the Clean Air Act as Amended. The Environmental Protection Agency (EPA) had been developing the second phase of small-engine regulations through a negotiated rulemaking, with representation by engine manufacturers, equipment manufacturers, emissions control manufacturers, equipment dealers, environment and public health interests, and State air programs. The negotiations came to an end on February 16, 1996 with no consensus reached. EPA will now develop the rulemaking through other means.

The affected engines are used in lawn, garden, and utility equipment, such as lawnmowers, string trimmers, chain saws, and small pumps and generators. The first phase was established July 3, 1995 (60 FR 34582), effective for the 1997 model year, and was very similar to the tier 1 small-engine regulations developed by California for the same

engines. Regulated pollutants are hydrocarbons, carbon monoxide, and oxides of nitrogen.

Timetable:

Action	Date	FR Cite
ANPRM	03/27/97	62 FR 14740
NPRM Hand-held engines	09/00/97	
NPRM Non-hand-held engines	09/00/97	
Final Hand-held engines	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3361.

Agency Contact: Betsy McCabe, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4344

RIN: 2060–AE29

3291. ● TECHNICAL AMENDMENTS FOR NON-ROAD COMPRESSION IGNITION ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7573; 42 USC 7524; 42 USC 7541; 42 USC 7542; 42 USC 7543; 42 USC 7547; 42 USC 7549; 42 USC 7550; 42 USC 7601(a)

CFR Citation: 40 CFR 89

Legal Deadline: None

Abstract: This action will amend the existing regulation. These amendments are needed to correct problems discovered during the first year of implementation. Also the rule will be harmonized with California and European Rules.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3915.

Agency Contact: Greg Orehowsky, Environmental Protection Agency, Air and Radiation, 6403J, Washington, DC 20460
Phone: 202 233-9292
Fax: 202 233-9596

RIN: 2060–AH33

3292. ● AMENDMENT TO URBAN BUS RETROFIT/REBUILD PROGRAM REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7546; 42 USC 7554; 42 USC 7601(a)

CFR Citation: 40 CFR 85 subpart O

Legal Deadline: None

Abstract: This action addresses a shortcoming in one of the two compliance options of the urban bus retrofit/rebuild program. The action provides assurance that the two options remain equivalent in terms of particulate matter reduction and cost as intended by the original regulation. Also, it will assure that affected urban buses utilize the ''best retrofit technology...reasonably achievable'' as Congress required in the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3916.

Agency Contact: Tom Stricker, Environmental Protection Agency, Air and Radiation, 401 M St., S.W. 6403J, Washington, DC 20460
Phone: 202 233-9322
Fax: 202 233-9596

RIN: 2060–AH45

3293. NSPS: NITROGEN OXIDE EMISSIONS FROM FOSSIL-FUEL FIRED STEAM GENERATING UNITS—REVISION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 407(c)

CFR Citation: 40 CFR 60.40

Legal Deadline:
NPRM, Statutory, January 1, 1993.
Final, Statutory, January 1, 1994.
NPRM, Judicial, July 1, 1997.
Final, Judicial, September 3, 1998, Deadlines may be revised.

Abstract: The current NSPS for electric utility and nonutility steam generating units were promulgated in 1979 and 1986, respectively. A major feature of the NSPS is NOx control through the use of low NOx burners or overfired air. Section 407 of the Clean Air Act requires the EPA to revise existing NSPS for NOx emissions from fossil-fuel fired steam generating units, including both electric utility and nonutility units. These revised standards are to reflect improvements in methods for the reduction of NOx emissions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	
Final Action	09/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 20 Food and Kindred Products; 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3352.

Agency Contact: James A. Eddinger, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5426
Fax: 919 541-0072

RIN: 2060–AE56

3294. 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, 1995, See Additional Information.

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	04/00/97	
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: All

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3560.

Agency Contact: Debbie Ottinger, Environmental Protection Agency, Air and Radiation, (6205J), Washington, DC 20460
Phone: 202 233-9149
Fax: 202 233-9577

RIN: 2060–AF37

3295. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF SECTION 608 SALES RESTRICTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq; Clean Air Act section 608

CFR Citation: 40 CFR 82 subpart F

Legal Deadline: None

Abstract: The rule will include the reconsideration of the sales restriction as it relates to split systems. The Agency was petitioned to reconsider the part of the sales restriction that included the sale of pre-charged split systems. It restricted such sales to certified technicians. Since then, EPA stayed that portion of the sales restriction in response to the petition. This rule will include the determination of the Agency related to the reconsideration. It addresses environmental problems of ozone depletion resulting from emissions of CFCs, HCFCs, and other ozone-depleting substances. Through restricting sales of certain pre-charged items to persons certified as technicians, emissions to the atmosphere are decreased. The impact on small businesses and governments would be negligible, since persons can become certified if the EPA determination is a full restriction. Most businesses and governments will have at least one certified technician on board. Also, this amendment will include corrections and clarifications concerning leak repair requirements. This action has no impact on small business and state, local, tribal and governments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 358 Refrigeration and Service Industry Machinery; 52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers; 52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers

Additional Information: SAN No. 3673.

Agency Contact: Mavis Sanders, Environmental Protection Agency, Air and Radiation, (6205J), Washington, DC 20460
Phone: 202 233-9737
Fax: 202 233-9665

RIN: 2060–AG20

3296. ● STREAMLINED EVAPORATIVE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 86 (Revision)

Legal Deadline: None

Abstract: This action will streamline the test procedure used to establish compliance with evaporative emission requirements for light duty vehicles and trucks. The current test procedure requires both two- and three-day emission tests, as well as running lost testing. The revision will delete the three day requirement and add flexibility for running loss compliance. This will enable manufacturers to save significant resources without any loss in environmental benefits.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3910.

Agency Contact: Lynn Sohacki, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7851

RIN: 2060–AH34

3297. ● SERVICING OF MOTOR VEHICLE AIR CONDITIONERS: STANDARDS FOR EQUIPMENT THAT RECOVERS AND RECYCLES REFRIGERANTS OTHER THAN CFC-12 AND HCF-134A

Priority: Substantive, Nonsignificant

Legal Authority: 42 USCA 7671

CFR Citation: 40 CFR 82 subpart B (Revision)

Legal Deadline: None

Abstract: This rule serves to amend the regulations initially promulgated on July 14, 1992 under Section 609 of the CAA. By promoting the recycling and reclamation of ozone-depleting refrigerants from motor vehicle air conditioners, this rule will serve to inhibit venting of there refrigerants into the atmosphere, which is prohibited under the Act.

This rule fulfills the statutory mandate set forth in Section 609 requiring the Administrator to promulgate regulations for the proper recycling in motor vehicle air conditioners (MVACs) of any refrigerants that substitute for CFC-12 Specifically, Section 609 requires EPA to establish standards for refrigerant recycling equipment and for the proper use of such equipment. This rule will provide flexibility for service technicians to meet Section 609 requirements, because in addition to using equipment that recovers and recycles CFC-12 and HFC-134a refrigerants, technicians will now be permitted to use equipment that recovers and recycles other substitute refrigerants listed as acceptable under EPA's SNAP program.

This rule will affect, although not adversely affect, small entities such as independent repair shops, server station, truck fleet shops, collision repair shops, new car and truck dealers, car and truck rental shops, and radiator repair shops. Specifically it will allow them to use equipment to recycle other substitute refrigerants listed as acceptable under the SNAP program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 75 Automotive Repair, Services, and Parking; 55

EPA—CAA **Proposed Rule Stage**

Automotive Dealers and Gasoline Service Stations

Additional Information: SAN No. 3983.

Agency Contact: Christine Dibble, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9147
Email: dibble.christine@epamail.epa.gov

RIN: 2060–AH29

3298. SUPPLEMENTAL RULE TO REQUIRE CERTAIN PRODUCTS MADE WITH HCFCS TO BEAR WARNING LABEL

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq, section 611

CFR Citation: 40 CFR 82 subpart F

Legal Deadline: None

Abstract: Friends of the Earth submitted and withdrew a petition to expand EPA's labeling requirements to include products containing or manufactured with HCFCs. EPA anticipates that for Friends of the Earth will submit a revised petition later this year. We are bound by statute to respond by 180 days. If EPA grants the petition, the proposed rulemaking will be the response.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3640.

Agency Contact: Mavis Sanders, Environmental Protection Agency, Air and Radiation, (6205J), Washington, DC 20460
Phone: 202 233-9737
Fax: 202 233-9665

RIN: 2060–AF93

3299. UPDATE OF THE ACCEPTABILITY LIST UNDER THE SIGNIFICANT NEW ALTERNATIVES POLICY (SNAP) PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7414, 7601, 7671 / Clean Air Act section 612

CFR Citation: 40 CFR 9 and 82

Legal Deadline: None

Abstract: Section 612 of the Clean Air Act requires EPA to identify alternatives to Class I and II ozone depleting substances and to publish lists of acceptable and unacceptable substitutes. Producers of substitutes must notify EPA at least 90 days before alternatives are introduced into interstate commerce. Unlike acceptable alternatives (see Notices), substitutes which are deemed by EPA to be unacceptable or acceptable subject to use restrictions must go through notice and comment rulemaking. Substitute lists are updated intermittently depending on the volume of notifications.

Timetable:

Action	Date	FR Cite
ANPRM	01/16/92	57 FR 1984
NPRM	05/12/93	58 FR 28094
Final Rule	03/18/94	59 FR 13044
Notice - 1	08/26/94	59 FR 44240
NPRM - 1	09/26/94	59 FR 49108
Notice - 2	01/13/95	60 FR 3318
Final Rule - 1	06/13/95	60 FR 31092
Notice - 3	07/28/95	60 FR 38729
NPRM - 2	10/02/95	60 FR 51383
Notice - 4	02/08/96	61 FR 4736
Final Rule - 2	05/22/96	61 FR 25585
NPRM - 3	05/22/96	61 FR 25604
Notice - 5	09/05/96	61 FR 47012
Final Rule - 3	10/16/96	61 FR 54030
Notice - 6	04/00/97	
NPRM - 4	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3525.

Agency Contact: Carol Weisner, Environmental Protection Agency, Air and Radiation, (6205J), Washington, DC 20460
Phone: 202 233-9193

RIN: 2060–AG12

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Clean Air Act (CAA)

3300. COMPLIANCE ASSURANCE MONITORING PROGRAM (PREVIOUSLY ENHANCED MONITORING PROGRAM)

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: Clean Air Act Amendments of 1990, sections 114(a)(3), 503(b),; 504(b)

CFR Citation: 40 CFR 64; 40 CFR 70; 40 CFR 71

Legal Deadline:
Final, Statutory, November 1992.
NPRM, Judicial, September 30, 1993.
Final, Judicial, July 7, 1997.

Abstract: This action is required by the 1990 Clean Air Act (the Act) Amendments to assure better compliance with existing rules. This rule will require major stationary sources who must obtain permits under title V of the Act to conduct monitoring that provides reasonable assurance of ongoing compliance of the significant emission units with applicable requirements. Affected sources will use the monitoring data in conjunction with other compliance-related data to certify compliance with emission standards and other permit conditions.

Timetable:

Action	Date	FR Cite
NPRM	10/22/93	58 FR 54648
Supplemental Proposal	12/28/94	59 FR 66844
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2942.

Agency Contact: Peter R. Westlin, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-1058

RIN: 2060–AD18

3301. NAAQS: PARTICULATE MATTER (REVIEW)

Priority: Economically Significant

Legal Authority: 42 USC 7408 to 7409

CFR Citation: 40 CFR 50.6

Legal Deadline:
NPRM, Judicial, November 29, 1996.

Final, Judicial, July 19, 1997.

Abstract: The Environmental Protection Agency (EPA) is reviewing and updating the air quality criteria for particulate matter to incorporate new scientific and technical information that has become available since the last review. Based on the revised criteria, EPA will determine whether revisions to the standards are appropriate.

Timetable:

Action	Date	FR Cite
NPRM	12/13/96	61 FR 65638
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 10 Metal Mining; 12 Coal Mining; 14 Mining and Quarrying of Nonmetallic Minerals, Except Fuels; 33 Primary Metal Industries

Additional Information: SAN No. 3448.

Agency Contact: John Haines, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5533

RIN: 2060–AE66

3302. 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
Supplemental NPRM	10/11/95	60 FR 52889
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 28 Chemicals and Allied Products

Additional Information: SAN No. 3380.

Agency Contact: Mary Tom Kissell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-4516

RIN: 2060–AE94

3303. 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 Clean Air Act of 1990 required States to adopt enforceable volatile organic compound (VOC) regulations. These enforceable regulations needed to include capture efficiency (CE) test methods. This action provides States and other interested parties with several example procedures which can be used to determine CE. The Agency is adding these methods to Appendix M of 40 CFR Part 51. Over a 12 month period, OAQPS management had discussions with the Can Manufacturers Institute (CMI) concerning the Agency's policies regarding capture efficiency. EPA and the CMI reached concurrence on policies and a technical approach for measuring capture efficiency. The policy issues were considered in a separate guidance document which addressed appropraite Agency requirements and the degree of flexibility prescribed for permitting authorities. This action will promulgate one method which States and sources can use to measure VOC that is consistent with the approaches agreed to by CMI.

Timetable:

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39297
Final Action	04/00/97	

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, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-1064

RIN: 2060–AF02

3304. ACID RAIN PROGRAM: REVISIONS TO THE ADMINISTRATIVE APPEAL REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7601

CFR Citation: 40 CFR 78.1

Legal Deadline: None

Abstract: Revisions to clarify whether administrative appeals are prerequisite for judicial review of final actions by the administrator under the Acid Rain Program.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Final Action	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3570.

Agency Contact: Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9151

RIN: 2060–AF43

3305. ACID RAIN PROGRAM: DELETION OF CERTAIN UNITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651, et seq

CFR Citation: 40 CFR 73.10

Legal Deadline: None

Abstract: The Acid Rain Program requires affected utility units to hold allowances sufficient to cover emissions of SO2, have an Acid Rain Permit under part 72, and meet appropriate monitoring requirements under part 75. Many affected units are listed in 40 CFR 73.10 tables 2 and 3. In the process of implementing the Acid Rain Program, EPA has learned that several units listed in the tables should not be affected by the Acid Rain Program requirements. This action would delete specific named units from the tables.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Interim Final Rule	11/00/97	

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, Washington, DC 20460
Phone: 202 233-9074

RIN: 2060–AF46

3306. ACID RAIN PROGRAM: REVISIONS TO THE PERMITS REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT TO MAKE TECHNICAL CORRECTIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7601, 7651g

CFR Citation: 40 CFR 72

Legal Deadline: None

Abstract: This action would make technical corrections in order to improve issuance of Phase I acid rain permits and facilitate approval of State or local permitting authorities' Phase II acid rain permitting programs.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Final Action	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3574.

Agency Contact: Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9151

RIN: 2060–AF47

3307. OPERATING PERMITS: REVISIONS (PART 70)

Priority: Other Significant

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

Legal Authority: 42 USC 7661 et seq

CFR Citation: 40 CFR 70; 40 CFR 71; 40 CFR 51

Legal Deadline: None

Abstract: In response to litigation on the part 70 regulations, to several problems identified through implementation of part 70, and to comments provided in response to notices of proposed rulemaking, parts 51, 70, and 71 are being revised. The changes include the following: streamlined procedures for revising stationary-source operating permits issued by State and local permitting authorities or the Environmental Protection Agency (EPA) under title V of the Clean Air Act; changes to the certification of compliance that is required to be submitted as part of the permit documentation; clarification of the title I and title V permitting requirements for research and development facilities; and changes in public participation requirements for minor new source review actions under title I of the Act.

Timetable:

Action	Date	FR Cite
NPRM	08/29/94	59 FR 44460
NPRM Supplemental Proposal for Part 71	04/27/95	60 FR 20804
NPRM Supplemental Proposal for Part 70	08/31/95	60 FR 45530
FINAL	08/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3412.

Agency Contact: Ray Vogel, Environmental Protection Agency, Air and Radiation, OAQPS (MD-12), Research Triangle Park, NC 27711
Phone: 919 541-3153
Fax: 919 541-5509

RIN: 2060–AF70

3308. METHODS FOR MEASUREMENT OF VISIBLE EMISSIONS - ADDITION OF METHODS 203A, 203B, AND 203C TO APPENDIX M OF PART 51

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401(b)(1); 42 USC 7410; 42 USC 7470 to 7479; 42 USC 7501 to 7508; 42 USC 7601(a)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking adds Test Methods 203A, 203B, and 203C to 40 CFR part 51, appendix M (entitled Example Test Methods for State Implementation Plans). These methods describe procedures for estimating the opacity of visible emissions. States have requested that EPA promulgate these methods so that they can use them in State Implementation Plans in enforcing visible emissions regulations from Stationary Sources.

Timetable:

Action	Date	FR Cite
NPRM	11/22/93	51 FR 61639
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2915.

Agency Contact: Roy Huntley, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park, NC 27711
Phone: 919 541-1060

RIN: 2060–AF83

3309. REVISION OF EPA'S RADIOLOGICAL EMERGENCY RESPONSE PLAN

Priority: Other Significant

Legal Authority: PL 96-295,sec304; EO 12777

CFR Citation: None

Legal Deadline: None

Abstract: The U.S. Environmental Protection Agency (EPA) Radiological Emergency Response Plan (RERP) establishes a framework for timely, coordinated EPA action to protect public health and safety and the environment in response to a peacetime radiological incident. The original EPA RERP was approved in 1986. This new revision updates authorities, responsibilities, capabilities, and procedures for implementing effective radiological emergency response actions by EPA Offices. The RERP presents the EPA organizational structure and concept of operations for responding to radiological incidents as a participant in a Federal multi-agency response using the Federal Radiological Emergency Response Plan (FRERP) and the Federal Response Plan (FRP), and independently using the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This revision incorporates recent changes to the FRERP and NCP, and many other policy updates. In short, this revision

ensures that EPA maintains a comprehensive strategy to provide organized, effective assistance to State and local governments in the event of a radiological emergency.

Timetable:

Action	Date	FR Cite
Revise Radiological Emergency Response Plan	08/00/97	
Notice of Availability	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3638.

Agency Contact: Craig Conklin, Environmental Protection Agency, Air and Radiation, 6602J, Washington DC 20460
Phone: 202 233-9222

RIN: 2060–AF85

3310. SALES VOLUME LIMIT PROVISIONS FOR SMALL-VOLUME MANUFACTURE CERTIFICATION FOR CLEAN FUEL AND CONVENTIONAL VEHICLE CONVERSIONS AND RELATED PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: CAA section 202,203,247, 301(a)

CFR Citation: 40 CFR 85; 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will temporarily raise the 10,000 vehicle sales volume limit for vehicle converters seeking certification under the small volume manufacturers provisions. In addition this action will adopt provisions to provide flexibility in assigned deterioration factors for alternative fuel vehicles. fuel vehicles.

Timetable:

Action	Date	FR Cite
NPRM	01/03/96	61 FR 140
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3643.

Agency Contact: Cliff Tyree, Environmental Protection Agency, Air and Radiation, National Fuel & Emissions Vehicle Laboratory, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 668-4310

RIN: 2060–AF87

3311. TRANSPORTATION CONFORMITY RULE AMENDMENTS: FLEXIBILITY AND STREAMLINING

Priority: Economically Significant

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

Legal Authority: 42 USC 7521(a)/CAA 176(c)

CFR Citation: 40 CFR 51; 40 CFR 93

Legal Deadline: None

Abstract: The Clean Air Act Amendments (CAAA) of 1990 recognized that transportation planning and air quality planning must be coordinated towards achieving the National Ambient Air Quality Standards (NAAQS). The transportation conformity rule was promulgated in November of 1993, in response to CAAA concerns. Conformity ensures that transportation planning does not (a) produce new air quality violations, (b) worsen existing violations, and (c) delay timely attainment of the NAAQS. This rulemaking is the third in a series of amendments to the original transportation conformity rule. This rulemaking will streamline the original rule to simplify the conformity process in response to conformity stakeholder concerns. Flexibility will be added for rural nonattainment areas. Difficulties associated with the build/no-build test and adding transportation projects to plans will be resolved, and non-Federal projects will have additional flexibility through these amendments.

Timetable:

Action	Date	FR Cite
NPRM	07/09/96	61 FR 36112
Final Action	06/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3740.

Agency Contact: Kathryn Sargeant, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor MI 48104
Phone: 313 668-4441

RIN: 2060–AG16

3312. AMENDMENT TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; MONITORING REQUIREMENTS (PS-1)

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, section 407

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: This action proposes to clarify and update requirements for source owners and operators who must install and use continuous stack or duct opacity monitoring equipment. This action also proposes amendments regarding design and performance validation requirements for continuous opacity monitoring system (COMS) equipment in appendix B, PS-1. These amendments to subpart A and PS-1 will not change the affected facilities' applicable emission standards or requirement to monitor. The amendments will: (1) clarify owner and operator and monitor vender obligations, (2) reaffirm and update COMS design and performance requirements, and (3) provide EPA and affected facilities with equipment assurances for carrying out effective monitoring. The specifications shall apply to all COMS's installed or replaced after the date of promulgation. Following promulgation, a source owner, operator, or manufacturer will be subject to these performance specifications if installing a new COMS, relocating a COMS, replacing a COMS, recertifying a COMS that has undergone substantial refurbishing, or has been specifically required to recertify the COMS with these revisions.

Timetable:

Action	Date	FR Cite
NPRM	11/24/94	59 FR 60585
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3744.

Agency Contact: Solomon Ricks, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-5242
Fax: 919 541-1039

RIN: 2060–AG22

3313. REGULATION REVIEW/BURDEN REDUCTION

Priority: Substantive, Nonsignificant

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

Legal Authority: Clean Air Act, section 407

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: On March 16, 1995, President Clinton issued a report entitled, Reinventing Environmental Regulation, that identified 25 initiatives to improve the current regulatory system. This action is part of the regulatory review process to reduce unnecessary recordkeeping and reporting requirements. Existing rules are being reviewed for excess and/or duplicative requirements. The Agency will publish a list of those regulations that will be revised or amended to reduce unnecessary recordkeeping and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/11/96	61 FR 47840
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3750.

Agency Contact: Dave Markwordt, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0837
Fax: 919 541-0942

RIN: 2060–AG30

3314. RADIONUCLIDE DOSE METHODOLOGY UPDATE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300 et seq

CFR Citation: 40 CFR 141

Legal Deadline: None

Abstract: The primary purpose of this rule is to propose more accurate controls of radioactivity in drinking water through a technical correction in dose methodology for beta and photon emitters only. EPA has decided to use the Federal Guidance Report (FGR)-11 (1988) as the method for dose conversion for beta and photon emitters. Use of this method will provide consistency with other federal agencies. The newly revised concentrations in drinking water using the FGR-11 method will replace the values published earlier in the National Bureau of Standards (NBS) Handbook 69, as amended in August 1963. The current beta and photon emitters MCL, as calculated in NBS 69 (1963), is 4 millirem/year total body or organ dose equivalent dose methodology. EPA is proposing a 4 mrem/year effective dose equivalent (EDE) dose methodology.

Timetable:

Action	Date	FR Cite
Final Action	05/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Federal

Sectors Affected: 494 Water Supply

Additional Information: SAN No. 3811.

Agency Contact: Paul Bubbosh, Environmental Protection Agency, Air and Radiation, 6603J, Washington, DC 20460
Phone: 202 233-9383
Fax: 202 233-9650
Email: karhnak.jogn@epamail.epa.gov

RIN: 2060–AG49

3315. REVISION TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS (VOC) - EXCLUSION OF 16 COMPOUNDS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 to 7671q

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This action is deregulatory in nature as it removes compounds from control as volatile organic compounds for purposes of preparing State Implementation Plans (SIPs) to attain the national ambient air quality standards for ozone under Title 1 of the Clean Air Act. These compounds are being deregulated because of scientific evidence of their low photochemical reactivity. States will no longer include control provisions for these compounds in their SIPs. Small businesses will not be affected, except that they may more freely use these compounds.

Timetable:

Action	Date	FR Cite
NPRM	03/17/97	62 FR 12583
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 367 Electronic Components and Accessories; 372 Aircraft and Parts

Additional Information: SAN No. 3838.

Agency Contact: William L. Johnson, Environmental Protection Agency, Air and Radiation, OAQPS (MD-15), Research Triangle Park, NC 27711
Phone: 919 541-5245
Fax: 919 541-0824
Email: johnson.williaml@epamail.epa.gov

RIN: 2060–AG70

3316. TIER II (PHASE II) STUDY TO ASSESS FURTHER REDUCTIONS IN LOV AND LDT TAILPIPE EMISSION STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: PL 91-190; sec 203(i) of the Clean Air Act Amendments of 1990

CFR Citation: 40 CFR 86

Legal Deadline:
Other, Statutory, June 1, 1997, Report to Congress.

Abstract: EPA is mandated by the Clean Air Act Amendments of 1990 to study whether or not further reductions in emissions from light-duty vehicles and light-duty trucks should be required through lowering tailpipe emissions standards. EPA is required to submit a report to Congress not later than June 1, 1997. The report will consider whether there is a need for further reductions in emissions, whether the technology is available to meet the more stringent standards, and whether further reductions in emissions will be needed and cost effective taking into consideration alternative means of attaining or maintaining national ambient air quality standards.

Timetable:

Report to Congress
Final 06/01/97

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3911.

Agency Contact: John German, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4214
Fax: 313 741-7869

RIN: 2060–AH04

3317. ● ADDITION OF OPACITY METHOD TO APPENDIX M OF 40 CFR PART 51 (METHOD 203)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking proposes to add a method, Method 203, for the measurement of opacity from stationary sources, to appendix M (Example Test Methods for State Implementation Plans) in 40 CFR Part 51. This action provides States with an instrumental test method which can be used in basis, compliance with stationary source opacity emission limitations.

Timetable:

Action	Date	FR Cite
NPRM	10/07/92	57 FR 46114
Final	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3958.

Agency Contact: Solomon O. Ricks, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-5242
Fax: 919 541-1039

RIN: 2060–AH23

3318. 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	05/00/97	

Small Entities Affected: None

Government Levels Affected: Tribal

Additional Information: SAN No. 3087.

Agency Contact: David R. LaRoche, Environmental Protection Agency, Air and Radiation, SE., Washington, DC 20460
Phone: 202 260-7652

RIN: 2060–AF79

3319. NAAQS: SULFUR DIOXIDE (REVIEW AND IMPLEMENTATION)

Priority: Economically Significant

Legal Authority: 42 USC 7409/CAA 109

CFR Citation: 40 CFR 50.4; 40 CFR 50.5; 40 CFR 51

Legal Deadline:
NPRM, Judicial, November 1, 1994, (review only).
Final, Judicial, April 22, 1996, (review only).

Abstract: On November 15, 1994, the Environmental Protection Agency (EPA) proposed not to revise the existing 24-hour and annual primary standards. The EPA sought public comment on the need to adopt additional regulatory measures to address the health risk to asthmatic individuals posed by short-term peak sulfur dioxide exposure.

On March 7, 1995, EPA proposed implementation strategies for reducing short-term high concentrations of sulfur dioxide emissions in the ambient air.

On May 22, 1996, EPA published its final decision not to revise the primary sulfur dioxide NAAQS. The notice stated that EPA would shortly propose a new implementation strategy to assist States in addressing short-term peaks of sulfur dioxide. The new implementation strategy - the Intervention Level Program - was proposed on January 2, 1997.

Timetable:

Action	Date	FR Cite
NPRM : NAAQS Review	11/15/94	59 FR 58958
NPRM : NAAQS Implementation (Part 51)	03/07/95	60 FR 12492
Final Action : NAAQS Review	05/22/96	61 FR 25566
NPRM Revised : NAAQS Implementation (Part 51)	01/02/97	62 FR 210
Final : NAAQS Implementation (Part 51)	01/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 1002.

Agency Contact: Susan Stone (Review), Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-1146
Eric Crump (Implementation), Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919-541-4719

RIN: 2060–AA61

3320. NAAQS: OZONE (REVIEW)

Priority: Economically Significant

Legal Authority: 42 USC 7408 section 108 Clean Air Act; 42 USC 7409 Section 109 Clean Air Act

CFR Citation: 40 CFR 50.9

Legal Deadline:
Final, Statutory, December 31, 1980, Review at 5-year intervalsthereafter.

Abstract: The Environmental Protection Agency (EPA) is reviewing and updating the air quality criteria for ozone to incorporate new scientific and technical information. Based on the revised criteria, the EPA will determine whether revisions to the standards are appropriate.

Timetable:

Action	Date	FR Cite
NPRM	12/13/96	61 FR 65716
Final Action	07/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3353.

Agency Contact: John Haines, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5533

RIN: 2060–AE57

3321. MEDICAL WASTE INCINERATORS (MWI)

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: Clean Air Act of 1990, section 129

CFR Citation: 40 CFR 60

Legal Deadline:
Final, Statutory, November 15, 1992.
NPRM, Judicial, February 1, 1995.
Final, Judicial, July 25, 1997.

Abstract: The Environmental Protection Agency (EPA) is developing new source performance standards (NSPS) for new MWIs and emission guidelines (EG) for existing MWIs under sections 111 and 129 of the Clean Air Act. The NSPS are to reflect the maximum degree of reduction in emissions that is achievable for new units. 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 that emission limits be established for particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead, cadmium, mercury, dioxins, and dibenzofurans. .

EPA is working intensively with MWI owners and operators, as well as with other stakeholders, to assure that this rule is based on the best understanding of the industry, and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways, including the transfer of wastes to larger, more efficient regional facilities.

Timetable:

Action	Date	FR Cite
NPRM	02/27/95	60 FR 10654
Final Action	07/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2719.

Agency Contact: Rick Copland, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5265
Fax: 919-541-5450

RIN: 2060–AC62

3322. REVISION TO NSPS: NONMETALLIC MINERALS PROCESSING

Priority: Routine and Frequent

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

Legal Authority: 42 USC 7411

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: Section 111(b)(1)(B) requires EPA to at least every 8 years, review and, if appropriate, revise NSPS. Comments and suggested revisions were received from the National Stone Association (NSA) on this NSPS. The main concerns of NSA are some emission testing requirements and notification requirements. This revision will address NSA's concerns as well as other comments on this NSPS.

Timetable:

Action	Date	FR Cite
NPRM	06/27/96	61 FR 33415
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Sectors Affected: 144 Sand and Gravel; 142 Crushed and Broken Stone, Including Riprap; 145 Clay, Ceramic, and Refractory Minerals; 149 Miscellaneous Nonmetallic Minerals, Except Fuels

Additional Information: SAN No. 3753.

Agency Contact: Bill Neuffer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5435
Fax: 919 541-5600

RIN: 2060–AG33

3323. ● NSPS REVISIONS FOR PHOSPHATE FERTILIZER INDUSTRY: GRANULAR TRIPLE SUPERPHOSPHATE STORAGE FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7411

CFR Citation: 40 CFR part 60 subpart X

Legal Deadline: None

Abstract: In 1975, the Agency promulgated new source performance standards (NSPS) to limit emissions of total fluoride compounds from several affected facilities in the phosphate fertilizers industry. Among the affected facilities covered by the NSPS were triple superphosphate plants and granular triple superphosphate (GTSP) storage facilities. The NSPS for GTSP fertilizer storage facilities in Subpart X were promulgated for the purpose of limiting total fluoride emissions resulting from the continuation of the chemical reactions through which GTSP is manufactured. After an initial curing period, the GTSP fertilizers cease to emit appreciable quantities of fluorides. As now written, the NSPS cover all GTSP storage facilities and there is no provision to exempt facilities storing only cured fertilizers. This action will clarify the coverage of the NSPS to limit its applicability to those facilities which store fresh GTSP. The revised NSPS will include a work practice through which manufacturers will not ship fresh GTSP. This feature will limit the testing and recordkeeping requirements of Subpart X to only those facilities associated with manufacture of GTSP and, thereby, remove any recordkeeping burden currently imposed upon downstream distributors and users of this product.

Timetable:

Action	Date	FR Cite
Direct Final	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 3965.

Agency Contact: David Painter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5515
Fax: 919 541-5600

RIN: 2060–AH16

3324. 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 of1990.

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	11/21/96	61 FR 68430
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3303.

Agency Contact: David F. Painter, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5515

RIN: 2060–AE40

3325. 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 of1990.

Abstract: EPA is required to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAAA and, to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the phosphate fertilizer production industry may reasonable be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the CAAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within 10 years of enactment of the CAAA. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	11/21/96	61 FR 68430
Final Action	02/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3304.

Agency Contact: David F. Painter, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5515

RIN: 2060–AE44

3326. 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	09/26/96	61 FR 50585
Final Action	09/00/97	

Small Entities Affected: None

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
Phone: 919 541-2837

RIN: 2060–AE76

3327. NESHAP: FLEXIBLE POLYURETHANE FOAM PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: Title III of the amended Clean Air Act (CAA) requires development of emission standards for all major sources, and selected area sources, emitting any of the 189

hazardous air pollutants (HAP) identified in Section 112(b) of the CAA. Flexible Polyurethane Foam Production has been listed as a category of major sources based on documented emissions of methylene chloride and 2,4-toluene diisocyanate. This action will explore alternatives for controlling the release of HAP from the following emission sources located at slabstock, rebond, and molded polyurethane foam production facilities: process vents, storage, equipment leaks and other fugitive sources, and transfer operations. This action, however, will not cover emissions from foam fabrication (i.e., gluing and flame lamination). In June 1996 the Agency added a separate source category to address HAP from fabrication operations.

Ultimately, a NESHAP for foam production will be developed based on candidate Maximum Achievable Control Technology. This is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68406
Correction Notice	02/03/97	62 FR 05074
Final Action	10/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 308 Miscellaneous Plastics Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3338.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2380
Fax: 919 541-3470

RIN: 2060–AE86

3328. NESHAP: MANUFACTURE OF TETRAHYDROBENZALDEHYDE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act section 112(d)

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: The purpose of this action is to develop a MACT standard for the production of Tetrahydrobenzaldehyde. (Referred to in the initial Source Category List as Butadiene Dimmers). The emissions sources that will be controlled are process vents (e.g. reactors); storage; equipment leaks and other fugitive sources; transfer operations; and wastewater operations.

Timetable:

Action	Date	FR Cite
Direct Final	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3469.

Agency Contact: John M. Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0296

RIN: 2060–AE99

3329. NATIONAL EMISSION STANDARD FOR RADON EMISSIONS FROM PHOSPHOGYPSUM STACKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401/CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None

Abstract: EPA has granted a petition for reconsideration for the portion of the rule which regulates phosphogypsum for research and development uses. This regulatory proceeding would result in a proposed rule which may increase the limit and reduce the certification requirements for that use.

Timetable:

Action	Date	FR Cite
NPRM Notice of Reconsideration	05/08/96	61 FR 20775
Final	08/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2547.

Agency Contact: Julie Rosenberg, Environmental Protection Agency, Air and Radiation, (6602J), Washington, DC 20460
Phone: 202 233-9154

RIN: 2060–AF04

3330. TECHNICAL AMENDMENTS TO AEROSPACE NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act section 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The NESHAP for Aerospace Manufacturing and Rework Facilities was promulgated in August of 1995. Afterwards, we discovered a few problems with the rule and still need to publish the CTG for this industry. This action would correct these problems and announce the CTG.

Timetable:

Action	Date	FR Cite
NPRM	10/29/96	61 FR 55842
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 372 Aircraft and Parts

Additional Information: SAN No. 3836.

Agency Contact: Barbara Driscoll, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0164
Fax: 919 541-0942

RIN: 2060–AG65

3331. WOOD FURNITURE MANUFACTURING OPERATIONS NESHAP: TECHNICAL CORRECTIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63 subpart JJ

Legal Deadline: None

Abstract: This action will amend and make technical corrections and clarifications to the final Wood Furniture Manufacturing Operations NESHAP, which was promulgated on December 7, 1996 (60 FR 62930). This action will address litigation issues brought up after promulgation of the standards, as well as, the resolution of these issues. In addition, this action

will clarify aspects for the final rule such as applicability, emission limits, and will make editorial corrections to the final rule as was published in the Federal Register.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2965.

Agency Contact: Paul Almodovar, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0283
Fax: 919 541-5689
Email: almodovar.paul@epamail.epa.gov

RIN: 2060–AG95

3332. STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE, INDIVIDUAL BASELINE FUEL ADJUSTMENTS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7414/CAA 114; 42 USC 7545(c)/CAA 211(c); 42 USC 7601/CAA 301

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: This rule would establish criteria by which a refiner could receive an adjustment to its baseline under certain circumstances. Baseline adjustments reduce the cost of compliance (primarily with the anti-dumping requirements of the reformulated gasoline program) for those refiners which would otherwise be extremely burdened.

Baseline adjustments under certain circumstances were provided for in the December 1993 final Reformulated Gasoline and Anti- Dumping rule. However, baseline adjustments are only allowed under certain narrowly defined circumstances; broad adjustments are beyond EPA's discretion. The circumstances for which baseline adjustments would be allowed under this rule are as follows: 1) production of JP-4 in 1990; 2) use of an extremely low-sulfur crude in 1990; 3) having extremely low baseline values for sulfur and solefins. Refiners must meet specific criteria in order to qualify for one or more of these adjustments.

Timetable:

Action	Date	FR Cite
NPRM	08/04/95	60 FR 40009
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3604.

Agency Contact: Christine M. Brunner, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 668-4287
Fax: 313 741-7869

RIN: 2060–AG80

3333. ● FUELS AND FUEL ADDITIVES; ELIMINATION OF OXYGENATED PROGRAM REFORMULATED GASOLINE CATEGORY FROM THE REFORMULATED GASOLINE REGULATIONS

Priority: Substantive, Nonsignificant

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

Legal Authority: Clean Air Amendments of 1990 sec 114, 211 and 301(a)

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: EPA is proposing to amend the RFG regulations to eliminate separate treatment for a category of gasoline used in averaging. EPA does not believe the category is necessary any more. This proposed action would increase flexibility and reduce compliance costs. No negative environmental impact is expected.

Timetable:

Action	Date	FR Cite
NPRM	03/17/97	62 FR 12586
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3948.

Agency Contact: Anne-Marie Cooney Pastorkovich, Environmental Protection Agency, Air and Radiation, 6406J, Washington, DC 20460
Phone: 202 260-9013
Fax: 202 233-9557
Email: pastorkovich.Anne-marie@epamail.epa.gov

RIN: 2060–AH43

3334. TRANSPORTATION CONFORMITY RULE AMENDMENT AND SOLICITATION FOR PARTICIPATION IN THE TRANSPORTATION CONFORMITY PILOT PROGRAM

Priority: Other Significant

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

Legal Authority: 42 USC 7401 to 7671/CAA 176

CFR Citation: 40 CFR 51; 40 CFR 93

Legal Deadline: None

Abstract: The Transportation Conformity rule promulgated in November 1993 ensures that transportation and air quality planning are consistent with Clean Air Act air quality standards. This action is part of an Agency effort to streamline the existing conformity regulation and offer flexibility in the conformity process. This action would amend the conformity regulation to allow EPA to create and implement a conformity pilot program.

The rule amendment would allow EPA to exempt up to six areas from certain requirements of the conformity rule. The main objective of the pilot program is to offer State and local air and transportation agencies the flexibility to identify the conformity procedures that work best for their area. This action will enable EPA to test out innovative methods of streamlining the conformity regulation's requirements while ensuring that Clean Air Act objectives are met. In addition to the rule amendment, this action also includes the pilot program's proposed eligibility and application requirements, selection criteria, and implementation procedures.

Timetable:

Action	Date	FR Cite
NPRM	07/09/96	61 FR 35994
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3610.

Agency Contact: Meg Patulski, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 741-7842
Fax: 313 668-4531
Email: patulski.meg@epamail.epa.gov

RIN: 2060–AG79

3335. NATIONAL VOLATILE ORGANIC COMPOUND EMISSION STANDARDS FOR AUTOMOBILE REFINISH COATINGS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, sec 183(e)

CFR Citation: 40 CFR 59

Legal Deadline:
Final, Statutory, March 1997.

Abstract: Section 183(e) requires EPA to study the emissions of volatile organic compounds (VOC) from consumer and commercial products, list those categories of products that account for at least 80 percent of the total VOC emissions from consumer and commercial products in areas classified as nonattainment for ozone, divide the list into four groups, and regulate one group every 2 years using best available controls (BAC). Based on the criteria described in the consumer and commercial product study (March 1995), and category listing (March 1995), EPA has determined that VOC emissions from automobile refinish coatings should be regulated by March 1997. Automobile refinish coatings can be generally classified as primers and topcoats, each consisting of several different types. the proposed rule divides automobile refinish coatings into 6 categories, and contains VOC content limits for each category. Automobile refinish coatings are used by body shops and by do-it-yourselfers. However, the proposed rule does not directly affect these small businesses. Rather, the rule would apply to coating manufacturers and importers, and would limit the VOC content of coatings that are produced for sale in the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/30/96	61 FR 19005
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3281.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060–AE35

3336. VOC REGULATION FOR ARCHITECTURAL COATINGS

Priority: Other Significant

Legal Authority: 42 USC 7401; Clean Air Act section 183

CFR Citation: 40 CFR 59

Legal Deadline:
Final, Statutory, March 15, 1997.

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. The EPA is working with coating manufacturers and other stakeholders to ensure that this rule is based on the best possible understanding of the industry and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways.

Timetable:

Action	Date	FR Cite
NPRM	06/25/96	61 FR 32729
Final Action	09/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Additional Information: SAN No. 3351.

Agency Contact: Ellen Ducey, Environmental Protection Agency, Air and Radiation, Research Triangle Park, NC 27711
Phone: 919 541-5408
Fax: 919 541-5689
Email: ducey.ellen@epamail.epa.gov

RIN: 2060–AE55

3337. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline:
Final, Statutory, March 1997.

Abstract: This regulation will reduce volatile organic compound (VOC) emissions from 24 types of consumer products which are currently regulated by California and several other States. The EPA is working with consumer product manufacturers and other stakeholders to ensure that this rule is based on the best possible understanding of the industry and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways.

Timetable:

Action	Date	FR Cite
NPRM	04/02/96	61 FR 14531
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Sectors Affected: 284 Soaps, Detergents, and Cleaning Preparations, Perfumes, Cosmetics, and Other Toilet Preparations; 287 Agricultural Chemicals; 289 Miscellaneous Chemical Products; 287 Agricultural Chemicals

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
Phone: 919 541-5460
Fax: 919 541-5689
Email: moore.bruce@epamail.epa.gov

RIN: 2060–AF62

3338. OPEN-MARKET TRADING GUIDANCE

Priority: Other Significant

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

Legal Authority: Clean Air Act, sections 182 and 187

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) will issue a final policy for open-market trading of ozone smog 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. Once a rule is 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 guidance. 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. standard at far less cost and an increased incentive to develop innovative emission-reduction technologies.

Timetable:

Action	Date	FR Cite
NPRM	08/03/95	60 FR 39668
Notice - Inclusion of Proposed Model Rule	08/25/95	60 FR 44290
Final Action	07/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3660.

Agency Contact: Nancy Mayer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-15), Research Triangle Park, NC 27711
Phone: 919 541-5390
Fax: 919 541-0839

RIN: 2060–AF60

3339. REVISED CARBON MONOXIDE (CO) STANDARD FOR CLASS I AND II NONHANDHELD NEW NONROAD PHASE I SMALL SPARK-IGNITED ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521CAA 201

CFR Citation: 40 CFR 90

Legal Deadline: None

Abstract: This direct final rule revises the existing new nonroad Phase I small spark-ignited (SI) engine regulations. Briggs and Stratton Corporation submitted a petition to the Administrator on March 4, 1996, asking the Agency to reconsider the existing regulation and to either allow the use of oxygenated certification fuels with the current CO standard or revise the existing carbon monoxide (CO) emission standard for class I and II nonhandheld engines. Briggs and Stratton argues that the majority of nonhandheld engines sold in the United States can not meet the current CO standard when tested on the monoxygenated certification test fuel specified in the regulations. EPA has finalized the CO standard on the basis of data provided to the Agency by Briggs and Stratton. The Agency had assumed that the data was collected using Indolene (a monoxygenated, nonreformulated gasoline) as the test fuel. In fact, Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton has suggested that the CO standard that the Agency finalized was thus more stringent than is feasible based on their data.

EPA staff are analyzing new data provided by Briggs and Stratton concerning the amount of the CO emission offset between Indolene and RFG for nonhandheld engines. Based on data analysis and documentation provided by Briggs and Stratton in support of their petition, EPA intends to determine the amount of the emission offset and consider raising the Phase I CO emission standard for nonhandheld engines accordingly. In their petition to EPA, Briggs and Stratton assert that raising the CO standard should result in reduced emissions of hydrocarbons and oxides of nitrogen, which are the primary pollutants of concern under the Phase I small SI rule.

Timetable:

Action	Date	FR Cite
NPRM	07/03/96	61 FR 34778
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3300.

Agency Contact: Laurel Horne, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105
Phone: 313 741-7803
Fax: 313 741-7816

RIN: 2060–AG81

3340. NATIONAL 49-STATE LOW-EMISSION VEHICLES PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

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 apply only to those manufacturers that chose to opt into the program. This program is designed to be an alternative national program that provides emissions reductions equivalent to the Northeast Ozone Transport Commission's (OTC's) low-emission vehicle (LEV) program.

Timetable:

Action	Date	FR Cite
NPRM	10/10/95	60 FR 52734
Final Action	04/00/97	

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
Phone: 202 260-7757
Fax: 202 260-6011

RIN: 2060–AF75

3341. CONTROL OF EMISSIONS OF AIR POLLUTION FROM HIGHWAY HEAVY-DUTY ENGINES AND NONROAD DIESEL ENGINES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

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 reducing emissions of nitrogen oxides (NOx), non-methane hydrocarbon (NMHC) and particulate matter (PM) from diesel and gasoline fueled engines used in highway trucks and buses and in nonroad equipment and vehicles. 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. Non-Methane hydrocarbons also contribute to ozone pollution. Highway and nonroad engines and vehicles are very significant contributors to these air-quality problems. This initiative has been marked by an unprecedented degree of cooperation between EPA, the State of California, and the engine manufacturing industry, as well as the involvement of States, regional air-management organizations, and public interest and environmental organizations. The result has been a plan for very stringent new emission standards that have the support of the industry. EPA has proposed new standards for highway truck and bus engines, and discussions are progressing toward similar standards for nonroad diesel engines.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/95	60 FR 45580
NPRM Highway	06/27/96	61 FR 33421
ANPRM Nonroad	01/02/97	62 FR 200
Final Action Highway	04/00/97	
NPRM Nonroad	08/00/97	
Final Action Nonroad	08/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3645 and 3878

Agency Contact: Tad Wysor, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor MI 48105
Phone: 313 668-4332

RIN: 2060–AF76

3342. REVISION TO THE COVERED AREAS PROVISION FOR REFORMULATED GASOLINE

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7545/CAA 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act as amended in 1990, EPA promulgated regulations to require a cleaner burning reformulated gasoline (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as covered areas, (e.g., areas in which non-RFG (conventional gasoline) is prohibited from being sold or dispensed to the ultimate consumers of the gasoline.

The RFG regulations also include a provision which allows a State, upon petition by the Governor, to have other areas designated as nonattainment for ozone included as covered areas under the Federal RFG program (the opt-in provision).

This action will expand the opt-in provision to include areas that that formerly were in nonattainment for ozone as well as areas presently in nonattainment for ozone. This action will give States the flexibility to use the RFG program in their maintenance plans and as contingency measures for those areas that have been redesignated to attainment status, but are in need of ozone controls to maintain that status.

Timetable:

Action	Date	FR Cite
Direct Final Action	09/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3843.

Agency Contact: Marylin Bennett, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460
Phone: 202 233-9006
Fax: 202 233-9557

RIN: 2060–AG77

3343. OUTER CONTINENTAL SHELF AIR REGULATIONS DELEGATION REMAND

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CAA 328

CFR Citation: 40 CFR 55

Legal Deadline: None

Abstract: The EPA promulgated the Outer Continental Shelf (OCS) Air Regulations on September 4, 1992. The regulations allowed States to request delegation of the authority to implement and enforce the regulations for sources located within 25 miles of the State's seaward boundary, but prohibited such delegation of the authority for sources locating beyond that limit. Since section 328(a)(3) of the Clean Air Act requires EPA to allow delegation for both types of sources, EPA requested and received a remand on this issue. The notice revises the OCS Air Regulations to allow delegation of the implementation and enforcement authority to State and local air pollution control agencies for sources locating beyond 25 mile of the States' seaward boundaries.

Timetable:

Action	Date	FR Cite
NPRM	05/20/96	61 FR 25173
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3789.

Agency Contact: David H. Stonefield, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5350

RIN: 2060–AG39

3344. OUTER CONTINENTAL SHELF AIR REGULATIONS OFFSET REMAND

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CAA 328

CFR Citation: 40 CFR 55

Legal Deadline: None

Abstract: The EPA promulgated the Outer Continental Shelf (OCS) Air Regulations on September 4, 1992. As a result of a challenge, the court vacated the special offset provision which EPA had included in the OCS regulations and remanded that issue to EPA for reconsideration. The interim final rule revised the OCS regulations to require that new or modified OCS sources meet the same offset requirements as imposed in the corresponding onshore area. The final action is to respond to public comment on the interim final rule. As a result some OCS sources may be required to obtain additional offset credits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/96	61 FR 25149
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3790.

Agency Contact: David H. Stonefield, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5350

RIN: 2060–AG40

3345. FINAL RULE FOR SERVICING OF MOTOR VEHICLE AIR CONDITIONERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; Title VI, Section 609

CFR Citation: 42 CFR 82, subpart B

Legal Deadline: None

Abstract: This rule fulfills the statutory mandate set forth in section 609 requiring the Administrator to establish standards for proper recycling in motor vehicle air conditioners (MVACS) of any refrigerants that substitute for CFC-12. Specifically, Section 609 provides that beginning on November 15, 1995, the term ''refrigerant'' shall be expanded to include any substitute for a class I or class II substance used in an MVAC system. With respect to any motor vehicle refrigerant, Section 609 requires EPA to promulgate regulations for refrigerants in addition to equipment that recovers and recycles class I and class II (i.e., CFC and HCFC refrigerants). In addition this rule will provide flexibility by explicitly permitting certain types of MVAC servicing that are not now clearly addressed in the regulations and that some technicians currently believe to be prohibited.

Timetable:

Action	Date	FR Cite
NPRM	03/06/96	61 FR 9014
Final Action	06/00/97	

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, (6205J), Washington, DC 20460
Phone: 202 233-9147
Fax: 202 233-9577

RIN: 2060–AF35

3346. 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, See Additional Information.

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	02/29/96	61 FR 7858
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3556.

Agency Contact: Cindy Newberg, Environmental Protection Agency, Air and Radiation, (6205J), Washington, DC 20460
Phone: 202 233-9729
Fax: 202 233-9665

RIN: 2060–AF36

3347. HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES (TSDF) AND HAZARDOUS WASTE GENERATORS; ORGANIC AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: RCRA 3002 and RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Legal Deadline: None

Abstract: These standards were promulgated on December 6, 1994 and were effective on December 6, 1996. The final standards control organic air emissions from hazardous waste TSDF and generator sites. These emissions have been shown to contribute greatly to ground-level ozone formation and to cancer incidence among exposed populations.

Following promulgation, the EPA identified certain provisions for which the intended emission reductions can be achieved with less burdensome standards. The EPA has amended the final rule to include several revised

provisions, including the following: certain fixed-roof tanks may be equipped with pressure relief devices that vent to the atmosphere; containers may be vented during loading and emptying operations; a facility may comply with the final rule using an implementation schedule in several different circumstances; and the frequency of monitoring for certain equipment shall be semi-annual rather than annual. A technical correction notice is planned that will clarify the intent and effect of a few amendment provisions which were not clear in the 11/25/96 amendment notice.

Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41870
Technical Amendments	02/09/96	61 FR 4903
Final Action	11/25/96	61 FR 59931
Technical Correction Notice	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3792.

Agency Contact: Michele Aston, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-2363

RIN: 2060–AG44

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Clean Air Act (CAA)

3348. ● NESHAP FOR LEATHER TANNING AND FINISHING OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000, The Clean Air Act requirespr omulgation by 11/15/00.

Abstract: Title III of the Clean Air Act requires EPA to develop air emission standards for facilities that emit any of the 188 hazardous air pollutants. This action will develop a MACT standard for sources involved in leather tanning and finishing operations. Facilities involved in these operations release over 7 million pounds of hazardous air pollutants per year. Regulation of these facilities will result in a reduction of the emissions of hazardous air pollutants, several of which are highly toxic.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 311 Leather Tanning and Finishing

Additional Information: SAN No. 3964.

Agency Contact: William Schrock, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5032
Fax: 919 541-3076

RIN: 2060–AH17

3349. NEW SOURCE REVIEW (NSR) REFORM

Priority: Other Significant

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

CFR Citation: 40 CFR 51.160 to 51.166; 40 CFR 52.21; 40 CFR 52.24

Timetable:

Action	Date	FR Cite
NPRM	07/23/96	61 FR 38249
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Dennis Crumpler
Phone: 919 541-0871

RIN: 2060–AE11

3350. SERVICE INFORMATION AVAILABILITY

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 86

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David Dickinson
Phone: 202 233-9256
Fax: 202 233-9596
Email: Dickinson.David@EPA.Gov.Com

RIN: 2060–AG13

3351. ACID RAIN PROGRAM: ELIMINATION OF DIRECT SALE PROGRAM AND IPP WRITTEN GUARANTEE; AND ANPRM TO MODIFY ALLOWANCE AUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 73

Timetable:

Action	Date	FR Cite
ANPRM	06/06/96	61 FR 28996
Direct Final and Proposal	06/06/96	61 FR 28761
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Eugene Casey
Phone: 202 233-9194

RIN: 2060–AG41

3352. NSPS FOR SEWAGE SLUDGE INCINERATORS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	05/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Eugene P. Crumpler
Phone: 919 541-0881
Fax: 919 541-5600

RIN: 2060–AG50

3353. NESHAP FOR PLYWOOD AND PARTICLE BOARD MANUFACTURING

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Penny E. Lassiter
Phone: 919 541-5396
Fax: 919 541-0246

RIN: 2060–AG52

3354. AMENDMENT TO THE USER FEES FOR RADON PROFICIENCY PROGRAMS RULE

Priority: Other Significant

CFR Citation: 40 CFR 195 and 700 (revision)

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Agency Contact: James W. Long
Phone: 202 233-9433
Fax: 202 233-9652
Email: long.james@epamail.epa.gov

RIN: 2060–AG64

3355. ● STORAGE TANK RULE REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7671

CFR Citation: 40 CFR 60 (Revision); 40 CFR 61 (Revision); 40 CFR 63 (Revision); 40 CFR 264 (Revision); 40 CFR 265 (Revision)

Legal Deadline: None

Abstract: The purpose of this action is to revise storage tank air regulations in several parts of Title 40 of the CFR. Such revisions include rule corrections, the addition of test methods, and the elimination of some recordkeeping requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 286 Industrial Organic Chemicals; 422 Public Warehousing and Storage; 291 Petroleum Refining

Additional Information: SAN No. 3966.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060–AH15

3356. INTERNAL COMBUSTION ENGINE NESHAP/NSPS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60; 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local, Tribal

Agency Contact: Amanda Agnew
Phone: 919 541-5268

RIN: 2060–AG63

3357. COMBUSTION TURBINE NESHAP/NSPS

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

Unfunded Mandates: Undetermined

CFR Citation: 44 CFR 60

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sims Roy
Phone: 919 541-5263
Fax: 919-541-5450

RIN: 2060–AG67

3358. NESHAP—IRON FOUNDRIES AND STEEL FOUNDRIES

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: James H. Maysilles
Phone: 919 541-3265

RIN: 2060–AE43

3359. NESHAP—CYANIDE CHEMICAL MANUFACTURING

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Philip B. Mulrine
Phone: 919 541-5289

RIN: 2060–AE45

3360. NESHAP: INTEGRATED IRON AND STEEL

Priority: Economically Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Phil Mulrine
Phone: 919 541-5289

RIN: 2060–AE48

3361. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Action	02/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Madeleine Strum
Phone: 919 541-2383
Fax: 919-541-5689
Email:
strum.madeleine@epamail.epa.gov

RIN: 2060–AE79

3362. NESHAP: MISCELLANEOUS ORGANIC CHEMICAL PRODUCTION AND PROCESSES

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Randy McDonald
Phone: 919 541-5402

RIN: 2060–AE82

3363. NESHAP: BAKER'S YEAST MANUFACTURING INDUSTRY

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	06/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
Phone: 919 541-5439

RIN: 2060–AF30

3364. NATIONAL EMISSION STANDARD FOR HAZARDOUS AIR POLLUTANTS FOR PAINT STRIPPER USERS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/15/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Vickie Boothe
Phone: 919 541-0164
Fax: 919 541-0072

RIN: 2060–AG26

3365. NESHAP FOR BOAT MANUFACTURING

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Madeleine Strum
Phone: 919 541-2383
Fax: 919 541-5689
Email:
Strum.Madeleine@epamail.epa.gov

RIN: 2060–AG27

3366. NESHAP FOR TIRE MANUFACTURING

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
Phone: 919 541-5439
Fax: 919 541-0942

RIN: 2060–AG29

3367. NESHAP FOR AEROSOL CAN FILLING FACILITIES

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Conran Chin
Phone: 919 541-1512
Fax: 919 541-5600

RIN: 2060–AG32

3368. PETROLEUM SOLVENT DRY CLEANERS MACT STANDARD

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Fred Dimmick
Phone: 919 541-5625
Fax: 919 541-0942

RIN: 2060–AG34

3369. NESHAP FOR ETHYLENE PROCESSES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	11/00/99	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Warren R. Johnson, Jr.
Phone: 919 541-5124
Fax: 919 541-0072
Email: johnson.warren@epamail.epa.gov

RIN: 2060–AG53

3370. LARGE APPLIANCE COATINGS INTEGRATED REGULATION

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Mohamed Serageldin
Phone: 919 541-2379
Fax: 919 541-5689
Email: serageldin.mohamed@epamail.epa.gov

RIN: 2060–AG54

3371. ASPHALT ROOFING AND PROCESSING NESHAP

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Interim Final Rule	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Juan E. Santiago
Phone: 919 541-1084

RIN: 2060–AG66

3372. NESHAP CHROMIUM REFRACTORIES

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Susan Zapata
Phone: 919 541-5167

RIN: 2060–AG68

3373. NESHAP FOR INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS AND PROCESS HEATERS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Eddinger
Phone: 919 541-5426
Fax: 919 541-0072

RIN: 2060–AG69

3374. NESHAP: LIME MANUFACTURING

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Joseph Wood
Phone: 919 541-5446

RIN: 2060–AG72

3375. ● INDUSTRIAL COMBUSTION COORDINATED RULEMAKING - ICCR PROJECT

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: CAA 111, 112, and 129

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The EPA is developing combustion related regulations for 5 source categories. The source categories are: combustion turbines, internal combustion engines, industrial/ commercial/ institutional boilers, process heaters, and solid waste incinerators burning non-hazardous waste. These projects are listed separately elsewhere in the agenda. These regulations are being developed under sections 111, 112, and 129 of the CAA. Sections 111 and 129 require maximum achievable control technology (MACT) floors and MACT levels to be determined. MACT standards apply to both new and existing facilities. Section 111 requires the development of new source performance standards (NSPS). These regulations apply to new, modified and reconstructed sources and do not apply to existing sources.

These source categories are wide spread and one or more of these source categories are located at virtually every manufacturing and chemical plant in the US. Section 112 standards apply to a list of 189 hazardous air pollutants; section 129 standards apply to 9 pollutants (dioxin and furans mercury, cadmium, lead, particulate matter and opacity, sulfur dioxide, hydrogen chloride, oxides of nitrogen, and carbon monoxide) which are a combination of HAP's and criteria pollutants; and section 111 applies to criteria pollutants. There is likely to be some regulatory interaction between these source categories since many are collocated at the same plant site. Therefore EPA considered the option of a coordinated rulemaking where all of the regulation development proceeded along the same time line. EPA also wanted early and continuing

stakeholder resources. A coordinated participate rulemaking offers benefits to all stakeholders including: the opportunity for stakeholders to shape regulatory development, more cost effective regulations, avoidance of duplicative or conflicting regulations, simpler regulations, compliance flexibility, EPA and stakeholder resource savings in rule development, and an improved scientific basis for regulations.

EPA convened an exploratory group of interested stakeholders who's purpose was to decide whether this coordinated rulemaking had merit. The group decided that the idea had merit and recommended that the ICCR project be conducted using a formal Federal Advisory Committee Act (FACA) process. An ICCR FAA has been established and meetings are to begin in early October 1996.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Additional Information: SAN No. 3872.

Agency Contact: Fred Porter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919-541-5251
Fax: 919-541-5450
Email: Porter.Fred@EPAMAIL.EPA.GOV

RIN: 2060–AG84

3376. NESHAP: FRICTION PRODUCTS MANUFACTURING

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

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Susan Zapata
Phone: 919 541-5167
Fax: 919 541-5600
Email: http://www.epa.gov/zapata.susan

RIN: 2060–AG87

3377. NESHAP: SEMICONDUCTOR PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Action	12/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tony Wayne
Phone: 919-541-5439
Fax: 919-541-0942

RIN: 2060–AG93

3378. NESHAP: METAL CAN (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Gail Lacy
Phone: 919 541-5261
Fax: 919 541-5689
Email: lacy.gail@epamail.epa.gov

RIN: 2060–AG96

3379. NESHAP: METAL COIL (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Gail Lacy
Phone: 919 541-5261
Fax: 919 541-5689
Email: lacy.gail@epamail.epa.gov

RIN: 2060–AG97

3380. NESHAP: FABRIC PRINTING, COATING AND DYEING

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Paul Almodovar
Phone: 919-541-0283
Fax: 919-541-5689
Email: almodovar.paul@epamail.epa.gov

RIN: 2060–AG98

3381. AUTOMOBILE AND LIGHT-DUTY TRUCK MANUFACTURING INTEGRATED RULE DEVELOPMENT

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Dave Salman
Phone: 919 541-0859
Fax: 919 541-5689
Email: salman.dave@epamail.epa.gov

RIN: 2060–AG99

3382. OFFSET LITHOGRAPHIC PRINTING NATIONAL VOC RULE

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Dave Salman
Phone: 919 541-0859
Fax: 919 541-5689
Email: salman.dave@epamail.epa.gov

RIN: 2060–AH00

3383. NESHAP: PRIMARY MAGNESIUM REFINING

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	05/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Iliam D. Rosario
Phone: 919 541-5308
Fax: 919 541-5600
Email: rosario.iliam@epamail.epa.gov

RIN: 2060–AH03

3384. ● NESHAP FOR MISCELLANEOUS CELLULOSE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants (NESHAPs) by establishing maximum achievable control technology (MACT) for facilities manufacturing cellulose food casing, producing rayon, and producing cellophane. MACT Standards are under development to reduce the release of hazardous air pollutants (HAP) from all industries to protect the public health and environment. Emissions of HAP from this industry have been associated with, but are not limited to, product washing operations, material storage tanks, and film drying. The scope of the rule has not yet been determined. This project is now scheduled to start in the spring of 1997. The initial stage of this project is to gather preliminary information on the industry to establish a presumptive MACT by 1998, to be followed by development of a regulatory package to promulgate MACT Standards.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 267 Converted Paper and Paperboard Products, Except Containers and Boxes

Additional Information: SAN No. 3970.

Agency Contact: Elaine Manning, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711
Phone: 919 541-5499
Fax: 919 541-0246

RIN: 2060–AH11

3385. ● NESHAP FOR SITE REMEDIATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq; PL 101-549; 104 Stat. 2399

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This rule will specify maximum achievable control technology for site remediation. Hazardous air pollutant emissions from spills of organic liquids, the excavation, transportation, and treatment of contaminated soils and groundwater, and other operations will be considered in developing the rule.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3968.

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884
Fax: 919 541-0246

RIN: 2060–AH12

3386. ● NESHAP FOR MUNICIPAL SOLID WASTE LANDFILLS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants (HAP) by establishing maximum achievable control technology (MACT) for municipal solid waste landfills.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3969.

Agency Contact: Martha Smith, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711
Phone: 919 541-2421

RIN: 2060–AH13

3387. ● NESHAP: SPANDEX PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants by establishing maximum achievable control technology (MACT) for facilities producing spandex. MACT standards are under development to reduce the release of hazardous air pollutants (HAP) from all industries to protect the public health and environment. Emissions of HAP from this industry have been associated with, but are not limited to, fiber washing operations, material storage tanks, fugitive emissions, and polymer drying. In a previous review of the spandex industry, only five U.S. facilities were identified. The scope of the rule has not been determined. This project is now scheduled to start in the spring of 1997. The initial stage of this project is to gather information on the industry to establish MACT by 1998. That work will be followed by the development of a regulatory package to propose and promulgate a MACT standard. Spandex may be a candidate for inclusion in the Generic MACT for source categories with five or fewer sources. The Generic MACT is currently being developed by OAQPS/ESD.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3967.

Agency Contact: Mary Tom Kissell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triange Park, NC 27711
Phone: 919 541-4516
Fax: 919 541-0246

RIN: 2060–AH14

3388. ● NESHAP FOR CELLULOSE PRODUCTION CATEGORIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Title III of the Clean Air Act requires EPA to develop air emission standards for facilities that emit any of the 188 hazardous air pollutants. This action will develop MACT standards for facilities involved in the production of cellulose ether, carboxymethycellulose, and methyl cellulose. Facilities involved in the production of these products release approximately 750 tons of hazardous air pollutants per year. Regulation of these facilities will result in a reduction of the release of hazardous air pollutants.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3963.

Agency Contact: William Schrock, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5032
Fax: 919 541-3076

RIN: 2060–AH18

3389. ● NESHAP FOR THE MANUFACTURE OF CARBON BLACK

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.

Abstract: The purpose of this regulatory action is to develop a Maximum Achievable Control Technology Standard for the manufacture of carbon black. This standard will meet the Clean Air Act Amendments of 1990 requirement to regulate sources of hazardous air pollutants. the 1990 Clean Air Act Amendments are emitted by the carbon black process. These are carbon disulfide, carbonyl sulfide, and hydrogen cyanide.

Carbon black is a product used primarily in the manufacture of automobile tires. There are approximately 24 carbon black facilities located in the nation. Of these it is currently estimated there are 19 major sources that will be subject to this regulation. This rule is not expected to have impacts on small business.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final	11/00/00	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 289 Miscellaneous Chemical Products

Additional Information: SAN No. 3962.

Agency Contact: John Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, RTP, NC 27711
Phone: 919 541-0296
Fax: 919 541-3470

RIN: 2060–AH19

3390. ● NATIONAL STRATEGY FOR URBAN AREA SOURCES OF TOXIC AIR EMISSIONS

Priority: Other Significant

Legal Authority: 42 USC 7412(k)/CAA 112(k); 42 USC 7412(c)(3)/ CAA 112(c)(3)

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 1995.
NPRM, Judicial, April 30, 1998.
Final, Judicial, December 30, 1998.

Abstract: Congress directed EPA, in the 1990 Amendments to the Clean Air Act to study the nature and magnitude of air toxic emissions, exposures and risks in U.S. cities. This was in response to growing evidence that an ''urban soup'' existed that was causing cancer and other effects, and which may not adequately be addressed by the MACT program on major sources. The 1990 Amendments call for EPA to appraise the sources and pollutants which contribute most to the ''urban soup'' phenomenon, and to publish a national strategy by 1995 that summarizes these findings and identifies actions to mitigate the problem. This strategy will contain (1) general and specific recommendations for additional research, (2) an accounting of actions and measures undertaken by the EPA and state and local agencies that reduce emissions of the hazardous substances of particular concern, and (3) a call for additional measures needed to complete sufficient mitigation of the problem. This action is not considered deregulatory. This action has no direct impacts on small businesses; however, as the strategy is subsequently implemented through later actions and specific rules, some small businesses may be regulated as a consequence of carrying out the regulatory recommendations in the strategy.

Timetable:

Action	Date	FR Cite
Announcement of Availability	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3959.

Agency Contact: Laurel Driver, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-2859
Fax: 919 541-7690

RIN: 2060–AH21

3391. ● NESHAP: VEGETABLE OIL PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This action develops National Emission Standards for Hazardous Air Pollutants (NESHAP) for vegetable oil production facilities as authorized under section 112(d) of the Clean Air Act (Act). The action is based on the determination that vegetable oil production plants emit organic hazardous air pollutants (HAPs) listed in Section 112(b) of the Act. On July 16, 1992, EPA listed vegetable oil production as a source for which NESHAP are to be promulgated. On December 3, 1993, EPA published a schedule for promulgating NESHAP for vegetable oil production plants by November 15, 2000. NESHAP developed under Section 112(d) apply to both new and existing facilities. NESHAP for existing facilities are to be based on the average emission limitation achieved by the best performing 12 percent of existing sources.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 207 Fats and Oils

Additional Information: SAN No. 3903.

Agency Contact: James F. Durham, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5672
Fax: 919 541-3470

RIN: 2060–AH22

3392. ● ROCKET ENGINE TEST FIRING/ENGINE TEST FACILITIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: As required by section 112(c) of the Clean Air Act, the Environmental Protection Agency has developed a list of categories of sources of hazardous air pollutants (HAP's). The HAP's are listed in Section 112(b) of the Clean Air Act. The Rocket Engine Test Firing source category and the Engine Test Facilities source category are included on EPA's list of sources of HAP's. The Rocket Engine Test Firing source category includes facilities engaged in test firing of rocket engines using solid or liquid propellants. The Engine Test Facilities source category includes any facility engaged in the testing of stationary or mobile engines, including turbines and reciprocating engines.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3972.

Agency Contact: Richard Copland, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5265
Fax: 919 541-5450

RIN: 2060–AH35

3393. ● NESHAP FOR ORGANIC LIQUID DISTRIBUTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants by establishing maximum achievable control technology (MACT) for facilities distributing organic liquids. MACT standards are under development to reduce the release of hazardous air pollutants (HAP) from all industries to protect the public health and environment. The EPA has not determined the scope of this project. However it should include, but is not limited to, those activities associated with the storage and distribution of organic liquids other than gasoline, at sites that serve as distribution points from which organic liquids may be obtained for further use and processing. The EPA has tentatively scheduled this project to begin in June 1997. The initial stage of this project is to gather preliminary information on the industry to establish presumptive MACT in 1998. That work will be followed by development of a regulatory package to propose and promulgate MACT standards.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3971.

Agency Contact: Stephen A. Shedd, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5397
Fax: 919 541-0246

RIN: 2060–AH41

3394. ● NESHAP FOR FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 41 USC 7401 et seq

CFR Citation: 40 CFR 63 (Revision)

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act (CAA) requires development of emission standards for sources emitting any of the hazardous air pollutants HAP listed in section 112(b) of the CAA. Flexible Polyurethane Foam Fabrication Operations is listed as a category of major sources based on documented emissions of the following HAP: methylene chloride, trichlorethane, hydrogen cyanide, and hydrogen chloride. This source category covers emissions from various polyurethane foam bonding operations, including foam gluing and flame lamination. This action will explore alternative for reducing HAP emissions from the following emission sources located at foam fabrication plants: process vents, raw material storage and transfer operations, and equipment leaks. Ultimately, a NESHAP for this source category will be developed based on Maximum Achievable Control Technology. The NESHAP is required by statute to be promulgated by November 2000.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final	09/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 306 Fabricated Rubber Products, Not Elsewhere Classified; 308 Miscellaneous Plastics Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3973.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2380
Fax: 919 541-3470

RIN: 2060–AH42

3395. ● NESHAP FOR GROUP I POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.480 to 506 (Revision); 40 CFR 63.1310 to 1335 (Revision)

Legal Deadline: None

Abstract: During the development of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for elastomers (Group I Polymers and resins) and thermoplastics (Group IV polymers and resins) (RINs 2060-AD56 and 2060-AE37), many of the provisions contained in the Hazardous Organic NESHAP (HON) were referenced directly by these polymers and resins regulations due to similarities in processes, emission characteristics, and control technologies. On August 26, 1996 the EPA proposed changes to the HON to remove ambiguity, to clearly convey EPA intent, and to make the rule easier to understand and implement in response to industry petitions. It is necessary to make parallel changes to the polymers and resins NESHAP otherwise inconsistencies will exist for NESHAP regulating similar source categories. The ANPR, which was published in the Federal Register on 11/25/96 (61 FR 59849), will be followed by proposal and promulgation of the changes. There are no impacts anticipated for small businesses or State/local/tribal governments.

Timetable:

Action	Date	FR Cite
ANPRM	11/25/96	61 FR 59849
NPRM	00/00/00	
Final	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3939.

Agency Contact: Robert E. Rosentsteel, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5608
Fax: 919 541-3470

RIN: 2060–AH47

3396. NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR OTHER SOLID WASTE INCINERATORS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

Action	Date	FR Cite
ANPRM	12/28/94	59 FR 66850
NPRM	12/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: George Smith
Phone: 919 541-1549
Fax: 919 541-0072

RIN: 2060–AG31

3397. METAL FURNITURE COATINGS INTEGRATED REGULATION

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Dr. Mohamed Serageldin
Phone: 919 541-2379
Fax: 919 541-5689
Email: serageldin.mohamed@epamail.epa.gov

RIN: 2060–AG55

3398. FLATWOOD PANELING (SURFACE COATING) INTEGRATED RULE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Paul Almodovar
Phone: 919-541-0283
Fax: 919-541-5689

RIN: 2060–AH02

3399. SURFACE COATING OF MISCELLANEOUS METAL PARTS AND PRODUCTS—INTEGRATED

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Bruce Moore
Phone: 919 541-5460
Fax: 919 541-5689
Email: moore.bruce@epamail.epa.gov

RIN: 2060–AG56

3400. PLASTIC PARTS COATING INTEGRATED RULE FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND HAZARDOUS AIR POLLUTANTS (HAPS)

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 59; 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Ellen Ducey
Phone: 919 541-5408
Fax: 919 541-5689
Email: ducey.ellen@epamail.epa.gov

RIN: 2060–AG57

3401. INTEGRATED RULE FOR PAPER, AND OTHER WEB COATING AND COATINGS: MACT FOR NESHAP; AND BAC FOR NATIONAL VOC RULE

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Daniel Brown
Phone: 919 541-5303
Fax: 919 541-5689
Email: brown.dan@epamail.epa.gov

RIN: 2060–AG58

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Clean Air Act (CAA)

3402. REVISIONS TO THE NEW SOURCE REVIEW REGULATIONS

Priority: Other Significant

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

CFR Citation: 40 CFR 51.160 to 51.166; 40 CFR 52.24; 40 CFR 52.10

Completed:

Reason	Date	FR Cite
Withdrawn - Action Merged With RIN 2060-AE11	03/10/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Mike Sewell
Phone: 919 541-0873

RIN: 2060–AD13

3403. ACID RAIN OPT-IN REGULATIONS

Priority: Other Significant

CFR Citation: 40 CFR 74

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	02/27/97	

Small Entities Affected: None

Government Levels Affected: Local

Agency Contact: Robert Miller
Phone: 202 233-9077

RIN: 2060–AD43

3404. CONSOLIDATED EMISSION REPORTING

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 51

Completed:

Reason	Date	FR Cite
Withdrawn - No further action planned.	03/10/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: David Misenheimer
Phone: 919 541-5473

RIN: 2060–AE32

3405. 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

CFR Citation: 40 CFR 61 subpart I

Completed:

Reason	Date	FR Cite
Final Action	12/30/96	61 FR 68971

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Gale Bonanno
Phone: 292 233-9219

RIN: 2060–AE39

3406. NESHAP FOR PERCHLOROETHYLENE DRY CLEANING FACILITIES: AMENDMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63 subpart M

Completed:

Reason	Date	FR Cite
Final Action	09/19/96	61 FR 49263

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Smith
Phone: 919 541-1549

RIN: 2060–AF90

3407. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF BAN ON FIRE EXTINGUISHERS CONTAINING HCFCS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 82 subpart C

Completed:

Reason	Date	FR Cite
Final Action	12/04/96	61 FR 47012

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cindy Newberg
Phone: 202 233-9729

Fax: 202 233-9577

RIN: 2060–AG19

3408. REVISION TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS - EXCLUSION OF HFC 4310ME AND HCFC 225CA AND CB

Priority: Substantive, Nonsignificant

CFR Citation: 49 CFR 51.100(s)

Completed:

Reason	Date	FR Cite
Final Action	10/08/96	61 FR 52848

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William Johnson
Phone: 919 541-5245
Fax: 919 541-0824

RIN: 2060–AG24

3409. ACID RAIN PROGRAM: SO2 ALLOWANCE AUCTION AND ELECTRONIC ALLOWANCE TRANSFER

Priority: Other Significant

CFR Citation: 40 CFR 73

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Doesn't Plan Any Further Action.	03/06/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Linda Critchfield
Phone: 202 233-9087
Fax: 202 233-9585

RIN: 2060–AG75

3410. NAAQS: NITROGEN DIOXIDE (REVIEW)

Priority: Other Significant

CFR Citation: 40 CFR 50.11

Completed:

Reason	Date	FR Cite
Final Action	10/08/96	61 FR 52852

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: John Haines
Phone: 919 541-5533

RIN: 2060–AC06

3411. NSPS FOR SULFUR DIOXIDE (SO2) - REVISION

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

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Does Not Plan Any Further Action.	03/05/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jim Eddinger
Phone: 919 541-5426

RIN: 2060–AD04

3412. GUIDANCE FOR THE IMPLEMENTATION OF SECTION 112(G)—MODIFICATIONS

Priority: Other Significant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Final Action	12/27/96	61 FR 68384

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Gerri Pomerantz
Phone: 919 541-2317

RIN: 2060–AD06

3413. NESHAP: NYLON 6 PRODUCTION

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

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	03/10/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Morris
Phone: 919 541-5416

RIN: 2060–AF27

3414. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2020-AA32	04/11/97	

RIN: 2060–AD81

3415. FIELD CITATION PROGRAM

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2020-AA33	04/11/97	

RIN: 2060–AD82

3416. REGIONAL HAZE PROTECTION RULE

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

CFR Citation: 40 CFR 51.300 to 51.306

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency incorporated this rule into RIN 2060-AF34.	03/06/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bruce Polkowsky
Phone: 919 541-5532

RIN: 2060–AF32

3417. CONTROL TECHNOLOGY GUIDELINES (CTG)

Priority: Substantive, Nonsignificant

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Withdrawn - Information also appears in 2060-AG59.	03/05/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Susan Wyatt
Phone: 919 541-5674

RIN: 2060–AD05

EPA—CAA — Completed Actions

3418. REVIEW OF THE FEDERAL TEST PROCEDURE FOR EMISSIONS FROM MOTOR VEHICLES AND MOTOR VEHICLE ENGINES

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 86

Completed:

Reason	Date	FR Cite
Final Action	10/22/96	61 FR 54852

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John German
Phone: 313 668-4214

RIN: 2060–AE27

3419. FUELS AND FUEL ADDITIVES WAIVER APPLICATION CRITERIA

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 86

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency No Longer Plans To Develop This Action.	02/27/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Joseph Sopata
Phone: 202 233-9034

RIN: 2060–AE68

3420. REGULATIONS GOVERNING PRIOR NOTICE OF CITIZEN SUITS BROUGHT UNDER SECTION 304 OF THE CLEAN AIR ACT

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2020-AA31	04/11/97	

RIN: 2060–AD80

3421. ACID RAIN NITROGEN OXIDES CONTROL REGULATION

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 76

Completed:

Reason	Date	FR Cite
Final Action	12/19/96	61 FR 67112

Small Entities Affected: None

Government Levels Affected: Local

Agency Contact: Larry Kertcher
Phone: 202 233-9180

RIN: 2060–AD45

3422. ACID RAIN PHASE II NITROGEN OXIDES REDUCTION PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 76 (Revision)

Completed:

Reason	Date	FR Cite
Final Action	12/19/96	61 FR 67112

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Peter Tsirigotis
Phone: 202 233-9133
Fax: 202 233-9595

RIN: 2060–AF48

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Superfund (CERCLA)

3423. STREAMLINING THE PREAUTHORIZATION MIXED FUNDING FOR APPLICATION AND IMPLEMENTATION OF CLAIMS AGAINST SUPERFUND

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9601

CFR Citation: 40 CFR 307

Legal Deadline: None

Abstract: Current regulations at 40 CFR part 307 provide for the preauthorization of claims against the Superfund in instances where the Agency makes a determination that mixed funding is appropriate. This process has been labeled by many stakeholders as overly burdensome. The Agency has reviewed the current process in order to identify areas in which burdens may be lessened and requirements may be streamlined. As a result, the Agency proposes to amend the current regulation to: streamline the application process by eliminating duplicative information requirements; minimize the requirements related to management, oversight, and reporting of the cleanup, by removing the requirement to be guided by the Federal Acquisition Requirements, and replacing the requirement of maximum free and open competition with a bright-line standard; allow claimants to provide independent certification of claims and supporting documentation; streamline the actual payment process by taking advantage of the electronic funds transfer process; ensure that cost recovery concerns are addressed by requiring claimants, within a settlement document, to reimburse the Fund for costs not recovered (only in the event cost recovery is initiated), due to claimants' failure to provide adequate documentary support or upon a determination that response costs expended (and claimed) were not reasonable or not incurred consistent with the NCP; and ensure proper accounting by requiring offsets for funds owed to the Agency by claimants.

Timetable:

Action	Date	FR Cite
NPRM	07/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3885.

Agency Contact: Seth Bruckner, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703-603-8766
Fax: 703-603-9100
Email: Bruckner.Seth@epamail.epa.gov

RIN: 2050–AE38

3424. ● MODIFICATION OF THE EXTREMELY HAZARDOUS SUBSTANCE (EHS) LIST

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 11002; 42 USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355 app A and B

Legal Deadline: None

Abstract: EPA has received a petition to remove Phosmet from the extremely hazardous substance (EHS) list under the Emergency Planning and Community Right-to-Know Act (EPCRA). This rulemaking will address the petitioner's claims.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 3994.

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, SE., Washington, DC 20460
Phone: 202 260-4043
Fax: 202 260-0927

RIN: 2050–AE42

3425. GRANTS FOR TECHNICAL ASSISTANCE RULE REFORM - 40 CFR PART 35 SUBPART M

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9617(e)/CERCLA 117

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: The proposed revisions to the Technical Assistance Grants (TAG) Rule contain three main components that will simplify the application and administrative processes. The first component to the TAG Rule would eliminate the requirement that budget periods may not exceed 3 years. Budget periods would be negotiated with TAG applicants so that they have flexibility to synchronize the period of time during which the recipient anticipates having a technical advisor involved with the schedule of work at a site. A second component would eliminate the 20 percent ceiling for administrative costs of a grant so that recipients do not need to differentiate between programmatic and administrative cost. This will reduce information collection burden. A third component to the TAG Rule is the elimination of the distinction between sole and multiple applicants, since both must meet identical criteria. The requirement that the applicant demonstrate that there is an actual or potential health threat posed to group members by the site would also be deleted since EPA believes that there is a potential health threat at all Superfund sites. EPA also believes that all Superfund sites pose potential economic and recreational threats to adjacent communities, and that there is no need for the applicant to provide evidence of those threats. Furthermore, EPA may already have sufficient information from various sources concerning the potential health, economic, and recreational threats posed by Superfund sites.

Timetable:

Action	Date	FR Cite
NPRM	08/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3806.

Agency Contact: Lois Gartner, Environmental Protection Agency, Solid Waste and Emergency Response, 5204G, Washington, DC 20460
Phone: 703 603-8889

RIN: 2050–AE33

3426. REPORTABLE QUANTITY ADJUSTMENTS FOR CARBAMATES

Priority: Substantive, Nonsignificant

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

Legal Authority: PL 96-510, sec 102(a); PL 99-499

CFR Citation: 40 CFR 302

Legal Deadline: None

Abstract: EPA has listed carbamate waste streams as hazardous wastes under the Resource Conservation and Recovery Act (RCRA). RCRA listed wastes, by statute, automatically become hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and are assigned a one pound statutory reportable quantity (RQ) unless EPA adjusts them. These substances also become subject to reporting requirements under the Emergency Planning and Community Right to Know Act (EPCRA) with a one pound threshold. EPA, in this action, will propose RQ adjustments for the carbamates. Most RQ adjustments are expected to be greater than one pound. Raising the RQs for these substances would decrease the burden on 1) the regulated community for complying with the reporting requirements under CERCLA and EPCRA; 2) Federal, State, and local authorities for program implementation; and 3) Federal, State, or local authorities, if they release hazardous substances at the RQ level or greater.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3423.

Agency Contact: Frank Avvisato, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), Washington, DC 20460
Phone: 703 603-8949

RIN: 2050–AE12

3427. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES: PROPOSED AND FINAL RULES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 9605/CERCLA 105

CFR Citation: 40 CFR 300.425

Legal Deadline: None

Abstract: This action proposes to revise the sites included on the National

EPA—CERCLA

Proposed Rule Stage

Priorities List (NPL) of uncontrolled waste sites in the National Contingency Plan (NCP). CERCLA requires that the Agency revise the NPL at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substance releases and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR Cite
NPRM Proposal 17	08/23/94	59 FR 43314
Final Action Final 13	12/16/94	59 FR 65206
NPRM Proposal 18	02/13/95	60 FR 8212
Final Action Final 14	04/25/95	60 FR 20330
Final Action (Southern Shipbuilding)	05/26/95	60 FR 27896
Final 15	09/29/95	60 FR 50435
NPRM Proposal 19	10/02/95	60 FR 51390
NPRM Proposal 20	06/17/96	61 FR 30575
Final 16	06/17/96	61 FR 30510
NPRM Proposal 21	12/23/96	61 FR 67678
Final 17	12/23/96	61 FR 67656
NPRM Proposal 22	04/00/97	
Final 18	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3439.

Agency Contact: Terry Keidan, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703 603-8852

RIN: 2050–AD75

3428. AMENDMENTS TO THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT, SECTIONS 302 THROUGH 312

Priority: Other Significant

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

Legal Authority: PL 99-499

CFR Citation: 40 CFR 355; 40 CFR 370

Legal Deadline: None

Abstract: This proposal is intended to modify the regulations addressing the chemical inventory reporting forms under Section 312 of the Emergency Planning and Community Right-to-Know Act, as well as other regulatory modifications under the law.

Timetable:

Action	Date	FR Cite
NPRM	09/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3215.

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, (5101), Washington, DC 20460
Phone: 202 260-4043

RIN: 2050–AE17

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Superfund (CERCLA)

3429. ● MODIFICATION OF THRESHOLD PLANNING QUANTITY FOR ISOPHORONE DIISOCYANATE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11002; 42 USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355 app A and B

Legal Deadline: None

Abstract: On October 12, 1994 (59 FR 51816), EPA proposed to modify the listing of several chemicals on the extremely hazardous substances (EHS) list under the Emergency Planning and Community Right-to-Know Act. One petitioner requested the removal of isophorone diisocyanate (IPDI). EPA rejected the petitioner's request. However, in the review of the petition, EPA noticed that there was an error in the setting of the threshold planning quantity (TPQ) for IPDI, and proposed to correct the error in the October 12, 1994 notice of proposed rulemaking. The other modifications to the EHS list were made final on May 7, 1996; however, the TPQ for IPDI was not included in that final rule. This rule will finalize the TPQ for IPDI.

Timetable:

Action	Date	FR Cite
Final	12/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Additional Information: SAN No. 3993.

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, SE., Washington, DC 20460
Phone: 202 260-4043
Fax: 202 260-0927

RIN: 2050–AE43

3430. LIST OF REGULATED SUBSTANCES AND THRESHOLDS FOR ACCIDENTAL RELEASE PREVENTION

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7412(r); 42 USC 7601

CFR Citation: 40 CFR 68

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) is proposing several modifications to provisions of the rule listing regulated substances and threshold quantities under section 112(r) of the Clean Air act as Amended. EPA is proposing to delete the category of explosives listed by DOT as Division 1.1 from the list of regulated substances. Flammable substances in gasoline used as fuel and in naturally occurring hydrocarbon mixtures prior to initial processing are proposed for exemption under the threshold quantity determinations. Modifications to the definition of stationary source are proposed to clarify the exemption of transportation and storage incident to transportation and to clarify that naturally occurring hydrocarbon reservoirs are not stationary sources or parts of stationary sources. EPA proposes to clarify that 40 CFR part 68 does not apply to facilities located on the Outer Continental Shelf. EPA believes these changes will better focus

on the high hazard/high risk substances and operations covered under the Risk Management Program rule for accidental release prevention. These changes will reduce the number of stationary sources subject to the requirements of the risk management program rule and decrease the burden on the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	04/15/96	61 FR 16598
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3787.

Agency Contact: Vanessa Rodriguez, Environmental Protection Agency, Solid Waste and Emergency Response, (5101), Washington, DC 20460
Phone: 202 260-7913
Fax: 202 260-0927

RIN: 2050–AE35

3431. REVISION OF THE LOCAL GOVERNMENT REIMBURSEMENT REGULATION

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9600

CFR Citation: 40 CFR 310

Legal Deadline: None

Abstract: Local governments play an important role in protecting human health and the environment. Local governments are usually the first government representatives on the scene of an environmental emergency response action. They play a critical role in carrying out temporary emergency measures to prevent or mitigate releases or threatened releases of hazardous substances. Conducting such measures has placed a significant financial burden on local governments. EPA is charged with alleviating that burden by reimbursing governments for certain emergency response activities. The rules for reimbursement were originally set forth by the Agency in January of 1993. This rulemaking will revise those rules by: 1) eliminating several requirements that may broaden the number of eligible local governments and Indian Tribes; 2) streamlining the application process; and 3) reducing the burden on eligible local governments and Indian Tribes. There are a number of requirements that may change with this rulemaking; for example, EPA intends to eliminate the requirement that the local government contact the Agency within 24 hours. EPA will reduce the reporting burden on applicants by requesting that they certify in many cases rather than provide detailed documentation of compliance with the program requirements. The anticipated impact of this action is to provide a greater number of local governments and Indian Tribes with easier access to Federal funding, thereby improving their ability to protect human health and the environment.

Timetable:

Action	Date	FR Cite
Direct Final	04/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local, Tribal, Federal

Additional Information: SAN No. 3884.

Agency Contact: Lisa Boynton, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703 603-9052
Fax: 703 603-9012

RIN: 2050–AE36

3432. ADMINISTRATIVE REPORTING EXEMPTIONS FOR CERTAIN RADIONUCLIDE RELEASES

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9602 to 9604; 42 USC 9615; 33 USC 1321; 33 USC 1361

CFR Citation: 40 CFR 302.6(c); 40 CFR 355.40(a)(2)(vi)

Legal Deadline: None

Abstract: This rule affects the requirement in Superfund and the Emergency Planning and Community Right-to-Know Act that facilities immediately report to State, local and federal authorities the release of a hazardous substances in an amount that equals or exceeds a reportable quantity. In 1989, the Environmental Protection Agency (EPA) set reportable quantities for radionuclides (a category of hazardous substances) by regulation. In that same rule, EPA also established four exemptions to the general reporting requirement, to exclude from it certain releases of naturally occurring radionuclides for which the government does not need reports. These exemptions are for releases from: (1) large land holdings; (2) disturbances of land for purposes other than mining; (3) the dumping of coal and coal ash at utility and industrial facilities with coal-fired boilers; and (4) coal and ash piles at those facilities.

Later, a court ruled that the Agency had promulgated the four exemptions without giving the public adequate notice and opportunity to comment. The Agency subsequently provided the opportunity for public notice and comment on these exemptions. Based on those comments, the Agency sought further comments on the possibility of broadening the exemptions. Depending upon the Agency's analysis of comments received, it could in a final rule reaffirm and/or modify the exemptions. Modification of the exemptions would further reduce the burden on facilities which must report, and on the State and local authorities which must receive and evaluate reports to determine whether reported releases pose a threat to human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	11/30/92	57 FR 56726
Supplemental Notice	08/04/95	60 FR 40042
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 49 Electric, Gas, and Sanitary Services; 16 Heavy Construction Other Than Building Construction-Contractors; 01 Agricultural Production-Crops; 10 Metal Mining

Additional Information: SAN No. 3054.

Agency Contact: Lynn Beasley, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460

EPA—CERCLA — Final Rule Stage

Phone: 703 603-9086
RIN: 2050–AD46

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions
Superfund (CERCLA)

3433. REPORTING EXEMPTIONS FOR FEDERALLY-PERMITTED RELEASES OF HAZARDOUS SUBSTANCES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 355

Timetable:

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27268
Supplemental Notice	07/11/89	54 FR 29306
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
Phone: 703 603-9086

RIN: 2050–AB82

3434. DELETION OF SACCHARIN FROM THE LIST OF HAZARDOUS WASTES UNDER RCRA AND THE LIST OF HAZARDOUS SUBSTANCES UNDER CERCLA

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 40 CFR 261.33(f); 40 CFR 261; 40 CFR 302.4

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Wanda L. Levine
Phone: 703 308-0458

RIN: 2050–AD45

3435. REPORTABLE QUANTITY ADJUSTMENT FOR RADON-222

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 302

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
Phone: 703 603-9086

RIN: 2050–AE20

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage
General

3436. GUIDELINES FOR NEUROTOXICITY RISK ASSESSMENT

Priority: Other Significant

Legal Authority: Not applicable

CFR Citation: None

Legal Deadline: None

Abstract: These proposed Guidelines for Neurotoxicity Risk Assessment (hereafter Guidelines) are intended to guide Agency evaluation of suspect neurotoxicants in line with the policies and procedures established in the statutes administered by the EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines emphasize that risk assessments will be conducted on a case-by-case basis, giving full consideration to all relevant scientific information. This case-by-case approach means that Agency experts study scientific information on each chemical under review and use the most scientifically appropriate interpretation to assess risk. The Guidelines also stress that this information will be fully presented in Agency risk assessment documents, and that Agency scientists will identify the strengths and weaknesses of each assessment by describing uncertainties, assumptions, and limitations, as well as the scientific basis and rationale for each assessment.

Timetable:

Action	Date	FR Cite
Proposed Guidelines	10/04/96	61 FR 52032
Final Guidelines	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3624.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, (8103), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080–AA08

3437. INCORPORATION OF CLASS DEVIATION INTO EPAAR

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1506; 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

Abstract: The Agency has approved a number of class deviations (e.g. changes to reporting requirements and monthly progress reports) to the EPAAR since its promulgation in April 1994. This proposed rule would incorporate most of the class deviations to the EPAAR.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3580.

Agency Contact: Edward Chambers, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 260-6028

RIN: 2030–AA37

3438. EPA MENTOR-PROTEGE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1544; 48 CFR 1552

Legal Deadline: None

Abstract: This proposed rule will amend EPA's Acquisition Regulation (EPAAR) to establish a Mentor-Protege Program. Participating prime contractors serving as Mentors will provide technical and managerial support to Protege small disadvantaged business subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3629.

Agency Contact: Edward Chambers, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 260-6028

RIN: 2030–AA40

3439. INCREMENTALLY FUNDING FIXED PRICE CONTRACTS

Priority: Substantive, Nonsignificant

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

Legal Authority: 40 USC 486 (c)

CFR Citation: 48 CFR 1532

Legal Deadline: None

Abstract: This proposed rule will add subpart 1532.7, Contract Funding, to the Environmental Protection Agency's Acquisition Regulation (EPAAR). It also will revise Part 1552 of the EPAAR to include a clause for incrementally funding fixed price contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3876.

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, Washington, DC 20460
Phone: 260 260-9948
Fax: 202 260-1203

RIN: 2030–AA50

3440. REVISION OF EPA ACQUISITION REGULATIONS FOR QUALITY SYSTEMS FOR ENVIRONMENTAL PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1546.2

Legal Deadline: None

Abstract: EPA is updating the quality assurance requirements in its Acquisition Regulation (EPAAR). The Agency relies on environmental measurement data in many of its activities, including regulatory development, the application of regulations (e.g., permitting, enforcement actions), and research programs. The Agency must be ensured that the data are of appropriate type and quality to support the proposed use (that data meet the needs for rule-making, enforcement action, etc.) The extramural community has been using the existing EPAAR QA requirements since 1984 and recognizes the need to update these requirements to reflect the current understanding of quality systems.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	09/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

Additional Information: SAN No. 3874.

Agency Contact: Linda Avellar, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460
Phone: 202-260-6800
Fax: 202-260-1203

RIN: 2030–AA51

3441. ● UPDATE PROCEDURES FOR MAKING PROFIT/FEE DETERMINATIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

Legal Authority: Sec 205(c) 63 Stat. 390; as amended; 40 USC

CFR Citation: 48 CFR 1558

Legal Deadline: None

Abstract: This rule will revise elements of EPA's structured approach for contracting officer profit/fee determinations. Such determinations apply to certain EPA contracting actions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

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. 3879.

Agency Contact: Larry Wyborski, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460
Phone: 202 260-6482
Fax: 202 260-1203

RIN: 2030–AA53

3442. AGENCY IMPLEMENTATION OF FEDERAL ACQUISITION STREAMLINING ACT (FASA) CHANGES TO TRUTH IN NEGOTIATIONS ACT (TINA)

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 390/EPAAR 205

CFR Citation: 48 CFR 1523

Legal Deadline: None

Abstract: The Federal Acquisition Streamlining Act (FASA), P.L. 103-355, changed the nature of contract pricing information that contractors must submit in their proposals. Specifically, the term cost or pricing information is being introduced and differentiated from the current requirements for cost or pricing data. This action will amend EPA's acquisition rules and provide guidance for contractors.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

Additional Information: SAN No. 3816.

Agency Contact: Larry Wyborski, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460
Phone: 202 260-6482
Fax: 202 260-1203

RIN: 2030–AA47

3443. VALUE ENGINEERING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)/EPAAR 205(c); 63 Stat.390 as amended

CFR Citation: 48 CFR 1548; 48 CFR 1552

Legal Deadline:
NPRM, Statutory, February 10, 1997.
Final, Statutory, March 10, 1997.

Abstract: This rulemaking will add coverage in the EPA Acquisition Regulation on policy for using value engineering technique in Agency contracts, as required by the Federal Acquisition Streamlining Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
Final Action	07/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3854.

Agency Contact: Paul Schaffer, Environmental Protection Agency, Administration and Resource Management, (3802F), Washington, DC 20460
Phone: 202 260-9032
Fax: 202 260-1203

RIN: 2030–AA49

3444. AMENDMENTS TO PART 22 CONSOLIDATED PROCEDURAL RULES

Priority: Info./Admin./Other

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

Legal Authority: 7 USC 136l; 15 USC 2615(a); 15 USC 2647; 33 USC 1319(g); 33 USC 1415(a); 33 USC 1418; 42 USC 6912; 42 USC 7413(d)(1); 42 USC 7601; 42 USC 7607(a); 42 USC 9609; 42 USC 11045; 42 USC 300g-3(b)

CFR Citation: 40 CFR 22

Legal Deadline: None

Abstract: The Agency is proposing amendments to the Consolidated Rules of Practice under 40 CFR part 22 which are the procedural rules used in administrative hearings and practice. These amendments will include technical corrections as well as substantive amendments. The proposed substantive amendments pertain to the handling and use of Confidential Business Information, burdens of proof, motion practice, cross appeals, and more.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	

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, (2201A), Washington, DC 20460
Phone: 202 564-2626

RIN: 2020–AA13

3445. IMPLEMENTATION OF CHANGES TO 40 CFR PART 32 AS A RESULT OF THE FEDERAL ACQUISITION STREAMLINING ACT (FASA)

Priority: Info./Admin./Other

Legal Authority: EO 12549; EO 12689; FASA

CFR Citation: 40 CFR 32

Legal Deadline: None

Abstract: Periodically OMB amends the Government-wide Common Rule for suspension and debarment of contractors and assistance participants who threaten the integrity of Federal programs because of criminal misconduct or poor performance. All agencies must issue changes to their individual codified versions to conform to the Common Rule. Recently, the Interagency Suspension and Debarment Coordinating Committee prepared recommendations for comprehensive changes to the Common Rule to conform to changes made in the Federal Acquisition Regulation (FAR) as a result of the Federal Acquisition Streamlining Act (FASA). In addition, several other proposals to improve or change the rule were recommended by various agencies. In December, 1996, OMB declined to implement the changes at this time due to differences with some agencies about some changes unrelated to those occasioned by FASA.

Among other things, FASA replaced the small purchase threshold ($25,000) with the simplified acquisition amount ($100,000). That change unintentionally exposed certain EPA programs to participation by contractors who may have been debarred for serious misconduct already. OMB has agreed to permit agencies to amend the coverage section of their individual agency rules to reduce or eliminate exposure to suspended or debarred persons.

EPA intends to issue a notice of proposed rulemaking to amend 40 CFR 32.110 to reduce EPA exposure to such consequences.

EPA—GENERAL

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

Additional Information: SAN No. 3817.

Agency Contact: Robert F. Meunier, Environmental Protection Agency, Administration and Resource Management, (3901F), Washington, DC 20460
Phone: 202 260-8030
Fax: 202 260-9575

RIN: 2030–AA48

3446. CONSOLIDATION OF GOOD LABORATORY PRACTICE STANDARDS (GLPS) REGULATIONS CURRENTLY UNDER TSCA AND FIFRA INTO ONE RULE

Priority: Info./Admin./Other

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

Legal Authority: 7 USC 136 et seq; 15 USC 2601 et seq

CFR Citation: 40 CFR 160; 40 CFR 792

Legal Deadline: None

Abstract: On November 29, 1983, EPA published Good Laboratory Practice Standards (GLPS) regulations intended to help ensure data integrity for studies required to support marketing and research permits under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Toxic Substances Control Act (TSCA). These rules were last amended on August 17, 1989. GLPS data integrity measures can be applied to a wide variety of scientific studies. Although the TSCA and FIFRA GLPS contain identical provisions they were published as separate rules to account for statutory and program differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences of those programs without duplicating the entire GLP standard in two places.

This action is intended to consolidate EPA's GLPS into one rule. Program-specific requirements will be addressed in either separate sections of the consolidated rule, or in separate rules as is determined appropriate. This action is not intended to change the requirements, applicability, or enforceability of GLPS with respect to any statute.

EPA has received comments from stakeholders regarding the understandability of many aspects of the GLPS, and over the years has issued numerous clarifications. EPA believes that some clarifications, if included directly in the rule, would make the rule easier to understand and enhance compliance. Therefore, EPA intends to include such clarifications where appropriate in this rulemaking. Finally, in the interest of maintaining consistency between EPA's and Food and Drug Administration's regulations, EPA will determine any modifications that have occurred to the FDA GLP rule and consider incorporation of such changes into the EPA rule. This action will serve to reduce the total regulatory text in the Code of Federal Regulations by an estimated ten pages, by consolidating 23 pages of text to approximately 13. In the process it will provide a generic GLP rule that may be used by other programs in the Agency.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3807.

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2225A), Washington, DC 20460
Phone: 202 564-4162
Fax: 202 564-0028

RIN: 2020–AA26

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

General

3447. PROPOSED GUIDELINES FOR ECOLOGICAL RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not applicable

CFR Citation: None

Legal Deadline: None

Abstract: The Guidelines for Ecological Risk Assessment are intended to guide Agency evaluations of ecological risks in line with the policies and procedures established in the statutes administered by EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines expand on the general ecological risk assessment process described in the Agency report Framework for Ecological Risk Assessment, (EPA/630/R-92/001) and covers a broad range of ecological concerns. The Guideline stresses the need for sound initial planning of the ecological risk assessment as well as appropriate characterization of the risks, including identification of the major assumptions, uncertainties, and limitations of the assessment.

These guidelines will have minimal to no impact on small businesses or state, local and tribal governments.

Timetable:

Action	Date	FR Cite
Proposed Guidelines	09/09/96	61 FR 47552
Final Guidelines	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3670.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development,

Risk Assessment Forum (8101), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080–AA07

3448. FIELD CITATION PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7413(d)/CAAA 113(d)

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: The Clean Air Act Amendments gives EPA the authority to issue on-the-spot field citations for minor violations of the Clean Air Act, with penalties of up to $5,000 per day of violation. Section 113(d) of the Act requires the field citation program to be implemented through regulations which provide the informal hearing procedures. These hearing procedures are not required to be as rigorous as those imposed by the Administrative Procedure 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	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 2937.

Agency Contact: Cary Secrest, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, OECA (2242-A), Washington, DC 20460
Phone: 202 260-8661

RIN: 2020–AA32

3449. PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552; 7 USC 136 et seq; 33 USC 1251 et seq; 42 USC 300f et seq; 42 USC 6901 et seq; 42 USC 7401 et seq; 42 USC 9601 et seq; 42 USC 11001 et seq; 15 USC 2601 et seq; 42 USC 4912; 33 USC 1414; 21 USC 346; 15 USC 2005

CFR Citation: 40 CFR 2; 40 CFR 57; 40 CFR 122; 40 CFR 123; 40 CFR 145; 40 CFR 233; 40 CFR 260; 40 CFR 270; 40 CFR 271; 40 CFR 281; 40 CFR 350; 40 CFR 403; 40 CFR 85; 40 CFR 86

Legal Deadline: None

Abstract: EPA regulations at 40 CFR part 2, subpart B, provide procedures for handling and disclosing information claimed as CBI. Although these regulations have succeeded in protecting business information, changes in Agency workload, practice, and statutory authority have outstripped the ability of these regulations to cut down on unnecessary procedures, expedite activities involving confidential business information, and simplify the regulations. In addition, EPA would consolidate confidentiality provisions from other parts of 40 CFR.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60446
Final Action	06/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 3240.

Agency Contact: Donald A. Sadowsky, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of General Counsel (2379), Washington, DC 20460
Phone: 202 260-5469

RIN: 2020–AA21

3450. PESTICIDE MANAGEMENT AND DISPOSAL

Priority: Other Significant

Legal Authority: 7 USC 136 et seq

CFR Citation: 40 CFR 165

Legal Deadline: None

Abstract: This action develops procedures for mandatory and voluntary recall actions under section 19(b) of FIFRA and would establish criteria for acceptable storage and disposal plans which registrants may submit to this Agency to become eligible for reimbursement of storage costs. This action establishes procedures for indemnification of owners of suspended and cancelled pesticides for disposal.

Timetable:

Action	Date	FR Cite
NPRM	05/05/93	58 FR 26856
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3432.

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2225-A), Washington, DC 20460
Phone: 202 564-4162

RIN: 2020–AA33

3451. ● ENVIRONMENTAL IMPACT ASSESSMENT OF NONGOVERNMENTAL ACTIVITIES IN ANTARCTICA

Priority: Other Significant

Legal Authority: 16 USC 2401 et seq; PL 104-227

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, October 2, 1998, Final Rule.

Abstract: The purpose of this action is to develop regulations for: (1) the environmental impact assessment of nongovernmental activities, including tourism, for which the United States is required to give advance notice under paragraph 5 of Article VII of the Antarctic Treaty; and (2) coordination of the review of information regarding environmental impact assessment received from other Parties under the Protocol on Environmental Protection. The Office of Federal Activities (OECA/OFA) will use the decision-making process of the National Environmental Policy Act (NEPA) to analyze the environmental setting; the types of nongovernmental activities, including tourism, to be addressed by the regulations; their potential for impact; and the alternatives available under rulemaking for environmental impact assessments for nongovernmental activities. An interim final rule to be immediately effective will extend through the 1999 austral winter and will be replaced by a final rule. These rules are being developed in coordination with other federal agencies with specific interests in and expertise with Antarctica including the Department of State, National Science

EPA—GENERAL — Final Rule Stage

Foundation, National Oceanic and Atmospheric Administration, U.S. Coast Guard, Marine Mammal Commission, Department of Justice, and the Council on Environmental Quality.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/97	
Final	07/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: SAN No. 3933.

Agency Contact: Joe Montgomery, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2252A, Washington, DC 20460
Phone: 202 564-7157
Fax: 202 564-0072
Email: montgomery.joseph@epamail.epa.gov
Katherine Biggs, Environmental Protection Agency, Office of Enforcement and Compliance Assurance
Phone: 202 564-7144
Fax: 202 564-0072
Email: biggs.katherine@epamail.epa.gov

RIN: 2020–AA34

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

General

3452. GUIDELINES FOR CARCINOGEN RISK ASSESSMENT

Priority: Info./Admin./Other

CFR Citation: None

Timetable:

Action	Date	FR Cite
Reproposed Guidelines	04/23/96	61 FR 17960
Implementation Policy	06/25/96	61 FR 32799
Final Guidelines	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William P. Wood
Phone: 202 260-6743

RIN: 2080–AA06

3453. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 65

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22795
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Cary Secrest
Phone: 202 564-8661

RIN: 2020–AA31

3454. REGULATIONS GOVERNING PRIOR NOTICE OF CITIZEN SUITS BROUGHT UNDER SECTION 304 OF THE CLEAN AIR ACT

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 54

Timetable:

Action	Date	FR Cite
NPRM	02/10/93	58 FR 7870
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Rhonda Maddox
Phone: 202 564-7026

RIN: 2020–AA30

3455. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 168

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: David Stangel
Phone: 202 569-4162

RIN: 2020–AA29

3456. FIFRA BOOKS AND RECORDS OF PESTICIDE PRODUCTION AND DISTRIBUTION (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 169

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steve Howie
Phone: 703 308-8383
Email: Howie,Steve

RIN: 2020–AA28

3457. ● SAFE DRINKING WATER PUBLIC WATER SUPPLY SYSTEM PROGRAM: CITIZEN COLLECTION ACTION; NOTICE OF COMPLAINT SEEKING REVIEW OF PENALTY ORDER

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: SDWA Sec 1447; SDWA Sec 1449

CFR Citation: 40 CFR 135

Legal Deadline: None

Abstract: The 1996 SDWA modified section 1449 by authorizing how and when persons may sue federal agencies to collect outstanding penalties assessed by EPA. In addition, Section 1447 was modified to authorize interested persons to obtain review of administrative penalty orders by filing complaints with a U.S. District Court within the thirty day period beginning on the date the penalty order becomes final. The proposed rule will govern the manner in which both amendments are implemented.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

EPA—GENERAL — Long-Term Actions

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3936.

Agency Contact: David Drelich, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2243-A, Washington, DC 20460
Phone: 202 564-2949

RIN: 2020–AA35

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

General

3458. FINAL GUIDELINES FOR REPRODUCTIVE TOXICITY RISK ASSESSMENT

Priority: Info./Admin./Other

CFR Citation: None

Completed:

Reason	Date	FR Cite
Final Guidelines for Males and Females	10/31/96	61 FR 56274

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William P. Wood
Phone: 202 260-6743

RIN: 2080–AA05

3459. ● CREDIBLE EVIDENCE REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 41 USC 7401 et seq

CFR Citation: 40 CFR 51; 40 CFR 52; 40 CFR 60; 40 CFR 61

Legal Deadline:
Final, Judicial, February 13, 1997.

Abstract: This final rule eliminates ambiguity as to the type of information that can be used to determine whether a facility is in compliance with the Clean Air Act (CAA). The ''credible evidence'' rule clarifies EPA's existing authority under the CAA by allowing any ''credible'' data, such as continuous emissions monitoring data, parametric data, engineering analyses, witness testimony or other information, to be used as evidence to determine whether a facility is violating emission standards. The rule does not alter current emission standards, create any new monitoring or reporting requirements, or change the compliance obligations for industry. Previously, the Agency usually used reference test methods--specific procedures for measuring emissions from facility stacks -- to determine compliance. The rule makes it explicit that regulated sources, EPA, states and citizens all can use non-reference test data to certify compliance or allege non-compliance with CAA permits, provided that the information is comparable with information generated by those reference tests.

Timetable:

Action	Date	FR Cite
Final Rule	02/24/97	62 FR 8314

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3934.

Agency Contact: Gregory Jaffe, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2242A, Washington, DC 20460
Phone: 202 564-2260
Jonathan Fleuchaus, Environmental Protection Agency, Office of Enforcement and Compliance Assurance
Phone: 202 564-5083

RIN: 2020–AA27

3460. COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (CERCLA) COST RECOVERY

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 308

Completed:

Reason	Date	FR Cite
Withdrawn - Intend to use admin. reforms to accomplish this action	03/10/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Agency Contact: Chad Littleton
Phone: 703 603-9068

RIN: 2020–AA25

3461. RULES OF PRACTICE FOR ENFORCEMENT ACTIONS NOT GOVERNED BY THE ADMINISTRATIVE PROCEDURE ACT

Priority: Info./Admin./Other

CFR Citation: 40 CFR 22

Completed:

Reason	Date	FR Cite
Withdrawn - Merged Into RIN 2020-AA13	03/10/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Robert Kinney
Phone: 202 564-3712

RIN: 2020–AA23

3462. NOTICE TO CLARIFY EXISTING CONFLICT OF INTEREST COVERAGE REGARDING POLICY/RESPONSE ACTION CONTRACTOR EXCLUSIONS

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

Unfunded Mandates: Undetermined

CFR Citation: 48 CFR 1552

Completed:

Reason	Date	FR Cite
Final Action	02/05/97	62 FR 5347

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.

Agency Contact: Louise Senzel
Phone: 202 260-6204
Fax: 202 260-1203

RIN: 2030–AA52

3463. CONFORMING AMENDMENTS TO THE EPAAR FROM THE FEDERAL ACQUISITION STREAMLINING ACT

Priority: Info./Admin./Other

CFR Citation: 48 CFR 1523

Completed:

Reason	Date	FR Cite
Interim Final Rule	11/06/96	61 FR 57336

Small Entities Affected: None

Government Levels Affected: None

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

Agency Contact: Larry Wyborski
Phone: 202 260-6482
Fax: 202 260-1203

RIN: 2030–AA46

3464. FIFRA BOOKS AND RECORDS OF PESTICIDE PRODUCTION AND DISTRIBUTION (REVISION)

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2020-AA28	04/11/97	

RIN: 2070–AC07

3465. PESTICIDE MANAGEMENT AND DISPOSAL

Completed:

Reason	Date	FR Cite
Transfer Development to RIN 2020-AA30	04/11/97	

RIN: 2070–AC81

3466. AMEND SUBPART H SUPPLEMENTAL RULES TO ENSURE 40 CFR PART 22 RULE CONFORMS TO THE NEW FEDERAL FACILITY COMPLIANCE ACT

Priority: Info./Admin./Other

CFR Citation: 40 CFR 22.37(g)

Completed:

Reason	Date	FR Cite
Final Action	03/18/96	61 FR 11090

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sally Dalzell
Phone: 202 260-9808

RIN: 2020–AA22

3467. ADMINISTRATIVE HEARING PROCEDURES FOR CLASS II PENALTIES UNDER CERCLA AND EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Priority: Info./Admin./Other

CFR Citation: 40 CFR 22

Completed:

Reason	Date	FR Cite
Withdrawn - Merged Into RIN 2020-AA13	03/10/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Sandra Connors
Phone: 202 564-4200

RIN: 2050–AC39

[FR Doc. 97-8288 Filed 04-24-97; 8:45 am]
BILLING CODE 6560-50-F