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Environmental Protection Agency

Semiannual Regulatory Agenda

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ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY

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April 1999 Agenda of Regulatory and Deregulatory Actions

AGENCY: Environmental Protection Agency.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Environmental Protection Agency (EPA) publishes the Semiannual Agenda of Regulatory and Deregulatory Actions to update the public about our:

- Regulations currently under development,
- Reviews of existing regulations, and
- Rulemakings completed or canceled since the last Agenda.

EPA believes that, if the people affected by rules take part in developing them, we will produce rules that are clearer, less burdensome, and more effective.

TO BE PLACED ON THE AGENDA MAILING LIST: If you would like to receive copies of future Agendas, please call 1-800/490-9198. There is no charge for the Agenda.

FOR FURTHER INFORMATION CONTACT: We welcome your comments and suggestions. If you have questions or comments about a particular rule, please get in touch with the agency contact listed for that rule. If you have general comments or questions about the EPA's rulemaking process, please direct them to: Philip Schwartz (2136), Environmental Protection Agency, 401 M Street SW., Washington, DC 20460; phone: (202) 260-5493, fax: (202) 260-5478, e-mail: Schwartz.Philip@epa.gov.

You can also get daily, updated information on current EPA rulemakings from our Internet site on environmental regulations. This site includes the text of proposed and final environmental rules issued by the EPA and by other agencies. It also includes an electronic version of this Agenda. The site is at http://www.epa.gov/epahome/rules.html and is part of EPA's large agencywide Internet site that we invite you to visit at http://www.epa.gov.

We expect that the EPA web site will be an increasingly important means of communication between EPA and the public. We inaugurated this site about 4 years ago, and it has more than 100,000 documents and files currently available on-line.

Table of Contents

Supplementary Information:
- The Rulemaking Process
- EPA's Regulatory Philosophy and Priorities
- Impacts on Small Entities
- What Actions Are Included in the Agenda?
- How Is the Agenda Organized?
- What Information Is in Agenda Entries?

SUPPLEMENTARY INFORMATION:

The Rulemaking Process

Congress has created a number of requirements that agencies must meet when they issue regulations. These requirements are designed to support the creation of quality regulations and protect the rights of people affected by agencies' rules. These requirements are contained in the Administrative Procedure Act, the Regulatory Flexibility Act as amended by the Small Business Regulatory Enforcement Fairness Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, the National Technology Transfer and Advancement Act, and the Congressional Review Act. You can find information on many of these statutes at http://www.law.cornell.edu/uscode/.

President Clinton has also ordered that we meet a number of requirements when we issue regulations. Of particular significance for EPA rulemakings are Executive Orders 12866 (Regulatory Planning and Review), 12875 (Enhancing the Intergovernmental Partnership), 13045 (Children's Health Protection), and 13084 (Consultation and Coordination with Indian Tribal Governments). You can find information on Executive orders at http://library.whitehouse.gov/.

We encourage you to take part in the rulemaking process to make your views known and help us craft rules that:

- Protect human health,
- Preserve and enhance the environment, and
- Meet environmental goals without being unnecessarily burdensome.

In addition to contacting the expert responsible for developing a particular rule, you also can comment on proposed rules that we publish in the **Federal Register**. Once we have proposed a rule, we will consider your comments and address them before issuing a final rule. To be most effective, comments should contain information and data which support your position, and you should explain why we should incorporate your suggestion in the final rule. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternatives.

The Agenda also includes some of our more important guidance documents. While these documents are not legally binding on EPA or outside parties, they will guide our thinking in major policy areas. We invite you to take part in developing these documents.

EPA's Regulatory Philosophy and Priorities

Since EPA's creation, the Nation made great headway in cleaning up the air, water, and land. But as the next century approaches, we are finding that many of the remaining problems are more complex than those of the past, and they require more sophisticated remedies. Because of this, EPA has reexamined its current public health and environmental strategies to better meet the challenges of today and the future. And because this effort comes at the same time the President and Vice President are calling for a Government that works better and costs less, EPA has had an unprecedented opportunity to develop tough, new protections that not only solve today's difficult problems but do so in cheaper and smarter ways.

EPA's efforts to develop a system that works better and costs less are focused on five areas:

1. Greater public access to information,
2. More regulatory flexibility to obtain better results,
3. Stronger partnerships with States and industries,
4. More compliance assistance, and
5. Less paperwork and red tape.

We are pursuing these through every possible means, internally and externally, and we can already see results.

Internally, EPA has streamlined its management, restructured programs, and given EPA employees broader responsibilities. For example, enforcers are emphasizing compliance assistance, permitters are paying more attention to pollution prevention and market mechanisms, and rule writers are

developing public health and environmental protections that include alternatives proposed by regulated entities. These are innovative alternatives that are less costly but which still meet environmental and public health protection goals.

Externally, EPA brings together stakeholders from businesses, State and local governments, tribal governments, and labor and public interest groups. The goal is to assure that all interested parties can take part in the design of innovative, less costly approaches to environmental and public health protection. This stakeholder involvement fosters more creative solutions, promotes local stewardship, and helps establish and strengthen partnerships between the public and private sectors—all without sacrificing environmental or public health protection. As compliance with today's environmental laws comes to be regarded as a ''floor to maintain'' rather than a ''ceiling to be reached,'' EPA is offering incentives that encourage facilities to go beyond the minimum requirements and continuously improve environmental performance.

As EPA develops this innovative regulatory system, we will increase our focus on protecting the health of children, taking into account their unique characteristics and vulnerabilities. Under President Clinton's Executive order, EPA will evaluate children's environmental health for economically significant regulations. Further, as a matter of policy, EPA will also assess potential risks to children for regulations that are not economically significant. Following an inclusive public process, EPA's Children's Health Protection Advisory Committee has recommended to the Administrator five existing regulations for reevaluation to ensure that they sufficiently protect children's health.

Impacts on Small Entities

Regulatory Flexibility Act Considerations

The Regulatory Flexibility Act (RFA) as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) requires that we pay particular attention to the impact of regulations on small entities (i.e., small businesses, small governmental jurisdictions, and small nonprofit organizations). The RFA/SBREFA applies to rules we are now developing and requires us to:

1. Convene a Small Business Advocacy Review (SBAR) Panel prior to proposing any rule with the potential to impose a significant economic impact on a substantial number of small entities (RFA section 609). SBREFA also established the EPA's Small Business Advocacy Chair who chairs each SBAR Panel. A SBAR Panel has four members: The Chair, the Chief Counsel for Advocacy of the Small Business Administration, the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget, and a senior manager from the EPA program office responsible for the subject rule. In the case of rules requiring a SBAR Panel, the Agency's small entity outreach prior to the convening of a Panel culminates in the development of a summary document that contains information on the potential impact of a proposed rule on small entities, and particularly on the issues referenced in RFA section 609. This summary then serves as the basis for convening the Panel. The Panel then conducts its review, carries out its own small entity outreach, and prepares a final report based on the comments from the small entity representatives and the Panel's deliberations. The Panel's final report is provided to the EPA Administrator and is made a part of the rulemaking record. Rules listed in the first appendix at the end of the Agenda may require Small Business Advocacy Review Panels.
2. At the proposed and final rule stages of rule development, the Agency must prepare a regulatory flexibility analysis for any rule subject to notice and comment rulemaking requirements (RFA sections 603 and 604), unless the Administrator certifies that the rule will not have a ''significant economic impact on a substantial number of small entities'' (RFA section 605). A regulatory flexibility analysis must, among other items specified in the RFA, identify the extent to which small entities will be subject to the rule's requirements and describe any significant alternatives to the rule that accomplish the objectives of applicable statutes and which minimize any significant economic impacts on small entities. We have listed in the first index at the end of the Agenda all rules under development that may require a regulatory flexibility analysis.
3. RFA section 610 requires that an agency review within 10 years of promulgation those regulations that have or will have a significant economic impact on a substantial number of small entities. We undertake these reviews to decide whether we should continue the rule unchanged, amend it, or withdraw it. We announce our forthcoming 610 reviews in the ''Prerule'' section of the Agenda. We encourage small entities to provide comments on the need to change these rules. We will consider all of your comments as we decide whether to continue, amend, or withdraw these rules. We particularly encourage comments by small entities about how rules could be made clearer, more effective, or remove conflicting or overlapping requirements with other Federal or State regulations. Please direct your comments to the contact person listed in the Agenda entry. If you have general questions about our 610 review program or suggestions for other rules we should review under section 610, please contact Philip Schwartz (2136), Environmental Protection Agency, 401 M Street SW., Washington, DC 20460; fax: (202) 260-5478, e-mail: schwartz.philip@epa.gov.

Rules under Development Expected To Have Some Impact on Small Entities, but Not a Significant Impact on a Substantial Number

In the ''Small Entities Affected'' section, we indicate whether we expect an action will have an impact on small businesses, governments, or nonprofit organizations, but one which is less than a significant impact on a substantial number. In the second index at the end of the Agenda, we list all actions that we believe will not have a significant impact on a substantial number of small entities but which will have some impact on small entities.

What Actions Are Included in the Agenda?

EPA includes regulations and certain major policy documents in the Agenda. We do not generally include minor amendments or the following categories of actions in the Agenda:

- Under the Clean Air Act: Revisions to State Implementation Plans; Equivalent Methods for Ambient Air Quality Monitoring; Deletions from

EPA

the New Source Performance Standards source categories list; Delegations of Authority to States; Area Designations for Air Quality Planning Purposes.

- Under the Federal Insecticide, Fungicide, and Rodenticide Act: Actions regarding pesticide tolerances and food additive regulations; decision documents defining and establishing registration standards; decision documents and termination decisions for the Special Review Registration process; and data call-in requests made under section 3(c)(2)(B).
- Under the Resource Conservation and Recovery Act: Authorization of State solid waste management plans; hazardous waste delisting petitions.
- Under the Clean Water Act: State Water Quality Standards; Deletions from the section 307(a) list of toxic pollutants; Suspensions of toxic testing requirements under the National Pollutant Discharge Elimination System (NPDES); Delegations of NPDES authority to States.
- Under the Safe Drinking Water Act: Actions on State underground injection control programs.

The Office of Management and Budget has exempted most of these actions from the Executive Order 12866 review procedures. There is no legal significance to the omission of an item from the Agenda.

How Is the Agenda Organized?

In accordance with E.O. 12866, we publish the EPA Agenda of Regulatory and Deregulatory Actions in April and October of each year as part of the Unified Agenda of Federal Regulatory and Deregulatory Actions.

We have organized the Agenda:

- First, by the law that would authorize a particular regulation;
- Second, by the current stage of development (proposal, final, etc.); and
- Third, by the section number of the statute which requires or authorizes the rule.

The following 13 sections deal with 12 laws that EPA administers and a thirteenth broader section called ''General'' that includes cross-cutting actions, such as rules authorized by multiple statutes and general acquisition rules:

1. General
2. The Clean Air Act (CAA)
3. The Atomic Energy Act (AEA)
4. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
5. The Toxic Substances Control Act (TSCA)
6. The Emergency Planning and Community Right-to-Know Act (EPCRA)
7. The Resource Conservation and Recovery Act (RCRA)
8. The Oil Pollution Act (OPA)
9. The Comprehensive Environmental Response, Compensation, and Liability Act Superfund (CERCLA)
10. The Clean Water Act (CWA)
11. The Safe Drinking Water Act (SDWA)
12. The Marine Protection, Research, and Sanctuaries Act (MPRSA)
13. The Shore Protection Act (SPA)

In each of these 13 sections, there are up to 5 headings covering the following stages of rulemaking:

1. Prerulemakings—Prerulemaking actions are intended to determine whether EPA should initiate rulemaking. Prerulemakings may include anything that influences or leads to rulemaking, such as advance notices of proposed rulemaking (ANPRMs), significant studies or analyses of the possible need for regulatory action, announcement of reviews of existing regulations required by section 610 of the Regulatory Flexibility Act, requests for public comment on the need for regulatory action, or important preregulatory policy proposals.
2. Proposed Rules—This section includes EPA rulemaking actions that are within a year of proposal (publication of Notices of Proposed Rulemakings (NPRMs)).
3. Final Rules—This section includes rules that are within a year of final promulgation.
4. Long-Term Actions—This section includes rulemakings for which the next scheduled regulatory action is after March 2000.
5. Completed Actions—This section contains actions that have been promulgated and published in the **Federal Register** since publication of the October 1998 Agenda. It also includes actions that we are no longer considering. 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. EPA also announces the results of our Regultory Flexibility Act section 610 reviews in this section of the Agenda.

What Information Is in Agenda Entries?

Agenda entries include the following information, where applicable:

Sequence Number: This indicates where the entry appears in the Agenda.

Title: Titles for new entries (those that haven't appeared in previous Agendas) are preceded by a bullet (''•''). The notation ''Section 610 Review'' follows the title if we are reviewing the rule as part of our periodic review of existing rules under section 610 of the Regulatory Flexibility Act (5 U.S.C. 610).

Priority: Entries are placed into one of five categories described below.

Economically Significant: As defined in Executive Order 12866, a rulemaking action that will have an annual effect on the economy of $100 million or more or will adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. OMB reviews all economically significant rules under E.O. 12866.

Other Significant: A rulemaking that is not economically significant but is considered significant by the agency. This category includes rules that are an EPA priority and rules that EPA anticipates will be reviewed by the Office of Management and Budget under E.O. 12866 because they are likely to:

- create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients; or
- raise novel legal or policy issues.

Substantive, Nonsignificant: A rulemaking that has substantive impacts but is neither Significant, nor Routine and Frequent, nor Informational/Administrative/Other.

Routine and Frequent: A rulemaking that is a specific case of a multiple recurring application of a regulatory program in the Code of Federal Regulations and that does not alter the body of the regulation.

Informational/Administrative/Other: A rulemaking that is primarily informational or pertains to agency

EPA

matters not central to accomplishing the agency's regulatory mandate but that the agency places in the Agenda to inform the public of the activity.

Also, if we believe that a rule may be ''major'' as defined in the congressional review provisions of the Small Business Regulatory Enforcement Fairness Act (SBREFA) (5 U.S.C. 804; Pub. L. 104-121) because it is likely to result in an annual effect on the economy of $100 million or more or meets other criteria specified in this law, we indicate this under the ''Priority'' heading with the statement ''Major under 5 U.S.C. 801.''

Legal Authority: The sections of the United States Code (U.S.C.), Public Law (P.L.), Executive Order (E.O.), or common name of the law that authorizes the regulatory action.

CFR Citation: The sections of the Code of Federal Regulations that will be affected by the action.

Legal Deadline: An indication of whether the rule is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to a Notice of Proposed Rulemaking, a Final Action, or some other action.

Abstract: A brief description of the problem the regulation will address; the need for a Federal solution; to the extent available, the alternatives that the agency is considering to address the problem; and the potential advantages and disadvantages of the action.

Timetable: The dates (and citations) that documents for this action were published in the **Federal Register** and, where possible, a projected date for the next step. Projected publication dates frequently change during the course of a rule development. The projections in the Agenda are our best estimates as of the date we submit the Agenda for publication. For some entries, the timetable indicates that the date of the next action is ''to be determined.'' Dates in 2000 or later are printed in the same form as other dates, using the last two digits of the year.

Regulatory Flexibility Analysis Required: Indicates whether EPA has prepared or anticipates that it will be preparing a regulatory flexibility analysis under section 603 or 604 of the Regulatory Flexibility Act. Generally, such an analysis is required for proposed or final rules that EPA believes may have a significant economic impact on a substantial number of small entities.

Small Entities Affected: Indicates which small entities (businesses, governmental jurisdictions, or organizations), if any, may be affected by the rule.

Government Levels Affected: Indicates whether the rule is expected to affect levels of government and, if so, whether the governments are State, local, tribal, or Federal.

Unfunded Mandates: Section 202 of the Unfunded Mandates Reform Act requires an assessment of anticipated costs and benefits if a rule includes a mandate that may result in expenditures of more than $100 million in any 1 year by State, local, and tribal governments, in the aggregate, or by the private sector. If we expect to exceed the section 202 threshold, we note that in this section.

Reinventing Government: If an action is part of the President's Reinventing Government Initiative, we indicate it in this section.

Agency Contact: The name, address, phone number, and e-mail address, if available, of a person who is knowledgeable about the regulation.

SAN Number: A code number that EPA uses to identify and track rulemakings.

RIN: The Regulatory Identifier Number is a code number that OMB uses to identify and track rulemakings.

The April 1999 EPA Agenda follows.

Dated: March 10, 1999.

Robert Wolcott,

Acting Assistant Administrator, Office of Policy.

General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3166	SAN No. 4056 Utilization of Small, Minority and Women's Business Enterprises in Procurement Under Assistance Agreements	2020-AA39
3167	SAN No. 4180 Rewriting of EPA Regulations Implementing the Freedom of Information Act	2020-AA40
3168	SAN No. 4270 Cross-Media Electronic Reporting (ER) and Recordkeeping Rule	2020-AA41
3169	SAN No. 3736 Revision to 40 CFR 35 Subpart A and Promulgation of Performance Partnership (State) Grant Regulation	2030-AA55
3170	SAN No. 4128 Revision to 40 CFR 35 Subpart A and Promulgation of Performance Partnership (Tribal) Grant Rule	2030-AA56
3171	SAN No. 4191 Revision to EPAAR 1552.211-73, Level of Effort	2030-AA64
3172	SAN No. 4226 Incorporating Informal Clauses (EP) Into the EPAAR	2030-AA66
3173	SAN No. 3580 Incorporation of Class Deviations Into EPAAR	2030-AA37
3174	SAN No. 3629 EPA Mentor-Protege Program	2030-AA40
3175	SAN No. 3876 Incrementally Funding Fixed Price Contracts	2030-AA50
3176	SAN No. 3874 Revision of EPA Acquisition Regulations for Quality Systems for Environmental Programs	2030-AA51
3177	SAN No. 3817 Implementation of Changes to 40 CFR Part 32	2030-AA48
3178	SAN No. 3807 Consolidation of Good Laboratory Practice Standards (GLPS) Regulations Currently Under TSCA and FIFRA Into One Rule	2020-AA26

EPA

General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3179	SAN No. 4185 Electronic Funds Transfer	2030-AA57
3180	SAN No. 4183 Agency Protest Solicitation Notification	2030-AA58
3181	SAN No. 4184 Contracting by Negotiation	2030-AA59
3182	SAN No. 4186 EPAAR Coverage on Contractor Performance Evaluations	2030-AA61
3183	SAN No. 4187 EPAAR Coverage on Local Hiring and Training	2030-AA62
3184	SAN No. 4188 Service Contracting—Avoiding Improper Personal Services Relationships	2030-AA63
3185	SAN No. 3671 Guidelines for Carcinogen Risk Assessment	2080-AA06
3186	SAN No. 2662 Amendments to Part 22 Consolidated Procedural Rules	2020-AA13

General—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3187	SAN No. 3240 Public Information and Confidentiality Regulations	2020-AA21
3188	SAN No. 3933 Environmental Impact Assessment of Nongovernmental Activities in Antarctica	2020-AA34

General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3189	SAN No. 4215 Acquisition Regulation: Types of Contracts	2030-AA65
3190	SAN No. 2939 Regulations Governing Awards Under Section 113(f) of the Clean Air Act	2020-AA31

Clean Air Act (CAA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3191	SAN No. 4268 Control of Highway Diesel Fuel Quality: Advance Notice of Proposed Rulemaking	2060-AI32
3192	SAN No. 3553 Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations	2060-AF34
3193	SAN No. 4120 Protection of Stratospheric Ozone: Allowance System for Controlling HCFC Production, Import & Export	2060-AH67
3194	SAN No. 3525 Protection of Stratospheric Ozone: Update of the Substitutes List Under the Significant New Alternatives Policy (SNAP) Program	2060-AG12

Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3195	SAN No. 4105 NESHAP: Carbon Black Production	2060-AH68
3196	SAN No. 4110 Alumina Processing NESHAP	2060-AH70
3197	SAN No. 4043 Control of Emissions of Air Pollution From 2004 and Later Model Year Highway Heavy-Duty Diesel Engines	2060-AI12
3198	SAN No. 4148 Conformity Pilot	2060-AI14
3199	SAN No. 4219 Hospital/Medical/Infectious Waste Incinerators—Federal Plan (Federal Plan for Existing Hospital/Medical/Infectious Waste Incinerators)	2060-AI25
3200	SAN No. 4246 Consumer and Commercial Products: Revised Schedule for Regulation	2060-AI30
3201	SAN No. 4251 Control of Emissions of Air Pollution From New Compression-Ignition and Spark-Ignition Recreational Marine Engines	2060-AI36
3202	SAN No. 3961 No Backsliding Rule for PM-10 Nonattainment Areas	2060-AI39

EPA

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

Sequence Number	Title	Regulation Identifier Number
3203	SAN No. 4252 Protection of Stratospheric Ozone: Amendment to Halon Use, Halon Technician Training, and Halon and Halon-Containing Equipment Disposal Rule	2060-AI40
3204	SAN No. 4253 Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Methyl Bromide Used in the United States and Baseline Adjustments	2060-AI42
3205	SAN No. 4254 Revision to the Definition of Volatile Organic Compound (VOC) to Exclude Tertiary Butyl Acetate	2060-AI45
3206	SAN No. 4247 Revisions to Air Pollution Emergency Episode Requirements (Subpart H, 40 CFR Part 51)	2060-AI47
3207	SAN No. 3263 Performance Warranty and Inspection/Maintenance Test Procedures	2060-AE20
3208	SAN No. 3262 Inspection/Maintenance Recall Requirements	2060-AE22
3209	SAN No. 3407 Method 301: Field Validation of Pollution Measurement Methods for Various Media; Revisions	2060-AF00
3210	SAN No. 3082 NESHAP: Ferroalloy Production	2060-AF29
3211	SAN No. 3569 Federal Implementation Plan To Control Emissions From Two Power Stations Located on Navajo Nation Lands	2060-AF42
3212	SAN No. 3568 Environmental Radiation Protection Standards for Yucca Mountain, Nevada	2060-AG14
3213	SAN No. 3819 NSPS: Sewage Sludge Incinerators	2060-AG50
3214	SAN No. 3820 NESHAP: Plywood and Particleboard Manufacturing	2060-AG52
3215	SAN No. 3970 NESHAP: Miscellaneous Cellulose Production	2060-AH11
3216	SAN No. 3969 NESHAP: Municipal Solid Waste Landfills	2060-AH13
3217	SAN No. 3966 Storage Tank Rule Revisions	2060-AH15
3218	SAN No. 3986 Consolidated Emission Reporting Rule	2060-AH25
3219	SAN No. 3917 Transportation Conformity Rule Amendment: Clarification of Trading Provisions	2060-AH31
3220	SAN No. 3910 Streamlined Evaporative Test Procedures	2060-AH34
3221	SAN No. 4046 Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone	2060-AH53
3222	SAN No. 4022 NESHAP: Coke Ovens: Pushing, Quenching, and Battery Stacks	2060-AH55
3223	SAN No. 4106 Final Rule To Amend the National Emission Standards for Magnetic Tape Manufacturing Operations	2060-AH71
3224	SAN No. 4111 NESHAP: Fumed Silica Production	2060-AH72
3225	SAN No. 4102 NESHAP: Taconite Iron Ore Processing	2060-AH73
3226	SAN No. 4104 National Emission Standards for Hazardous Air Pollutants for the Hydrochloric Acid Production Industry	2060-AH75
3227	SAN No. 4107 NESHAP: Asphalt/Coal Tar Application on Metal Pipes	2060-AH78
3228	SAN No. 4113 NESHAP: Clay Products Manufacturing	2060-AH79
3229	SAN No. 4103 NESHAP: Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Industry (SOCMI) & Other Processes Subject to the Negotiated Regulation for Equipment Leaks	2060-AH81
3230	SAN No. 4114 NESHAP: Polyvinyl Chloride and Copolymers Production	2060-AH82
3231	SAN No. 4098 NESHAP: Uranium Hexafluoride Production	2060-AH83
3232	SAN No. 4119 Performance Specification 16—Specifications and Test Procedures for Predictive Emission Monitoring Systems in Stationary Sources	2060-AH84
3233	SAN No. 4082 NESHAP: Wet-formed Fiberglass Mat Production	2060-AH89
3234	SAN No. 4003 Technical Change to Dose Methodology for 40 CFR 191, Subpart A	2060-AH90
3235	SAN No. 4070 General Conformity Regulations; Revisions	2060-AH93
3236	SAN No. 4077 Protection of Stratospheric Ozone: Reconsideration on the 610 Nonessential Products Ban	2060-AH99
3237	SAN No. 4211 Tier II Light-Duty Vehicle and Light-Duty Truck Emission Standards and Gasoline Sulfur Standards	2060-AI23
3238	SAN No. 1002 NAAQS: Sulfur Dioxide (Review and Implementation)	2060-AA61
3239	SAN No. 3470 Revision of Appendix W to 40 CFR Part 51	2060-AF01
3240	SAN No. 3656 NESHAP/NSPS: Reciprocating Internal Combustion Engine	2060-AG63
3241	SAN No. 4243 Standards and Guidelines for Small Municipal Waste Combustion Units	2060-AI51
3242	SAN No. 3657 NESHAP/NSPS: Combustion Turbine	2060-AG67
3243	SAN No. 3461 NESHAP: Mineral Wool Production Industry	2060-AE08
3244	SAN No. 3343 NESHAP: Iron Foundries and Steel Foundries	2060-AE43
3245	SAN No. 3341 NESHAP: Cyanide Chemicals Manufacturing	2060-AE45
3246	SAN No. 3346 NESHAP: Integrated Iron and Steel	2060-AE48
3247	SAN No. 3123 NESHAP: Wool Fiberglass Manufacturing Industry	2060-AE75
3248	SAN No. 3326 NESHAP: Reinforced Plastic Composites Production	2060-AE79
3249	SAN No. 3452 NESHAP: Miscellaneous Organic Chemical Production and Processes	2060-AE82
3250	SAN No. 3449 NESHAP: Chlorine Production	2060-AE85
3251	SAN No. 3467 NESHAP: Primary Lead Smelters	2060-AE97
3252	SAN No. 3550 NESHAP: Manufacturing of Nutritional Yeast	2060-AF30

EPA

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

Sequence Number	Title	Regulation Identifier Number
3253	SAN No. 3551 Amendments to General Provisions Subparts A and B for 40 CFR 63	2060-AF31
3254	SAN No. 3746 NESHAP: Paint Stripping Operations	2060-AG26
3255	SAN No. 3747 NESHAP: Boat Manufacturing	2060-AG27
3256	SAN No. 3749 NESHAP: Tire Manufacturing	2060-AG29
3257	SAN No. 3754 Petroleum Solvent Dry Cleaners Maximum Achievable Control Technology (MACT) Standard	2060-AG34
3258	SAN No. 3821 NESHAP: Ethylene Processes	2060-AG53
3259	SAN No. 3823 Large Appliance (Surface Coating) NESHAP	2060-AG54
3260	SAN No. 3655 NESHAP: Asphalt Roofing and Processing	2060-AG66
3261	SAN No. 3837 NESHAP: Industrial, Commercial and Institutional Boilers	2060-AG69
3262	SAN No. 3651 NESHAP: Lime Manufacturing	2060-AG72
3263	SAN No. 3899 NESHAP: Friction Products Manufacturing	2060-AG87
3264	SAN No. 3902 NESHAP: Semiconductor Production	2060-AG93
3265	SAN No. 3906 NESHAP: Metal Can (Surface Coating) Industry	2060-AG96
3266	SAN No. 3905 NESHAP: Metal Coil (Surface Coating) Industry	2060-AG97
3267	SAN No. 3909 NESHAP: Fabric Printing, Coating and Dyeing	2060-AG98
3268	SAN No. 3907 Automobile and Light-Duty Truck Manufacturing (Surface Coating) NESHAP	2060-AG99
3269	SAN No. 3924 NESHAP: Primary Magnesium Refining	2060-AH03
3270	SAN No. 2841 NESHAP: Chromium Electroplating Amendment	2060-AH08
3271	SAN No. 3968 NESHAP: Site Remediation	2060-AH12
3272	SAN No. 3967 NESHAP: Spandex Production	2060-AH14
3273	SAN No. 3964 NESHAP: Leather Tanning and Finishing Operations	2060-AH17
3274	SAN No. 3962 NESHAP: Manufacture of Carbon Black	2060-AH19
3275	SAN No. 3903 NESHAP: Vegetable Oil Production	2060-AH22
3276	SAN No. 3972 NESHAP: Rocket Engine Test Firing/Engine Test Facilities	2060-AH35
3277	SAN No. 3973 NESHAP: Flexible Polyurethane Foam Fabrication Operations	2060-AH42
3278	SAN No. 3939 NESHAP: Group I Polymers and Resins and Group IV Polymers and Resins; Amendments	2060-AH47
3279	SAN No. 3479 Amendments to Parts 51, 52, 63, 70 and 71 Regarding the Provisions for Determining Potential To Emit	2060-AI01
3280	SAN No. 4218 NESHAP: Process Heaters	2060-AI35
3281	SAN No. 3613 NSPS: New Source Performance Standards and Emission Guidelines for Industrial and Commercial Waste Incinerators	2060-AF91
3282	SAN No. 3751 NSPS: New Source Performance Standards and Emission Guidelines for Other Solid Waste Incinerators	2060-AG31
3283	SAN No. 4245 Consumer and Commercial Products: Flexible Package Printing Materials: Determination on Control Techniques Guidelines in Lieu of Regulation	2060-AI31
3284	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
3285	SAN No. 3673 Protection of Stratospheric Ozone: Reconsideration of Section 608 Sales Restriction	2060-AG20
3286	SAN No. 3983 Protection of Stratospheric Ozone: Servicing of Motor Vehicle Air Conditioners: Standards for Equipment That Recovers and Recycles Refrigerants Other Than CFC-12 and HFC-134a	2060-AH29
3287	SAN No. 3640 Supplemental Rule To Require Certain Products Made With HCFCs To Bear Warning Label	2060-AF93
3288	SAN No. 4271 Protection of Stratospheric Ozone: Additional Steps to Conform U.S. Methyl Bromide Program to Obligations Under the Montreal Protocol and Recent Changes to the CAA	2060-AI41
3289	SAN No. 3824 Metal Furniture (Surface Coatings) NESHAP	2060-AG55
3290	SAN No. 3825 NESHAP Miscellaneous Metal Parts and Products (Surface Coating)	2060-AG56
3291	SAN No. 3826 Plastic Parts (Surface Coating) NESHAP	2060-AG57
3292	SAN No. 3827 Paper and Other Web Coating NESHAP	2060-AG58
3293	SAN No. 3904 NESHAP: Wood Building Products (Surface Coating)	2060-AH02
3294	SAN No. 3908 Offset Lithographic Printing National VOC Rule	2060-AH00

Clean Air Act (CAA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3295	SAN No. 4115 NESHAP: Chromium Electroplating Amendment	2060-AH69
3296	SAN No. 4159 Redefinition of Glycol Ethers Listed as HAPs Under the Clean Air Act, and Hazardous Substances Under CERCLA	2060-AI08

EPA

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

Sequence Number	Title	Regulation Identifier Number
3297	SAN No. 4242 Acid Rain Program Permits Regulations and SO2 Allowance System: Compliance Determination	2060-AI27
3298	SAN No. 4267 Compliance Baseline Modification NPRM	2060-AI29
3299	SAN No. 4222 NESHAP: Ethylene Oxide Commercial Sterilization and Fumigation Operations	2060-AI37
3300	SAN No. 3626 Protection of Stratospheric Ozone: Amendment to Transshipment Provision in Final Rule Accelerating the Phaseout of Ozone-Depleting Substances	2060-AI46
3301	SAN No. 4256 Revisions to Reference Method for the Determination of Fine Particulate Matter as PM2.5 in the Atmosphere	2060-AI48
3302	SAN No. 4066 Federal Plan Requirements for Municipal Solid Waste Landfills that Commenced Construction Prior to 5/30/91 and Have Not Been Modified or Reconstructed Since 5/30/91	2060-AI50
3303	SAN No. 3259 New Source Review (NSR) Reform	2060-AE11
3304	SAN No. 3549 NESHAP: Petroleum Refineries—FCC Units, Reformers and Sulfur Plants	2060-AF28
3305	SAN No. 3412 Operating Permits: Revisions (Part 70)	2060-AF70
3306	SAN No. 2915 Methods for Measurement of Visible Emissions—Addition of Methods 203A, 203B, and 203C to Appendix M of Part 51	2060-AF83
3307	SAN No. 3741 Service Information Availability	2060-AG13
3308	SAN No. 3743 Amendments to Part 60, Part 61, and Part 63 and Addition of Method 14A to Part 60	2060-AG21
3309	SAN No. 3744 Amendment to Standards of Performance for New Stationary Sources; Monitoring Requirements (PS-1)	2060-AG22
3310	SAN No. 3748 Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry	2060-AG28
3311	SAN No. 3808 Acid Rain Program: Continuous Emission Monitoring (CEM) Rule Revisions	2060-AG46
3312	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
3313	SAN No. 3868 Federal Operating Permits Program in Indian Country	2060-AG90
3314	SAN No. 3913 Revision to the Light-Duty Vehicle Emission Compliance Procedure (CAP 2000)	2060-AH05
3315	SAN No. 3958 Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)	2060-AH23
3316	SAN No. 4030 Expanded Definitions for Alternative-Fueled Vehicles and Engines Meeting Low-Emission Vehicle Exhaust Emission Standards	2060-AH52
3317	SAN No. 4123 National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production; Amendments to the Promulgated Rule	2060-AH74
3318	SAN No. 4096 Federal Implementation Plans (FIPs) To Reduce the Regional Transport of Ozone in the Eastern United States	2060-AH87
3319	SAN No. 4095 Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport	2060-AH88
3320	SAN No. 4073 Air Quality Index Reporting	2060-AH92
3321	SAN No. 4125 Electric Arc Furnace NSPS Amendment	2060-AH95
3322	SAN No. 4130 Acid Rain Program: Proposed Revision of Test Method 1, 2, and 2F for Measuring Volumetric Flow in Stacks	2060-AH97
3323	SAN No. 4165 Optional Certification Streamlining Procedures for LDVs, LDTs, and HDEs	2060-AI15
3324	SAN No. 4078 Control of Emissions of Air Pollution From New Marine Diesel Engines At or Above 37 Kilowatts	2060-AI17
3325	SAN No. 4206 Protection of Stratospheric Ozone: Incorporation of Montreal Protocol Adjustment for a 1999 Interim Reduction in Class I, Group VI Controlled Substances	2060-AI24
3326	SAN No. 3638 Revision of EPA's Radiological Emergency Response Plan	2060-AI49
3327	SAN No. 3105 Amendments—Integrated NESHAP and Effluent Guidelines: Pulp and Paper	2060-AD03
3328	SAN No. 3229 NESHAP: Oil and Natural Gas Production and Natural Gas Transmission and Storage	2060-AE34
3329	SAN No. 3228 NESHAP for the Manufacturing of Amino and Phenolic Resins (Polymers and Resins Group III)	2060-AE36
3330	SAN No. 3303 NESHAP: Phosphoric Acid Manufacturing	2060-AE40
3331	SAN No. 3345 NESHAP: Steel Pickling, HC1 Process	2060-AE41
3332	SAN No. 3304 NESHAP: Phosphate Fertilizers Production	2060-AE44
3333	SAN No. 3340 NESHAP: Primary Copper Smelting	2060-AE46
3334	SAN No. 3078 NESHAP: Secondary Aluminum Industry	2060-AE77
3335	SAN No. 3079 NESHAP: Portland Cement Manufacturing	2060-AE78
3336	SAN No. 3408 NESHAP: Polyether Polyols Production	2060-AE81
3337	SAN No. 3450 NESHAP: Pesticide Active Ingredient Production (Production of Agricultural Chemicals)	2060-AE84
3338	SAN No. 3378 NESHAP: Acrylic/Modacrylic Fibers Manufacturing	2060-AF06
3339	SAN No. 3465 NESHAP: Polycarbonates Production	2060-AF09
3340	SAN No. 3377 NESHAP: Publicly Owned Treatment Works (POTW)	2060-AF26
3341	SAN No. 3829 Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities 112(l)	2060-AG60

EPA

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

Sequence Number	Title	Regulation Identifier Number
3342	SAN No. 3901 Generic MACT for Source Categories (Acrylic Modacrylic Fibers, Polycarbonates, Hydrogen Fluoride, and Acetal Resins)	2060-AG91
3343	SAN No. 3654 NESHAP: Hydrogen Fluoride Production	2060-AG94
3344	SAN No. 3959 National Strategy for Urban Area Sources of Toxic Air Emissions	2060-AH21
3345	SAN No. 4162 NESHAP: Oil and Natural Gas Production and NESHAP: Natural Gas Transmission and Storage, Amendments to Proposed Rule	2060-AI13
3346	SAN No. 3610 Transportation Conformity Rule Amendment and Solicitation for Participation in the Pilot Program	2060-AG79
3347	SAN No. 3828 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
3348	SAN No. 2665 Importation of Nonconforming Vehicles; Amendments to Regulations	2060-AI03
3349	SAN No. 3361 Nonroad Spark-Ignition Engines At or Below 19 Kilowatts (25 Horsepower) (Phase 2)	2060-AE29
3350	SAN No. 3556 Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608	2060-AF36
3351	SAN No. 3560 Protection of Stratospheric Ozone: Refrigerant Recycling Rule Amendment To Include Substitute Refrigerants	2060-AF37
3352	SAN No. 4108 NESHAP: Off-Site Waste and Recovery Operations; Final Rule—Settlement Agreement; and NESHAP for Off-Site Waste and Recovery Operations; Technical Amendments	2060-AH96

Clean Air Act (CAA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3353	SAN No. 4154 Control of Emissions From Nonroad Spark-Ignition Engines Rated Over 19 kW and New Land-Based Recreational Spark-Ignition Engines	2060-AI11
3354	SAN No. 4244 Amendment to Regulations Governing Equivalent Emission Limitations by Permit	2060-AI28
3355	SAN No. 4266 Review National Ambient Air Quality Standards for Carbon Monoxide	2060-AI43
3356	SAN No. 4255 Review of the National Ambient Air Quality Standards for Particulate Matter	2060-AI44
3357	SAN No. 3380 NSPS: Synthetic Organic Chemicals Manufacturing Industry— Wastewater	2060-AE94
3358	SAN No. 3649 Amendments to Method 24 (Water-Based Coatings)	2060-AF72
3359	SAN No. 3637 Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2060-AF84
3360	SAN No. 3922 Revised Permit Revision Procedures for the Federal Operating Permits Program	2060-AG92
3361	SAN No. 3975 Review of Minor New Sources and Modifications in Indian Country	2060-AH37
3362	SAN No. 4045 Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations	2060-AH58
3363	SAN No. 4112 NESHAP: Hydrogen Chloride Production	2060-AH80
3364	SAN No. 3652 NESHAP: Refractories Manufacturing	2060-AG68
3365	SAN No. 3971 NESHAP: Organic Liquid Distribution	2060-AH41
3366	SAN No. 4240 NESHAP: Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite and Stand Alone Semichemical Pulp Mills	2060-AI34
3367	SAN No. 2937 Field Citation Program	2020-AA32
3368	SAN No. 3919 Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for Non-Federal Class I Areas	2060-AH01
3369	SAN No. 3139 Location of Selective Enforcement Audits of Foreign Manufactured Vehicles and Engines; Amendment	2060-AD90

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3370	SAN No. 4213 Protection of Stratospheric Ozone: Allocation of 1999 Essential Use Allowances	2060-AI26
3371	SAN No. 3516 Comprehensive Radiation Waste Management Regulation	2060-AF41
3372	SAN No. 3573 Acid Rain Program: Deletion of Certain Units	2060-AF46
3373	SAN No. 3643 Sales Volume Limit Provisions for Small-Volume Manufacture Certification for Clean Fuel and Conventional Vehicle Conversions and Related Provisions	2060-AF87

EPA

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

Sequence Number	Title	Regulation Identifier Number
3374	SAN No. 3750 Amendments to Residential Wood Heaters	2060-AG30
3375	SAN No. 3835 Amendment to the User Fees for Radon Proficiency Programs Rule	2060-AG64
3376	SAN No. 3898 1998 Revision of Acid Rain Allowance Allocations	2060-AG86
3377	SAN No. 3945 Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group (OTAG) Region for Purposes of Reducing Regional Transport of Ozone	2060-AH10
3378	SAN No. 3977 Revisions to Clarify the Permit Content Requirements for State Operating Permits	2060-AH46
3379	SAN No. 4052 Revisions to the Permits and Sulfur Dioxide Allowance System Regulations Under Title IV of the Clean Air Act: Allowance Transfer	2060-AH60
3380	SAN No. 4067 Acid Rain Program: Determination on Section 75.7 (EPA Study of Bias Test) and Section 75.8 (Relative Accuracy and Availability Analysis)	2060-AH64
3381	SAN No. 4126 NESHAP: Wood Furniture Manufacturing Operations, Amendments	2060-AH66
3382	SAN No. 4116 NESHAP: Ammonium Sulphate Production (Caprolactam By-Product)	2060-AH77
3383	SAN No. 4076 Supplemental Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone	2060-AH91
3384	SAN No. 3893 Review of Operating Permits Issued by Indian Tribes	2060-AH98
3385	SAN No. 3951 Control of Emissions From New Nonroad Spark-Ignition Engines At or Below 19 Kilowatts, Minor Amendments to the Phase I Emission Standards	2060-AI02
3386	SAN No. 4129 Notice of Promulgated Compliance Extension: Halogenated Solvent	2060-AI04
3387	SAN No. 4136 Standards of Performance for New Stationary Sources; New Residential Wood Heaters (Completed Regulatory Flexibility Act Review)	2060-AI05
3388	SAN No. 3740 Transportation Conformity Rule Amendments: Flexibility and Streamlining	2060-AI16
3389	SAN No. 3338 NESHAP: Flexible Polyurethane Foam Production	2060-AE86
3390	SAN No. 2547 NESHAP: Radon Emissions From Phosphogypsum Stacks	2060-AF04
3391	SAN No. 3836 NESHAP: Aerospace Technical Amendments	2060-AG65
3392	SAN No. 3872 Industrial Combustion Coordinated Rulemaking—ICCR Project	2060-AG84
3393	SAN No. 3604 Standards for Reformulated and Conventional Gasoline, Individual Baseline Fuel Adjustments	2060-AG80
3394	SAN No. 3281 National VOC Emission Standards for Automobile Refinish Coatings	2060-AE35
3395	SAN No. 3351 VOC Regulation for Architectural Coatings	2060-AE55
3396	SAN No. 3658 National VOC Emission Standards for Consumer Products	2060-AF62
3397	SAN No. 3645 Control of Emissions of Air Pollution From Highway Heavy-Duty Engines and Diesel Engines	2060-AF76
3398	SAN No. 3091 Specification of Substantially Similar Definition for Diesel Fuels	2060-AD77
3399	SAN No. 3843 Revision to the Covered Areas Provision for Reformulated Gasoline	2060-AG77
3400	SAN No. 3842 Applicability of On-Highway Heavy-Duty Certified Engines for Use in Nonroad Heavy-Duty Vehicles and Equipment; Amendment	2060-AG78
3401	SAN No. 3352 NSPS: Nitrogen Oxide Emissions From Fossil-Fuel Fired Steam Generating Units—Revision	2060-AE56
3402	SAN No. 3792 Technical Amendments to Hazardous Waste TSDF & Hazardous Waste Generators: Organic Air Emission Standards for Tanks, Surface Impoundments & Containers	2060-AG44

Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3403	SAN No. 4054 Radiation Waste Management Regulation	2060-AH63

Atomic Energy Act (AEA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3404	SAN No. 3602 Protective Action Guidance for Drinking Water	2060-AF39

EPA

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

Sequence Number	Title	Regulation Identifier Number
3405	SAN No. 4170 Pesticides; Procedures for Registration Review Program	2070-AD29

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

Sequence Number	Title	Regulation Identifier Number
3406	SAN No. 3892 Registration Requirements for Antimicrobial Pesticide Products; and Other Pesticide Regulatory Changes	2070-AD14
3407	SAN No. 4027 Pesticides; Tolerance Processing Fees	2070-AD23
3408	SAN No. 4175 Pesticide Tolerance Reassessment Program	2070-AD24
3409	SAN No. 4143 Endocrine Disruptor Screening Program	2070-AD26
3410	SAN No. 4216 Regulatory Review of Pesticide Emergency Exemption Regulations	2070-AD36
3411	SAN No. 4260 Status of Pesticide-Treated Seeds under FIFRA	2070-AD37
3412	SAN No. 3890 Tolerances for Pesticide Emergency Exemptions	2070-AD15
3413	SAN No. 2687 Data Requirements for Pesticide Registration (Revision)	2070-AC12
3414	SAN No. 4173 Data Requirements for Antimicrobial Registrations	2070-AD30
3415	SAN No. 2659 Pesticide Management and Disposal: Standards for Pesticide Containers and Containment	2070-AB95

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

Sequence Number	Title	Regulation Identifier Number
3416	SAN No. 3731 WPS; Pesticide Worker Protection Standard; Glove Amendment	2070-AC93
3417	SAN No. 2684 Plant Pesticide Regulations Under FIFRA and FFDCA	2070-AC02
3418	SAN No. 3222 Ground Water and Pesticide Management Plan	2070-AC46
3419	SAN No. 3432 Pesticide Management and Disposal	2020-AA33

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

Sequence Number	Title	Regulation Identifier Number
3420	SAN No. 4026 Exemption of Certain Pesticide Substances From FIFRA Requirements	2070-AD21
3421	SAN No. 2720 Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration	2020-AA29

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

Sequence Number	Title	Regulation Identifier Number
3422	SAN No. 3735 The 10-Acre Limitation for Pesticide Small-Scale Field Testing	2070-AC99
3423	SAN No. 1640 WPS; Pesticide Worker Protection Standards; Pesticide Hazard Communication	2070-AC34

Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3424	SAN No. 4176 Chemical Right-to-Know Initiative	2070-AD25
3425	SAN No. 4174 TSCA Section 4 Enforceable Consent Agreement for Certain Oxygenated Fuel Additives	2070-AD28
3426	SAN No. 4015 TRI; Review of Chemicals on the Original TRI List	2070-AD18

EPA

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

Sequence Number	Title	Regulation Identifier Number
3427	SAN No. 3301 TSCA Inventory Update Rule Amendments	2070-AC61
3428	SAN No. 3244 Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule—Building and Structures	2070-AC64
3429	SAN No. 3243 Lead; Over of Rulemakings Under TSCA Section 402, Lead-Based Paint Activities for the Regulatory Plan	2070-AD06
3430	SAN No. 3990 Multi-Chemical Test Rule; High Production Volume Chemicals	2070-AD16
3431	SAN No. 3494 Test Rules; Generic Entry for Proposed Decisions	2070-AB07
3432	SAN No. 2245 Test Rules; Negotiated Consent Order and Test Rule Procedures	2070-AB30
3433	SAN No. 2563 Test Rule; ATSDR Substances	2070-AB79
3434	SAN No. 2865 Children's Health Test Rule	2070-AC27
3435	SAN No. 3882 Test Rule for Certain Metals	2070-AD10
3436	SAN No. 1923 Follow-Up Rules on Existing Chemicals	2070-AA58
3437	SAN No. 3894 TSCA Biotechnology Follow-Up Rules	2070-AD13
3438	SAN No. 3148 Asbestos Model Accreditation Plan Revisions	2070-AC51
3439	SAN No. 3047 Asbestos; Amendments to the Asbestos-Containing Materials in Schools Rule	2070-AC62
3440	SAN No. 2249 Asbestos Worker Protection Rule Amendments	2070-AC66
3441	SAN No. 4179 PCBs; Polychlorinated Biphenyl; Use Authorizations	2070-AD27
3442	SAN No. 3557 Lead-Based Paint Activities; Training and Certification for Renovation and Remodeling	2070-AC83
3443	SAN No. 4172 Lead-Based Paint; Notification of Commencement of Abatement Activities	2070-AD31

Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3444	SAN No. 3508 Lead; Management and Disposal of Lead-Based Paint Debris	2070-AC72
3445	SAN No. 3480 Guidance on Environmentally Preferable Purchasing for Federal Agencies	2070-AC78
3446	SAN No. 3493 Test Rules; Generic Entry for Final Decisions	2070-AB94
3447	SAN No. 3487 Test Rule; Hazardous Air Pollutants (HAPs)	2070-AC76
3448	SAN No. 1976 Follow-Up Rules on Non-5(e) New Chemical Substances	2070-AA59
3449	SAN No. 3495 Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders	2070-AB27
3450	SAN No. 2150 PCBs; Polychlorinated Biphenyls; Exemptions From the Prohibitions Against Manufacturing, Processing, and Distribution in Commerce	2070-AB20
3451	SAN No. 3528 Refractory Ceramic Fibers; Significant New Use Rules on National Program Chemicals	2070-AC37
3452	SAN No. 3021 PCBs; Polychlorinated Biphenyls (PCBs) Transformer Reclassification Rule	2070-AC39
3453	SAN No. 2178 TSCA Section 8(a) Preliminary Assessment Information Rules	2070-AB08
3454	SAN No. 1139 TSCA Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
3455	SAN No. 2779 Use of Acrylamide for Grouting	2070-AC17
3456	SAN No. 3118 TSCA Section 8(e) Policy; Notice of Clarification	2070-AC80
3457	SAN No. 3559 Notice of TSCA Section 4 Reimbursement Period and TSCA Section 12(b) Export Notification Period Sunset Dates for TSCA Section 4 Substances	2070-AC84
3458	SAN No. 3881 Lead-Based Paint; Fees for Accreditation and Certification Activities	2070-AD11

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

Sequence Number	Title	Regulation Identifier Number
3459	SAN No. 3243 Lead; TSCA Section 403; Identification of Dangerous Levels of Lead	2070-AC63
3460	SAN No. 3252 Lead; Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use	2070-AC21

EPA

Emergency Planning and Community Right-to-Know Act (EPCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3461	SAN No. 4023 TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory	2070-AD19

Emergency Planning and Community Right-to-Know Act (EPCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3462	SAN No. 2425 TRI; Responses to Petitions Received To Add or Delete or Modify Chemical Listings on the Toxic Release Inventory	2070-AC00
3463	SAN No. 2847 TRI; Pollution Prevention Act Information Requirements	2070-AC24
3464	SAN No. 4259 TRI; Lowering of EPCRA Section 313 Reporting Thresholds for Lead and Lead Compounds	2070-AD38
3465	SAN No. 4265 TRI; Revisions to the Otherwise Use Activity Exemptions and the Coal Extraction Activities Exemption	2070-AD39
3466	SAN No. 3007 TRI; Chemical Expansion; Finalization of Deferred Chemicals	2070-AC47

Emergency Planning and Community Right-to-Know Act (EPCRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3467	SAN No. 3880 TRI; Reporting Threshold Amendment for Certain Persistent and Bioaccumulative Toxic Chemicals (PBTs)	2070-AD09

Emergency Planning and Community Right-to-Know Act (EPCRA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3468	SAN No. 3215 Emergency Planning and Community Right-to-Know Act: Amendments and Streamlining Rule	2050-AE17
3469	SAN No. 3994 Response to a Petition Requesting Deletion of Phosmet from the Extremely Hazardous Substances (EHSs) List	2050-AE42
3470	SAN No. 3993 Modification of Threshold Planning Quantity for Isophorone Diisocyanate	2050-AE43
3471	SAN No. 3877 TRI; Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know	2070-AD08

Emergency Planning and Community Right-to-Know Act (EPCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3472	SAN No. 4163 Emergency Planning and Community Right-to-Know Programs; Amendments to Hazardous Chemical Reporting Thresholds for Gasoline and Diesel Fuel at Retail Gas Stations	2050-AE58
3473	SAN No. 4029 Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment	2050-AE46

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3474	SAN No. 4017 Hazardous Waste Storage and Disposal Regulation Related to Low Level Mixed Waste; Proposed Modifications	2050-AE45
3475	SAN No. 4093 Reinventing the Land Disposal Restrictions Program	2050-AE53
3476	SAN No. 4094 Land Disposal Restrictions; Potential Revisions for Mercury Listed and Characteristic Wastes	2050-AE54

EPA

Resource Conservation and Recovery Act (RCRA)—Prerule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3477	SAN No. 3886 Review of Toxicity Characteristic Level for Silver Under the Resource Conservation Recovery Act (RCRA)	2050-AE37
3478	SAN No. 4084 RCRA Reporting and Recordkeeping Burden Reduction; Notice of Data Availability	2050-AE50
3479	SAN No. 4090 RCRA Appendix VIII Streamlining	2050-AE55
3480	SAN No. 3201 Regulatory Determination on Remaining Wastes From the Combustion of Fossil Fuels	2050-AD91

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

Sequence Number	Title	Regulation Identifier Number
3481	SAN No. 4091 Modifications to RCRA Rules Associated With Solvent-Contaminated Shop Towels and Wipers	2050-AE51
3482	SAN No. 4092 Glass-to-Glass Recycling of Cathode Ray Tubes (CRTs): Changes to Hazardous Waste Regulations	2050-AE52
3483	SAN No. 4233 Land Disposal Restrictions; Treatment Standards for Spent Potliners from Primary Aluminum Reduction (K088)	2050-AE65
3484	SAN No. 4229 Revisions to Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste	2050-AE66
3485	SAN No. 4230 Revisions to Solid Waste Landfill Criteria—Leachate Recirculation	2050-AE67
3486	SAN No. 3805 Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste	2050-AE32
3487	SAN No. 3888 Mercury-Containing and Rechargeable Battery Management Act; Codification of Waste Management Provisions	2050-AE39
3488	SAN No. 3989 Removal of Requirement To Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)	2050-AE41
3489	SAN No. 4028 Standardized Permit for RCRA Hazardous Waste Management Facilities	2050-AE44
3490	SAN No. 4208 Proposed Regulatory Amendments on Recycling of Hazardous Wastes in Fertilizers	2050-AE69
3491	SAN No. 3151 Chlorinated Aliphatics Listing Determination	2050-AD85
3492	SAN No. 3328 Hazardous Waste Identification Rule (HWIR): Identification and Listing of Hazardous Wastes	2050-AE07
3493	SAN No. 3066 Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments	2050-AD80
3494	SAN No. 3147 Hazardous Waste Manifest Regulation	2050-AE21
3495	SAN No. 2647 RCRA Subtitle C Financial Test Criteria (Revision)	2050-AC71
3496	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
3497	SAN No. 4088 Recycled Used Oil Containing PCBs	2050-AE47
3498	SAN No. 4178 180-Day Accumulation Time Under RCRA for Generators of F006 Waste Water Treatment Sludges from the Metal Finishing Industry	2050-AE60
3499	SAN No. 3189 Final Determination of the Applicability of the Toxicity Characteristic Rule to Underground Storage Tanks, Contaminated Media, and Debris	2050-AD69
3500	SAN No. 3237 Hazardous Waste Management System; Modification of the Hazardous Waste Program; Hazardous Waste Lamps	2050-AD93
3501	SAN No. 3333 Revised Standards for Hazardous Waste Combustion Facilities	2050-AE01
3502	SAN No. 3545 Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials	2050-AE23

EPA

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

Sequence Number	Title	Regulation Identifier Number
3503	SAN No. 4263 Suspension of Temporary Toxicity Characteristic Rule for Specific Lead-Based Paint Debris	2050-AE68
3504	SAN No. 3428 Hazardous Waste Management System: Slag Residues Derived From High Temperature Metals Recovery (HTMR) Treatment of KO61, KO62 and F0006 Wastes	2050-AE15
3505	SAN No. 3668 Hazardous Waste Identification; Recycled Used Oil Management Standards	2050-AE28
3506	SAN No. 4083 Identification and Listing of Hazardous Waste; Inorganic Chemical Industry Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities	2050-AE49

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3507	SAN No. 4158 Interim Emergency Rule Revising Land Disposal Restriction Treatment Standards for Aluminum Potliners—K088 Waste	2050-AE59
3508	SAN No. 2872 Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General	2050-AD18
3509	SAN No. 3042 Hazardous Waste Management System: Post-Closure Requirements	2050-AD55
3510	SAN No. 3134 Spent Solvents Listing Determination	2050-AD84
3511	SAN No. 2982 Hazardous Remediation Waste Management Requirements (Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media)	2050-AE22
3512	SAN No. 4228 Landfill Leachate and Petroleum Waste Listings	2050-AE61
3513	SAN No. 2390 Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities	2050-AB80
3514	SAN No. 2751 RCRA Subtitle D Solid Waste Facilities; State Permit Program— Determination of Adequacy (State Implementation Rule)	2050-AD03

Oil Pollution Act (OPA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3515	SAN No. 2634 Oil Pollution Prevention Regulation: Revisions	2050-AC62

Comprehensive Environmental Response, Compensation and Liability Act—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3516	SAN No. 4201 Criteria for the Designation of Hazardous Substances under CERCLA Section 102(a)	2050-AE63
3517	SAN No. 4217 Facility Response Plan Regulation for Certain Non-Transportation-Related Facilities that Handle, Store, or Transport Vegetable Oils and Animal Fats	2050-AE64

Comprehensive Environmental Response, Compensation and Liability Act—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3518	SAN No. 3885 Streamlining the Preauthorization Mixed Funding for Application and Implementation of Claims Against Superfund	2050-AE38
3519	SAN No. 3806 Grants for Technical Assistance Rule Reform—40 CFR Part 35 Subpart M	2050-AE33
3520	SAN No. 3423 Reportable Quantity Adjustments for Carbamates	2050-AE12
3521	SAN No. 3439 National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules	2050-AD75

EPA

Comprehensive Environmental Response, Compensation and Liability Act—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3522	SAN No. 4177 Cooperative Agreements and Superfund State Contracts for Superfund Response Actions; Revision of 40 CFR Part 35 Subpart O	2050-AE62
3523	SAN No. 2394 Reporting Exemptions for Federally Permitted Releases of Hazardous Substances	2050-AB82

Comprehensive Environmental Response, Compensation and Liability Act—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3524	SAN No. 4075 Revocation of Caprolactam's Designation as a Hazardous Substance Under CERCLA	2050-AE48

Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3525	SAN No. 4133 Effluent Guidelines and Standards for the Ore Mining and Dressing Point Source Category, Gold Placer Mine Subcategory **(Section 610 Review)**	2040-AD13

Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3526	SAN No. 4153 Effluent Guidelines and Standards for the Feedlots Point Source Category, Swine and Poultry Subcategories, and NPDES Regulation for Concentrated Animal Feeding Operations	2040-AD19
3527	SAN No. 4145 Total Maximum Daily Load (TMDL) Program Regulations Revisions	2040-AD22
3528	SAN No. 4168 Revisions to Effluent Guidelines and Standards for the Coal Mining Point Source Category	2040-AD24
3529	SAN No. 3662 Water Quality Standards Regulation—Revision	2040-AC56
3530	SAN No. 4235 Amendments to the Final Water Quality Guidance for the Great Lakes System to Reinstate the Mixing Zone Elimination and Phase-Out Provision	2040-AD32
3531	SAN No. 4234 EPA Review and Approval of State and Tribal Water Quality Standards	2040-AD33
3532	SAN No. 4264 Water Quality Standards for Alabama—Phase II	2040-AD35
3533	SAN No. 4047 Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts	2040-AD08
3534	SAN No. 4214 Test Procedures for the Analysis of E. Coli and Enterococci Under the Clean Water Act	2040-AD34
3535	SAN No. 3444 Minimizing Adverse Environmental Impact from Cooling Water Intake Structures Under Section 316(b) of the Clean Water Act	2040-AC34
3536	SAN No. 3663 Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution	2040-AC58
3537	SAN No. 3999 Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges	2040-AD02
3538	SAN No. 4051 Establishment of Electronic Reporting for NPDES Permittees	2040-AD11
3539	SAN No. 2804 Clean Water Act Definition of the Waters of the United States	2040-AB74
3540	SAN No. 3488 Standards for the Use or Disposal of Sewage Sludge (Round II)	2040-AC25

Clean Water Act (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3541	SAN No. 2805 Effluent Guidelines and Standards for the Centralized Waste Treatment Industry	2040-AB78
3542	SAN No. 3209 Effluent Guidelines and Standards for the Industrial Laundries Point Source Category	2040-AB97
3543	SAN No. 3489 Effluent Guidelines and Standards for Landfills	2040-AC23
3544	SAN No. 3767 Reformatting of Effluent Guidelines and Standards in 40 CFR Parts 401 through 471	2040-AC79
3545	SAN No. 4041 Effluent Guidelines and Standards for Industrial Waste Combustors	2040-AD03

EPA

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

Sequence Number	Title	Regulation Identifier Number
3546	SAN No. 4039 Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category; Incentives Amendment	2040-AD05
3547	SAN No. 4192 Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category; Monitoring Amendment	2040-AD23
3548	SAN No. 3504 Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California	2040-AC44
3549	SAN No. 4195 Water Quality Standards for Alabama—Phase I	2040-AD25
3550	SAN No. 4193 Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance—Revision of Polychlorinated Biphenyls (PCBs) Criteria	2040-AD27
3551	SAN No. 3617 Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC63
3552	SAN No. 3701 Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act	2040-AC76
3553	SAN No. 3713 Performance Based Measurement System (PBMS) Procedures and Guidance for Clean Water Act Test Procedures	2040-AC93
3554	SAN No. 3155 Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act, Phase One	2040-AC95
3555	SAN No. 4048 Test Procedures for the Analysis of Mercury Under the Clean Water Act	2040-AD07
3556	SAN No. 3925 Uniform National Discharge Standards for Armed Forces Vessels—Phase I	2040-AC96
3557	SAN No. 2501 NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal	2040-AB39
3558	SAN No. 3762 NPDES Streamlining Rule—Round II	2040-AC70
3559	SAN No. 3785 NPDES Comprehensive Storm Water Phase II Regulations	2040-AC82
3560	SAN No. 3288 Comparison of Dredged Material to Reference Sediment	2040-AC14
3561	SAN No. 3497 Amendments to Round I Final Sewage Sludge Use or Disposal Rule—Phase One	2040-AC29

Clean Water Act (CWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3562	SAN No. 2806 Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases 1 and 2	2040-AB79
3563	SAN No. 3204 Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category	2040-AB98
3564	SAN No. 3833 Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category	2040-AC90
3565	SAN No. 4050 Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II	2040-AD10
3566	SAN No. 4086 Revisions to Effluent Guidelines and Standards for Synthetic-Based Drilling Fluids in the Oil and Gas Extraction Point Source Category	2040-AD14
3567	SAN No. 4167 Effluent Limitations Guidelines and Standards for the Feedlots Point Source Category, Dairy and Beef Cattle Subcategories	2040-AD21
3568	SAN No. 3661 Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance	2040-AC55
3569	SAN No. 3921 Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System	2040-AC97
3570	SAN No. 3618 Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC54
3571	SAN No. 3702 Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	2040-AC75
3572	SAN No. 3714 Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring	2040-AC92
3573	SAN No. 4049 Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act	2040-AD09
3574	SAN No. 4089 Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act, Phase Two	2040-AD12
3575	SAN No. 3234 Revision of NPDES Industrial Permit Application Requirements and Form 2C—Wastewater Discharge Information	2040-AC26
3576	SAN No. 3786 NPDES Streamlining Rule—Round III	2040-AC84
3577	SAN No. 4207 Amendments to Round I Final Sewage Sludge Use or Disposal Rule —Phase Two	2040-AC53
3578	SAN No. 3804 Streamlining 301(h) Waiver Renewal Requirements	2040-AC89

EPA

Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3579	SAN No. 4212 Use of Screening Procedures for Compliance Monitoring of Drinking Water Contaminants	2040-AD31
3580	SAN No. 2281 National Primary Drinking Water Regulations: Radon	2040-AA94
3581	SAN No. 2340 National Primary Drinking Water Regulations: Ground Water Rule	2040-AA97
3582	SAN No. 2807 National Primary Drinking Water Regulations: Arsenic	2040-AB75
3583	SAN No. 4146 Filter Backwash Recycling Regulation	2040-AD17
3584	SAN No. 4147 Long Term 1 Enhanced Surface Water Treatment Rule	2040-AD18
3585	SAN No. 4009 Public Water System Public Notification Regulation	2040-AD06
3586	SAN No. 4131 Drinking Water Unregulated Contaminant Monitoring Program	2040-AD15

Safe Drinking Water Act (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3587	SAN No. 4044 National Primary and Secondary Drinking Water Regulations: Analytical Methods for Certain Pesticides and Microbial Contaminants	2040-AD04
3588	SAN No. 4257 National Primary and Secondary Drinking Water Regulations: Analytic Methods for Organic, Inorganic and Microbiological Contaminants and Pesticides	2040-AD29
3589	SAN No. 4221 National Primary Drinking Water Regulations: Analytical Methods for Microbial, Lead and Magnesium	2040-AD30
3590	SAN No. 3440 National Primary Drinking Water Regulations for Lead and Copper	2040-AC27
3591	SAN No. 3563 Reformatting of Drinking Water Regulations	2040-AC41
3592	SAN No. 3992 National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters	2040-AC98
3593	SAN No. 2778 Revisions to the Underground Injection Control Regulations for Class V Injection Wells	2040-AB83
3594	SAN No. 4152 Drinking Water State Revolving Fund Regulations	2040-AD20

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

Sequence Number	Title	Regulation Identifier Number
3595	SAN No. 3176 National Primary Drinking Water Regulations: Sulfate	2040-AC07
3596	SAN No. 3238 National Primary Drinking Water Standards for Aldicarb	2040-AC13
3597	SAN No. 3761 Streamlining Drinking Water Monitoring Requirements	2040-AC73

Safe Drinking Water Act (SDWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3598	SAN No. 2772 National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection By-Products Rule	2040-AB82
3599	SAN No. 2304 National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule	2040-AC91

Marine Protection Research and Sanctuary Act (MPRSA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3600	SAN No. 2737 Revisions to Ocean Dumping Regulations for Dredged Material	2040-AB62

EPA

Shore Protection Act (SPA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3601	SAN No. 2820 Shore Protection Act, Section 4103(b) Regulations	2040-AB85

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

General

3166. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES IN PROCUREMENT UNDER ASSISTANCE AGREEMENTS

Priority: Other Significant

Legal Authority: PL 101-507; PL 102-389; PL 101-549 sec 1001; 42 USC 9605(f); PL 100-590; EO 12432; EO 12138; EO 11625

CFR Citation: 40 CFR 33

Legal Deadline: None

Abstract: The regulation will codify revisions to the Agency's program for the utilization of Small, Minority and Women's Business Enterprises in procurements under assistance agreements (i.e., grants and cooperative agreements awarded by EPA as well as grants and cooperative agreements awarded by other agencies under interagency agreements with EPA). The revisions are necessary to ensure consistency with the Supreme Court's decision in Adarand Constructors, Inc. v. Pena, 115 S.Ct. 2097 (1995), and were identified as part of the Administration's recent review of affirmative action programs. They include: 1) placing greater emphasis on requiring assistance agreement recipients to submit documentation supporting proposed fair share procurement objectives for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) based on the availability of qualified MBEs and WBEs in the relevant geographic market; 2) authorizing or requiring recipients and their prime contractors to take reasonable race/gender-conscious measures (e.g. bidding credits) in the event that race/gender-neutral efforts prove inadequate to meet fair share objectives; and 3) administering statutory MBE/WBE objectives as a national goal, allowing smaller or larger fair share objectives for particular grants or cooperative agreements based on the availability standard.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4056

Agency Contact: Mark Gordon, Environmental Protection Agency, Office of Small and Disadvantaged Business Utilization, 1230, Washington, DC 20460
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RIN: 2020–AA39

3167. REWRITING OF EPA REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552

CFR Citation: 40 CFR 2

Legal Deadline: None

Abstract: This document sets forth proposed revisions to the Agency's regulations under the Freedom of Information Act (FOIA). The FOIA regulations have been streamlined and condensed, in accordance with the principles of the National Performance Review, with more user-friendly language wherever possible. These revisions also reflect the principles established by President Clinton and Attorney General Reno in their FOIA Policy Memoranda of October 4, 1993. Additionally, the regulations have been updated to reflect developments in the case law and to include updated cost figures to be used in calculating and charging fees. These proposed revisions also contain new provisions implementing the Electronic Freedom of Information Act Amendments of 1996. These revisions will simplify and expedite responses to FOIA requests.

Timetable:

Action	Date	FR Cite
NPRM	01/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: SAN No. 4180

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RIN: 2020–AA40

3168. ● CROSS-MEDIA ELECTRONIC REPORTING (ER) AND RECORDKEEPING 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: PL 105-277; PL 104-13

CFR Citation: None

Legal Deadline: None

Abstract: The Cross-Media Electronic Reporting (ER) and Recordkeeping Rule will provide a uniform legal framework for paperless ER, including electronic signature/certification, across all EPA's environmental compliance programs. The rule will both remove current legal requirements for ''paper'' that create obstacles to ER and provide for enforceable mechanisms to assure the legal validity and authenticity of electronic documents and associated electronic signatures, whether transmitted as reports or maintained as records. This rule is important because the legal and electronic signature issues remain the chief obstacle to implementation of ER, and affect the overall enforceability of environmental programs both federally and under state delegation/authorization. Also, the Government Paperwork Elimination Act of 1998 requirements and the Administrator's Reinventing Environmental Information (REI) Action Plan goal of universal ER availability by 2003 can only be met if this rulemaking has active participation by the AA-ships and moves on a fast track.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4270

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RIN: 2020–AA41

3169. REVISION TO 40 CFR 35 SUBPART A AND PROMULGATION OF PERFORMANCE PARTNERSHIP (STATE) GRANT 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: PL 104-134; PL 105-65

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: This proposed regulation: (1) updates, clarifies, and streamlines requirements governing environmental program grants; (2) establishes requirements for the new Performance Partnership Grant (PPG) program; and (3) establishes requirements for grant programs that began after the original rule was published. (A regulation governing environmental program grants to Indian tribes and tribal consortia is published elsewhere in this issue of the Federal Register.)

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3736

Agency Contact: Scott McMoran, Environmental Protection Agency, Administration and Resources Management, 3903R, Washington, DC 20460
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RIN: 2030–AA55

3170. REVISION TO 40 CFR 35 SUBPART A AND PROMULGATION OF PERFORMANCE PARTNERSHIP (TRIBAL) GRANT RULE

Priority: Other Significant

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

Legal Authority: PL 104-134; PL 105-65

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: This proposed regulation will: (1) update, clarify, and streamline requirements governing environmental program grants; (2) establish requirements for the new Performance Partnership Grant (PPG) program; and (3) establish requirements for grant programs that were developed after the original rule was published. (EPA is also issuing a regulation governing environmental program grants to State and Interstate agencies.)

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: Tribal, Federal

Additional Information: SAN No. 4128

Agency Contact: Maureen Ross, Environmental Protection Agency, Administration and Resources Management, 3903R, Washington, DC 20460
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RIN: 2030–AA56

3171. REVISION TO EPAAR 1552.211-73, LEVEL OF EFFORT

Priority: Info./Admin./Other

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1552

Legal Deadline: None

Abstract: This rule will revise EPAAR 1552.211-73, Level of Effort, to define more concisely the services being acquired, and to more accurately reflect the relationship between services provided and fee payments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

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. 4191

Agency Contact: Larry Wyborski, Environmental Protection Agency, Administration and Resources Management, 3802R, Washington, DC 20460
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RIN: 2030–AA64

3172. ● INCORPORATING INFORMAL CLAUSES (EP) INTO THE EPAAR

Priority: Info./Admin./Other

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390, as amended

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This rule is being promulgated to amend the EPAAR to incorporate Environmental Protection (EP) clauses into the EPAAR. There are a large number of EP clauses being used by contracting officers. This promulgation will capture those EP clauses that have not been submitted for public comment. Most of the EP clauses are used in contracts on a case-by-case basis. The contractor concurs with use of such clauses.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	
Final Rule	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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. 4226

Agency Contact: Paul Schaffer, Environmental Protection Agency, Administration and Resources Management, 3802R, Washington, DC 20460
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RIN: 2030–AA66

3173. INCORPORATION OF CLASS DEVIATIONS INTO EPAAR

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

Abstract: The Agency has approved a number of class deviations (e.g. changes to reporting requirements and monthly progress reports) to the EPAAR since its promulgation in April 1994. This proposed rule would incorporate most of the class deviations to the EPAAR.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

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: Frances Smith, Environmental Protection Agency, Administration and Resources Management, 3802R, Washington, DC 20460
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RIN: 2030–AA37

3174. 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	07/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

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: Frances Smith, Environmental Protection Agency, Administration and Resources Management, 3802R, Washington, DC 20460
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RIN: 2030–AA40

3175. 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	08/00/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

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 Resources Management, 3802R, Washington, DC 20460
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RIN: 2030–AA50

3176. 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 rulemaking, 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	06/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

Additional Information: SAN No. 3874

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RIN: 2030–AA51

3177. IMPLEMENTATION OF CHANGES TO 40 CFR PART 32

Priority: Info./Admin./Other

Legal Authority: EO 12549; EO 12689 and FASA

CFR Citation: 40 CFR 32

Legal Deadline: None

Abstract: Periodically OMB amends the Governmentwide Common Rule for suspension and debarment 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 that 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.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3817

This is an assistance-related statutory requirement. There is no paperwork burden associated with this action.

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RIN: 2030–AA48

3178. 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.

EPA—GENERAL

Proposed Rule Stage

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 10 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	05/00/99	
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3807

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RIN: 2020–AA26

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

General

3179. ELECTRONIC FUNDS TRANSFER

Priority: Other Significant

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1532.11

Legal Deadline: None

Abstract: This rule complies with the revised Federal Acquisition Regulations (FAR) coverage regarding implementation of the Debt Collection Improvement Act. Because the revised FAR offers choices in implementation, each agency must communicate with its vendor community its choices. This rule will let our vendor community know that EPA will require the use of FAR Clause 52.232-34, Payment by Electronic Funds Transfer (Non-CCR), as prescribed in FAR 32.1105(a)(2). Within the Clause, under (c) the payment office shall be inserted as the prescribed designated office. Further inserted shall be that the required EFT information shall be provided no later than 15 days prior to submission of the first request for payment.

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/99	

Regulatory Flexibility Analysis Required: No

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. 4185

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RIN: 2030–AA57

3180. AGENCY PROTEST SOLICITATION NOTIFICATION

Priority: Other Significant

Legal Authority: 5 USC 301 Sec. 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1533; 48 CFR 1552

Legal Deadline: None

Abstract: This rule will establish a solicitation notice regarding Agency protests in the EPA Acquisition Regulation. All solicitations currently contain a notice on how to protest an acquisition to the Agency. This notification is to be published in the EPAAR, since it affects parties outside the Agency.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

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. 4183

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RIN: 2030–AA58

3181. CONTRACTING BY NEGOTIATION

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: 5 USC 301 sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1503; 48 CFR 1515; 48 CFR 1552

Legal Deadline: None

Abstract: This rule is being promulgated to redesignate EPAAR subparts and sections for structural conformance with the FAR part 15 rewrite as published on September 30, 1997, and EPA implemented on December 19, 1997. The EPAAR is in substantive compliance, but requires extensive redesignation for structural conformance to the FAR. Also, EPAAR 1515 is of critical importance to the effective and efficient accomplishment of EPA acquisitions. The substance of EPAAR 1515 was published previously for public comment.

Timetable:

Action	Date	FR Cite
NPRM	12/28/98	63 FR 71415
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

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. 4184

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RIN: 2030–AA59

3182. EPAAR COVERAGE ON CONTRACTOR PERFORMANCE EVALUATIONS

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: 5 USC 301 Sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1509; 48 CFR 1552

Legal Deadline: None

Abstract: This rule will establish a solicitation provision and contract clause in the EPA Acquisition Regulation to be used when evaluating contractor performance. The rule provides a uniform method for determining and recording the effectiveness of contractors in meeting contractual obligations. It also provides a systematic approach for identifying and maintaining records of contractors' performance histories. This rule will satisfy the Federal Acquisition Regulation requirements pertaining to the establishment of a past performance evaluation system.

Timetable:

Action	Date	FR Cite
NPRM	09/16/98	63 FR 49530
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

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. 4186

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RIN: 2030–AA61

3183. EPAAR COVERAGE ON LOCAL HIRING AND TRAINING

Priority: Other Significant

Legal Authority: 5 USC 301 sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1526; 48 CFR 1552

Legal Deadline: None

Abstract: This rule will amend the EPA Acquisition Regulation (EPAAR) to include part 1526, Other Socioeconomic Programs, and to revise part 1552, Solicitation Provisions and Contract Clauses. The purpose is to provide an incentive for prime contractors to utilize local hiring and provide training to local hires in specific geographical locations where contractual requirements will be performed. This incentive will support economic development in areas where EPA contracts are performed.

Timetable:

Action	Date	FR Cite
NPRM	12/09/98	63 FR 67845
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

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. 4187

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RIN: 2030–AA62

3184. SERVICE CONTRACTING—AVOIDING IMPROPER PERSONAL SERVICES RELATIONSHIPS

Priority: Other Significant

Legal Authority: 5 USC 301 sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

Abstract: This rule is being promulgated to amend the EPAAR to highlight the proper relationship between the Government and its contractors in nonpersonal services contracts. The Agency recognizes that regardless of the express terms of its contracts, if a contract is administered improperly, an improper personal services relationship may be the result. Accordingly, the Agency will use this rule to state the manner in which nonpersonal services contracts must be administered to avoid creating an improper employer-employee relationship.

Timetable:

Action	Date	FR Cite
NPRM	01/20/99	64 FR 3060
Final	06/00/99	

EPA—GENERAL — Final Rule Stage

Regulatory Flexibility Analysis Required: No

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. 4188

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RIN: 2030–AA63

3185. GUIDELINES FOR CARCINOGEN RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not applicable

CFR Citation: Not applicable

Legal Deadline: None

Abstract: The Agency will use these guidelines to evaluate suspect carcinogens in line with the policies and procedures established in the statutes administered by the EPA. These guidelines revise and replace EPA Guidelines for Carcinogen Risk Assessment published at 51 FR 33992, September 24, 1986. These guidelines provide EPA staff and decision-makers with the directions and perspectives necessary to develop and use risk assessments. The guidelines also provide the general public with basic information about the Agency's approaches to risk assessment.

To develop guidelines the Agency must find a balance between consistency and innovation. Consistent risk assessments provide consistent bases to support regulatory decision-making. On the other hand, innovation is necessary so the Agency will base its decisions on current scientific thinking. In balancing these and other science policies, the Agency relies on input from the general scientific community through established scientific peer review processes. The guidelines incorporate basic principles and science policies based on evaluation of the currently available information. The revisions place increased emphasis on the role of carcinogenic mechanisms in risk assessment and clearer explication of underlying assumptions in risk assessment.

These guidelines will have minimal to no impact on small businesses or State, local, and tribal governments.

Timetable:

Action	Date	FR Cite
Reproposed Guidelines	04/23/96	61 FR 17960
Implementation Policy	06/25/96	61 FR 32799
Final Guidelines	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3671

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RIN: 2080–AA06

3186. 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 has proposed (February 25, 1998) 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	02/25/98	63 FR 9465
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 2662

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RIN: 2020–AA13

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

General

3187. 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	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3240

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RIN: 2020–AA21

3188. ENVIRONMENTAL IMPACT ASSESSMENT OF NONGOVERNMENTAL ACTIVITIES IN ANTARCTICA

Priority: Other Significant

Legal Authority: 16 USC 2401 et seq, as amended; 16 USC 2403a; PL 104-227

CFR Citation: 40 CFR 8

Legal Deadline:

Final, Statutory, October 2, 1998.

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 by the United States from other parties under the Protocol on Environmental Protection. The Office of Federal Activities (OECA/OFA) will use the decisionmaking 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, 40 CFR part 8, promulgated April 30, 1997, and on July 15, 1998 extended through the 2000-2001 austral summer, will be replaced by a final rule. The interim final rule was effective immediately so that the U.S. could ratify the Protocol and implement its obligations under the Protocol as soon as it entered into force. 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 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	04/30/97	62 FR 23538
Extension of Effective Date Interim Rule	04/15/98	63 FR 18323
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: SAN No. 3933

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RIN: 2020–AA34

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

General

3189. ● ACQUISITION REGULATION: TYPES OF CONTRACTS

Priority: Substantive, Nonsignificant

Legal Authority: 63 Stat 390 as amended

CFR Citation: 48 CFR 1516; 48 CFR 1552

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) is issuing this proposed rule to amend the EPA Acquisition Regulation (EPAAR) (48 CFR Chapter 15) to extend the fee limitations imposed at FAR 15.404(c)(4)(i) to cost-plus-award fee and cost-plus incentive fee contracts. EPA has determined that its contracting officers shall not negotiate a price or maximum fee on cost- plus-award fee contracts or cost-plus incentive fee contracts that exceeds the following statutory limitations, imposed for cost-plus-fixed fee contracts by 41 USC 254(b): (1) For experimental, developmental, or research work performed under a cost-plus-award fee or cost-plus incentive fee contract, the maximum fee shall not exceed 15 percent of the contract's estimated costs, excluding fee. (2) For architect-engineering services for public works or utilities, the contract price or the estimated cost and fee for production and delivery of designs, plans, drawings, and specifications shall not exceed 6 percent of the estimated cost of the construction of the public work or utility, excluding fee. (3) For other cost-plus-award fee or cost-plus incentive fee contracts, the maximum fee shall not exceed 10 percent of the contract's estimated cost, excluding fee. Additionally, this rule provides revised references to parallel Federal Acquisition changes.

Timetable:

Action	Date	FR Cite
Direct Final Rule	01/26/99	64 FR 3875

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

EPA—GENERAL — Completed Actions

Government Levels Affected: State, Local, Tribal, Federal

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. 4215

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RIN: 2030–AA65

3190. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 65

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	02/26/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2020–AA31

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Clean Air Act (CAA)

3191. ● CONTROL OF HIGHWAY DIESEL FUEL QUALITY: ADVANCE NOTICE OF PROPOSED RULEMAKING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7545(c)

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This is an Advance Notice of Proposed Rulemaking which will seek comment on a range of issues involved in possible future regulation of pollutants in diesel fuel.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4268

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RIN: 2060–AI32

3192. IMPLEMENTATION OF OZONE AND PARTICULATE MATTER (PM) NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) AND REGIONAL HAZE REGULATIONS

Priority: Other Significant

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

Legal Authority: Clean Air Act

CFR Citation: 40 CFR 50; 40 CFR 51; 40 CFR 52; 40 CFR 81

Legal Deadline: None

Abstract: EPA issued new, updated air quality standards for ozone (62 FR 38856) and particulate matter (PM) (62 FR 38652). Pursuant to President Clinton's implementation strategy as outlined in a July 16, 1997 memorandum to EPA Administrator Carol Browner, EPA is developing guidance and rules for sensibly and cost-effectively meeting the new standards. EPA is publishing guidance and rules in 1998 and 1999. For ozone, the implementation plan will emphasize a regional, State-sponsored approach that addresses the long-distance transport of ozone. On October 27, 1998, EPA published a final rule (sometimes referred to as the NOx SIP Call) to require broad regional emissions reductions of NOx gases which contribute to the formation of ozone (63 FR 57356, October 27, 1998). In order to help areas covered by EPA's regional plan avoid burdensome measures associated with noncompliance, EPA will create a new transitional classification. Areas that attain the 1-hour standard but not the new 8-hour standard as of the time EPA promulgates designations for the 8-hour standard could obtain this new classification if they participate in a regional strategy and/or opt to submit early plans addressing the new 8-hour standard. Because many areas will need little or no additional new local emission reductions to reach attainment, beyond the reductions that will be achieved through the regional control strategy, and will come into attainment earlier than otherwise required, EPA will exercise its discretion under the law to eliminate unnecessary local planning requirements for such areas. EPA will revise its rules for new source review (NSR) and conformity so that States will be able to comply with only minor revisions to their existing programs in areas classified as transitional. (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/13/96	61 FR 65764
Notice Proposed Policy	12/13/96	61 FR 65752
NPRM Regional Haze	07/31/97	62 FR 41138
Notice Review Schedule for PM2.5 Standard	10/23/97	62 FR 55201
NPRM NOx Regional Strategy SIP Call	11/07/97	62 FR 60318
Supplemental NPRM NOx SIP Call Supplemental NPRM	05/11/98	63 FR 25902
Final Rule Areas meeting 1-hour ozone standard	06/05/98	63 FR 31013
Final Rule Additional areas meeting 1-hour ozone standard	07/22/98	63 FR 39432
Final Rule NOx Regional Strategy SIP Call	10/27/98	63 FR 57356
Draft Guidance Implementation Planning	11/17/98	63 FR 65593
ANPRM Extension of Attainment Dates for Downwind Transport Areas	04/00/99	
NPRM 172e Antibacksliding for PM10	04/00/99	
NPRM NSR for Transitional Areas	05/00/99	

Action	Date	FR Cite
Final Guidance Implementation Planning	05/00/99	
Final Rule Regional Haze	05/00/99	
Final Rule 172e Antibacksliding for PM10	09/00/99	
Final Rule Conformity for Transitional Areas	10/00/99	
Final Rule NSR for Transitional Areas	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3553

ABSTRACT CONT: In a final rule promulgated on June 5, 1998, EPA identified areas that have air quality meeting the 1-hour ozone standard and revoked that standard for those areas (63 FR 31013, June 5, 1998). A subsequent final rule for additional ozone areas attaining the 1-hour standard was promulgated on July 22, 1998 (63 FR 39432).

For PM10, EPA revised the set of standards that had existed since 1987. Given that health effects from coarse particles are still of concern, the overall goal during this transition period is to ensure that PM10 control measures remain in place to maintain the progress that has been achieved toward attainment of the PM10 NAAQS (progress which also provides benefits for PM2.5) and protection of public health. To ensure that this goal is met, the pre-existing PM10 NAAQS will continue to apply until certain critical actions by EPA and by States and local agencies have been taken to sustain the progress already made. For areas not attaining the existing PM10 NAAQS when the revised standards go into effect, those existing standards remain in effect until EPA has completed a section 172(e) rulemaking to prevent backsliding. EPA will propose this rulemaking in the spring of 1998. For areas attaining the pre-existing PM10 NAAQS, EPA will retain that standard until the State submits and EPA approves the section 110 SIP which States are required to submit within 3 years of a NAAQS revision. Once those areas have an approved SIP, EPA will take action so that the pre-existing PM10 standard no longer applies. In addition, EPA will take action within 3 years to designate areas for the revised PM10 standards.

EPA's approach to addressing regional haze was proposed concurrently with the promulgation of the final ozone and PM NAAQS. EPA plans to promulgate the regional haze rulemaking in the Spring of 1999.

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RIN: 2060–AF34

3193. PROTECTION OF STRATOSPHERIC OZONE: ALLOWANCE SYSTEM FOR CONTROLLING HCFC PRODUCTION, IMPORT & EXPORT

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 82.8

Legal Deadline: None

Abstract: This action will begin with development of an ANPRM which will outline a variety of options under which the Stratospheric Protection Division could develop and implement an allowance distribution system for HCFCs, and request comment on which options would be most appropriate. SPD currently oversees an allowance allocation system for the class I ozone-depleting substances. A class II allowance distribution system had not been required, because of the early estimates that the U.S. would not reach its HCFC production and consumption cap imposed by the Montreal Protocol in the near future. As people phase out of class I substances, the demand for HCFCs has increased, as has the production and importation to meet that demand. As a consequence, EPA is exploring potential options for an allowance distribution system that would ensure that the U.S. does not violate its HCFC cap under the Montreal Protocol.

Timetable:

Action	Date	FR Cite
ANPRM	04/05/99	64 FR 16373
ANPRM Comment Period End	06/04/99	
NPRM	11/00/99	
Final Action	03/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4120

Additional deadline: Montreal Protocol. The Protocol requires compliance with a formulary cap of all Parties' consumption of HCFCs.

The ANPRM is available on the Internet at:

http://www.epa.gov/fedrgstr/EPA-AIR/1999/April/Day-05/a8258.htm

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RIN: 2060–AH67

3194. PROTECTION OF STRATOSPHERIC OZONE: UPDATE OF THE SUBSTITUTES LIST UNDER THE SIGNIFICANT NEW ALTERNATIVES POLICY (SNAP) PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7414; 42 USC 7601; 42 USC 7671k CAA sec 612

CFR Citation: 40 CFR 9; 40 CFR 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.

EPA—CAA **Prerule Stage**

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	08/26/94	59 FR 44240
NPRM	09/26/94	59 FR 49108
Notice	01/13/95	60 FR 3318
Final Rule	06/13/95	60 FR 31092
Notice	07/28/95	60 FR 38729
NPRM	10/02/95	60 FR 51383
Notice	02/08/96	61 FR 4736
NPRM	05/22/96	61 FR 25604
Final Rule	05/22/96	61 FR 25585
Notice	09/05/96	61 FR 47012
Final Rule	10/16/96	61 FR 54030
Notice	03/10/97	62 FR 10700
NPRM	05/21/97	62 FR 27874
Notice	06/03/97	62 FR 30275
NPRM	02/03/98	63 FR 5491
Notice	02/24/98	63 FR 9151
Notice	05/22/98	63 FR 28251
Notice 10	01/21/99	64 FR 3296
Interim Final Rule	01/26/99	64 FR 3861
Interim Final Rule	01/26/99	64 FR 3865
NPRM	02/18/99	64 FR 8038
NPRM	02/28/99	64 FR 8038
ANPRM	04/00/99	
Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 3525 (Generic SAN)

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RIN: 2060–AG12

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Clean Air Act (CAA)

3195. NESHAP: CARBON BLACK PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The purpose of this action is to develop a Maximum Achievable Control Technology (MACT) Standard for the production of carbon black. The Clean Air Amendments of 1990 require this action to be promulgated by November 15, 2000. The production of carbon black results in the release to the air of three hazardous air pollutants (HAPs) identified by the Act: carbon disulfide, carbonyl sulfide, and hydrogen cyanide. Health effects of these chemicals include acute effects such as nausea, headache, increased rate of respiration, eye and skin irritation and other effects. Chronic effects can include cardiovascular and respiratory effects. Additionally carbon disulfide has been observed to cause reproductive effects such as congenital malformations, embryotoxicity, and functional and behavioral disturbances in animal studies. Carbon black is widely used as a reinforcing agent for rubber. It is also used as a colorant for printing ink, painting, paper and plastics. By far the largest use of carbon black is in the manufacture of automotive tires. There are 21 carbon black facilities in the Nation. Carbon black is manufactured by burning hydrocarbons in a limited supply of air. This produces a black smoke containing extremely small carbon black particles which can be separated from the combustion gases to form a fluffy powder of intense blackness.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 325182 Carbon Black Manufacturing

Additional Information: SAN No. 4105

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RIN: 2060–AH68

3196. ALUMINA PROCESSING NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The CAA required the EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the alumina processing industry may be reasonably expected to emit one of the pollutants listed in section 112(b) of the CAA. 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 CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emissions standards may be proposed and promulgated for this industry.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 325188 All Other Basic Inorganic Chemical Manufacturing

Additional Information: SAN No. 4110

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RIN: 2060–AH70

3197. CONTROL OF EMISSIONS OF AIR POLLUTION FROM 2004 AND LATER MODEL YEAR HIGHWAY HEAVY-DUTY DIESEL ENGINES

Priority: Other Significant

Legal Authority: 42 USC 7401 to 7601; 42 USC 7521

CFR Citation: 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will focus on the emission standards and related requirements for control of air pollution from 2004 and later model year highway heavy-duty engines. It will include an assessment of the feasibility of the requirements for these engines promulgated in 1997 plus further consideration of a number of issues left open in the rule including potential diesel fuel changes, diesel particulate control, and other initiatives to control emissions in use.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4043

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RIN: 2060–AI12

3198. CONFORMITY PILOT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7671g

CFR Citation: 40 CFR 51; 40 CFR 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	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4148

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RIN: 2060–AI14

3199. ● HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS—FEDERAL PLAN (FEDERAL PLAN FOR EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS)

Priority: Substantive, Nonsignificant

Legal Authority: CAA sections 111, 129 and 301(a)(d)

CFR Citation: 40 CFR 60.27

Legal Deadline:
Final, Statutory, September 30, 1999, CAA Section 129(b)(3).

Abstract: The Clean Air Act Amendments of 1990 directed the Environmental Protection Agency (EPA) to set emission guidelines for existing incinerators combusting hospital waste, medical waste, and infectious waste under sections 111 and 129. On 9/15/97, the EPA promulgated emission guidelines for Hospital/Medical/Infectious Waste Incinerators (HMIWI) under the authority of section 111(d) and section 129 of the Clean Air Act (see 62 FR 48348). This action is a follow-on activity to the 1997 HMIWI rulemaking which applies to existing HMIWI. In accordance with section 129, States with affected sources must submit a State Plan by 9/15/98 describing how the State will implement the emission guidelines for existing HMIWI. In this proposed HMIWI Federal Plan rulemaking, EPA becomes the implementing authority in those instances where the State or local agency has failed to submit a plan or a plan has not yet been approved. Therefore, consistent with section 129(b)(3) of the Act, EPA is proposing a plan that applies to HMIWI in any State, tribe or locale that has not submitted an approvable plan within the time allotted. This action makes no changes to the requirements in the 1997 rule, and is intended to fulfill EPA's duty under section 129(b)(3) to promulgate a Federal Plan as a gap-filling measure until the State fulfills its statutory obligations. When the State submits an approvable State Plan, the Federal Plan will no longer apply to units in that State.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 6214 Outpatient Care Centers; 6219 Other Ambulatory Health Care Services; 622 Hospitals; 6212 Offices of Dentists

Additional Information: SAN No. 4219

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RIN: 2060–AI25

3200. ● CONSUMER AND COMMERCIAL PRODUCTS: REVISED SCHEDULE FOR REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7511b(e)

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This action revises the schedule for issuance of standards under section 183(e) of the Act for 4 product categories listed in the initial schedule for regulation. Regulation of 4 product categories will be delayed until 2003 from their present schedules for regulation in 1997 and 1999. The products with new schedules for regulation are: (1) Aerosol spray paints; (2) lithographic printing materials; (3) industrial cleaning solvents; and (4) flat wood paneling coatings. These changes to the regulatory schedule are necessary to improve workload management and to coordinate better with other regulatory activities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 324199 All Other Petroleum and Coal Products Manufacturing; 3255 Paint, Coating, Adhesive, and Sealant Manufacturing

Additional Information: SAN No. 4246

This action revises the schedule for regulation of consumer and commercial products under section 183(e) of the Clean Air Act. This is a list maintenance activity and is being done to reduce the risk of litigation over failure to meet a statutory deadline.

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RIN: 2060–AI30

3201. ● CONTROL OF EMISSIONS OF AIR POLLUTION FROM NEW COMPRESSION-IGNITION AND SPARK-IGNITION RECREATIONAL MARINE ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7547(a)

CFR Citation: 40 CFR 94

Legal Deadline:
NPRM, Judicial, November 23, 1999.
Final, Judicial, October 31, 2000.

Abstract: This NPRM will establish numerical emission limits for compression-ignition and spark-ignition engines used on marine recreational vessels. This action will complete EPA's emission control program for marine engines (commercial engines and spark-ignition outboard and personal watercraft engines are covered in separate rules).

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Sectors Affected: 3366 Ship and Boat Building; 3336 Engine, Turbine, and Power Transmission Equipment Manufacturing

Additional Information: SAN No. 4251

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RIN: 2060–AI36

3202. ● NO BACKSLIDING RULE FOR PM-10 NONATTAINMENT AREAS

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This action is intended to establish a rule (pursuant to section 172(e)) concerning no relaxation of PM-10 control measures in existing PM-10 nonattainment areas during the interim period before the implementation of the new NAAQS for Particulate Matter. The rule will help to maintain the current level of health protection by ensuring that the current controls for PM-10 continue to be enforced.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3961

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RIN: 2060–AI39

3203. ● PROTECTION OF STRATOSPHERIC OZONE: AMENDMENT TO HALON USE, HALON TECHNICIAN TRAINING, AND HALON AND HALON-CONTAINING EQUIPMENT DISPOSAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7414; 42 USC 7601; 42 USC 7671-7671q

CFR Citation: 40 CFR 82.250 to 82.270

Legal Deadline: None

Abstract: EPA promulgated a final rule (63 FR 11084, March 5, 1998) concerning numerous aspects of the handling and processing of halons, a group of gaseous or easily vaporized hydrocarbons that are used in a wide range of fire and explosion protection applications. Halons are Class I ozone-depleting substances regulated under Title VI of the Clean Air Act (Act). Following publication of this rule, members of the regulated community and other stakeholders requested clarifications to two technical provisions of this rule, and other, editorial, clarifications. The two technical clarifications relate to (1) EPA's requirements regarding the efficiency of equipment used during halon recovery and recycling activities,

and (2) EPA's requirements regarding technician training. SPD therefore will consider adding substantive or editorial clarifications, and/or additional preamble discussion, to address these issues. These changes are expected to be fully consistent with the original scope and intent of the March 5, 1998 regulation. By providing greater clarity and specificity to the requirements as requested by members of the regulated community and other stakeholders, EPA will better ensure achievement of the environmental objectives of this action.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Sectors Affected: 333319 Other Commercial and Service Industry Machinery Manufacturing; 5617 Services to Buildings and Dwellings

Additional Information: SAN No. 4252

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RIN: 2060–AI40

3204. ● PROTECTION OF STRATOSPHERIC OZONE: PROCESS FOR EXEMPTING QUARANTINE AND PRESHIPMENT METHYL BROMIDE USED IN THE UNITED STATES AND BASELINE ADJUSTMENTS

Priority: Other Significant

Legal Authority: 42 USC 7414; 42 USC 7671-7671(q)

CFR Citation: 40 CFR 82.1 to 82.13

Legal Deadline: None

Abstract: EPA is proposing a revision to the accelerated phaseout regulations that govern the production, import, export, transformation and destruction of substances that deplete the ozone layer under the authority of Title VI of the Clean Air Act Amendments of 1990 (CAA or the Act). The proposed amendment will reflect U.S. obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol). EPA recognizes the expressed intent of Congress in recent changes to the Clean Air Act that direct EPA to conform the U.S. phasedown schedule to the Protocol's schedule for developed nations. With this action, EPA is proposing a process that would exempt quantities of methyl bromide used in the U.S. for quarantine and preshipment from the phaseout schedule and propose adjustments to the existing methyl bromide baseline.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Sectors Affected: 115114 Postharvest Crop Activities (except Cotton Ginning); 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 4253

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RIN: 2060–AI42

3205. ● REVISION TO THE DEFINITION OF VOLATILE ORGANIC COMPOUND (VOC) TO EXCLUDE TERTIARY BUTYL ACETATE

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Title I

CFR Citation: 40 CFR 51.100(s)

Legal Deadline: None

Abstract: The definition of VOC is proposed to be revised to add tertiary butyl acetate to the list of negligibly reactive compounds. This is a deregulatory action that will remove tertiary butyl acetate from the necessity to be controlled as a VOC in SIPs for attaining the ozone standard. This is not expected to have a significant impact on small businesses or local governments.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4254

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RIN: 2060–AI45

3206. ● REVISIONS TO AIR POLLUTION EMERGENCY EPISODE REQUIREMENTS (SUBPART H, 40 CFR PART 51)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410(a)(2)(G); 42 USC 7603

CFR Citation: 40 CFR 51.150 to 51.153; 40 CFR 51 Appendix L

Legal Deadline: None

Abstract: 40 CFR part 51.150-51.153 require States to have contingency plans to prevent air pollution levels from reaching the significant harm level (SHL) for CO, O3, SO2, NOx, and PM. Appendix L provides example guidance to the States on appropriate courses of action to take at each episode stage (i.e., alert, warning, and emergency) to ensure the SHL is not reached. These requirements were developed in the 1970's, based on the NAAQS from that era. Since that time, ambient air quality levels have decreased nationwide. Today, many areas/sources that no longer need episode plans must still develop them. This rule would update and simplify the criteria used to determine which areas would require episode plans. Areas with no more than one exceedance of the Alert level over the past 5 years would not need to develop emergency episode plans. Sources with the potential to cause exceedances of the SHL due to a process/control equipment malfunction would need to develop source contingency plans to prevent (and to respond to) such malfunctions. Appendix L would also be revised to reflect the revised program

requirements. The result will be a sensible, credible program replacing an outdated, ignored program. While minor SIP revisions may be needed, these could be included with SIP overhauls resulting from the NAAQS revisions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	01/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4247

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RIN: 2060–AI47

3207. PERFORMANCE WARRANTY AND INSPECTION/MAINTENANCE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7541; 42 USC 7601

CFR Citation: 40 CFR 51; 40 CFR 85

Legal Deadline: None

Abstract: This action establishes a new short test procedure for use in I/M programs required by the Clean Air Act Amendments of 1990. Vehicles that are tested and failed using this procedure and that meet eligibility requirements established by the act would be eligible for free warranty repair from the manufacturers.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3263

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RIN: 2060–AE20

3208. INSPECTION/MAINTENANCE RECALL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7511(A)(2)(b); 42 USC 7511(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	06/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3262

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RIN: 2060–AE22

3209. METHOD 301: FIELD VALIDATION OF POLLUTION MEASUREMENT METHODS FOR VARIOUS MEDIA; REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; PL 101-549; 42 USC 7410 et seq

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 the procedure for determining the quality of the data. This rule will clarify those rule provisions.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Additional Information: SAN No. 3407

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RIN: 2060–AF00

3210. NESHAP: FERROALLOY PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412/CAA 112; 44 USC 350 et seq (PRA); 5 USC 605; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

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 two plants in the ferroalloy production industry are 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	08/04/98	63 FR 41508
Supplemental NPRM	04/00/99	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Additional Information: SAN No. 3082

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RIN: 2060–AF29

3211. 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	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 3569

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RIN: 2060–AF42

3212. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR YUCCA MOUNTAIN, NEVADA

Priority: Other Significant

Legal Authority: Energy Policy Act sec 801

CFR Citation: 40 CFR 197

Legal Deadline:
NPRM, 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	04/00/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 3568

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RIN: 2060–AG14

3213. NSPS: SEWAGE SLUDGE INCINERATORS

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

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

Legal Authority: 42 USC 7401 to 7626

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This source category is subject to regulation by November 2000 under the Clean Air Act. The Agency is currently considering which regulatory authorities may be most appropriate for this source category, including the Clean Air Act and section 405(d) of the Clean Water Act.

Timetable:

Action	Date	FR Cite
ANPRM	01/14/97	62 FR 1868
NPRM	11/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local

Sectors Affected: 22132 Sewage Treatment Facilities

Additional Information: SAN No. 3819

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RIN: 2060–AG50

3214. NESHAP: PLYWOOD AND PARTICLEBOARD MANUFACTURING

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7412(d)

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 (NESHAP) by establishing maximum achievable control technology (MACT) for facilities manufacturing wood panels and engineered wood products. 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, the drying of wood and binders. The scope of the affected source category has not been determined; however, this rule is anticipated to apply to the manufacture of products involving wood and some kind of binder or bonding agent. This project may include, but is not limited to, facilities that manufacture waferboard, hardboard fiber board (MDF), oriented strandboard (OSB), medium density fiberboard, particleboard, strawboard, hardwood and softwood plywood, glue-laminated lumber, laminated veneer lumber, and engineered wood products. The

plywood and particleboard source category may also include lumber drying kilns at sawmills which are located on the same site as a facility that manufactures any of the wood products mentioned above. The project may also include some coatings operations. The name of the source category is being changed to better reflect how the industry refers to themselves. The new name for the source category will be plywood and composite wood products. This project commenced October 1997.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 32192 Wood Container and Pallet Manufacturing

Additional Information: SAN No. 3820

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RIN: 2060–AG52

3215. NESHAP: 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 ether, carboxymethyl cellulose, methyl cellulose, 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 been determined. This project started in the spring of 1997. Data gathering efforts will continue through 1998. That work will be followed by development of a regulatory package to propose and promulgate a MACT standard.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 325221 Cellulosic Organic Fiber Manufacturing; 326113 Unsupported Plastics Film and Sheet (except Packaging) Manufacturing

Additional Information: SAN No. 3970

Project combined with SAN 3963

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RIN: 2060–AH11

3216. NESHAP: 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. MACT standards are under development to reduce the release of HAP from all industries to protect the public health and environment. The scope of the rule has not been determined. This project is now scheduled to start in fiscal year 1998. The initial stage of this project is to gather preliminary information on landfills to establish a presumptive MACT. That work will be followed by development of a regulatory package to propose and promulgate a MACT standard.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Sectors Affected: 92411 Air and Water Resource and Solid Waste Management; 562212 Solid Waste Landfill

Additional Information: SAN No. 3969

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RIN: 2060–AH13

3217. 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	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Sectors Affected: 32411 Petroleum Refineries; 32511 Petrochemical Manufacturing; 325193 Ethyl Alcohol Manufacturing

Additional Information: SAN No. 3966

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RIN: 2060–AH15

3218. CONSOLIDATED EMISSION REPORTING RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410(a)(2)

CFR Citation: 12 CFR 120.2(d)(4); 40 CFR 51.321 to 51.323

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 effect on local agencies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Rule	06/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3986

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RIN: 2060–AH25

3219. 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 CAA sec 176(c)

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. 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	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local, Federal

Additional Information: SAN No. 3917

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RIN: 2060–AH31

3220. STREAMLINED EVAPORATIVE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521(m)

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 diurnal emission tests; as well as running lost testing. The revisions will delete the three day requirement and add flexibilities for running loss compliance. This will enable manufacturers to save significant resources without any loss in environmental benefits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3910

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RIN: 2060–AH34

3221. REVISIONS TO NEW SOURCE REVIEW (NSR) REGULATIONS TO IMPLEMENT THE NEW NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) FOR OZONE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 51.160 to 51.166; 40 CFR 52.21; 40 CFR 52.24

Legal Deadline: None

Abstract: The Clean Air Act requires that construction permit programs for new or modified major stationary sources of air pollution be established for areas not attaining the NAAQS. Regulations setting forth requirements for State and Federal permitting programs are found at 40 CFR 51.160-166 and 52.21 and 52.24, respectively.

The proposed regulations implement preconstruction permit requirements for new and modified major stationary sources locating in areas that do not meet the new, 8-hour NAAQS for ozone, but do meet the 1-hour ozone standard. The rules are intended to implement the major NSR provisions in a flexible, common sense, cost-effective, and non-burdensome manner by allowing States with these nonattainment areas to make minimal changes to their existing major preconstructed permit programs in their

State implementation plans. The EPA will continue to work with other Federal agencies, State and local governments, small businesses, industry, and environmental and public health groups to develop the requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4046

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RIN: 2060–AH53

3222. NESHAP: COKE OVENS: PUSHING, QUENCHING, AND BATTERY STACKS

Priority: Other Significant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: There are currently 25 active domestic coke plants, 20 of which are furnace coke plants and 5 of which are foundry coke plants. Coke oven batteries used to produce metallurgical coke at these plants emit hazardous air pollutants (HAPs) such as coke oven emissions and polycyclic organic matter listed in section 112 of the Clean Air Act (CAA).

This action will establish a National Emission Standard for Hazardous Air Pollutants (NESHAP) for three specific operations associated with coke ovens, namely pushing, quenching, and battery stacks.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 324199 All Other Petroleum and Coal Products Manufacturing; 331111 Iron and Steel Mills

Additional Information: SAN No. 4022

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RIN: 2060–AH55

3223. FINAL RULE TO AMEND THE NATIONAL EMISSION STANDARDS FOR MAGNETIC TAPE MANUFACTURING OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.703(c)(4); 40 CFR 63.705

Legal Deadline: None

Abstract: The EPA is amending the promulgated national emission standards for hazardous air pollutants (NESHAP) for Magnetic Tape Manufacturing to include an additional compliance option for facilities that choose to control their coatings operation to a hazardous air pollutant (HAP) reduction efficiency greater than 95% by weight. In the currently promulgated standard, compliance options are provided whereby a facility operator may choose to control HAP emissions from all coating operations by an overall HAP control efficiency of at least 97%, 98% or 99%, in lieu of controlling 10, 15, or 20 HAP solvent storage tanks, respectively. This amendment would provide a further option that a facility operator controlling the coating operations by one of those higher control efficiencies could choose to leave uncontrolled certain combinations of storage tanks and/or pieces of mix preparation equipment.

Timetable:

Action	Date	FR Cite
NPRM	04/09/99	64 FR 17465
Direct Final Rule	04/09/99	64 FR 17459
NPRM Comment Period End	05/10/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4106

The NPRM is available on the Internet at:

http://www.epa.gov/fedrgstr/EPA-AIR/1999/April/Day-09/a8780.htm

The direct final rule is available on the Internet at:

http://www.epa.gov/fedrgstr/EPA-AIR/1999/April/Day-09/a8779.htm

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RIN: 2060–AH71

3224. NESHAP: FUMED SILICA PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA Section 112; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The CAA required EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAP) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the fumed silica

production industry may be reasonably anticipated to emit one or more of the pollutants listed in section 112 (b) of the CAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within ten years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emissions standards may be proposed and promulgated for this industry.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 325188 All Other Basic Inorganic Chemical Manufacturing

Additional Information: SAN No. 4111

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RIN: 2060–AH72

3225. NESHAP: TACONITE IRON ORE PROCESSING

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CAA 112; PL 91-190 sec 203

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The taconite iron ore processing source category is comprised of nine facilities operating in the United States. Seven facilities are located in Minnesota and two are located in Michigan. The expected sources of HAP emissions for this source category include: fossil fuel combustion sources, and possibly the handling and transfer of mined ore containing naturally occurring inorganic compounds. Anticipated HAP emissions released from these sources primarily include: formaldehyde, manganese, nickel, arsenic, and chromium. The quantities of HAP released are expected to exceed major source levels.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 21221 Iron Ore Mining

Additional Information: SAN No. 4102

There are nine taconite processing facilities in the U.S.; seven are located in Minnesota and two are located in Michigan. The MACT standard for this industry group will be shared between EPA and the State of Minnesota. State regulations currently in place include both air emissions limitations and prohibition of effluent discharge to Great Lakes waters, and both air and water monitoring requirements. Other existing Federal regulations may be affected under RCRA and TSCA.

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RIN: 2060–AH73

3226. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR THE HYDROCHLORIC ACID PRODUCTION INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12291; EO12866

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000, Clean Air Act.

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 (HAPs). 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 the EPA. The EPA has determined that some hydrochloric acid plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) will be developed for the hydrochloric acid production industry.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 325211 Plastics Material and Resin Manufacturing; 325199 All Other Basic Organic Chemical Manufacturing; 325181 Alkalies and Chlorine Manufacturing

Additional Information: SAN No. 4104

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RIN: 2060–AH75

3227. NESHAP: ASPHALT/COAL TAR APPLICATION ON METAL PIPES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

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 emission 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 application of asphalt or coal tar to metal pipes 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 asphalt/coal tar application on metal pipes industry to promulgate emission standards.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 332812 Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers

Additional Information: SAN No. 4107

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RIN: 2060–AH78

3228. NESHAP: CLAY PRODUCTS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

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 emission 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 clay products 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 clay products manufacturing industry to promulgate emission standards.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 327121 Brick and Structural Clay Tile Manufacturing; 327124 Clay Refractory Manufacturing; 327122 Ceramic Wall and Floor Tile Manufacturing; 327123 Other Structural Clay Product Manufacturing

Additional Information: SAN No. 4113

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RIN: 2060–AH79

3229. NESHAP: ORGANIC HAZARDOUS AIR POLLUTANTS FROM THE SYNTHETIC ORGANIC CHEMICAL INDUSTRY (SOCMI) & OTHER PROCESSES SUBJECT TO THE NEGOTIATED REGULATION FOR EQUIPMENT LEAKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.100 to 63.152

Legal Deadline: None

Abstract: The actions will amend the HON that was first promulgated on April 22, 1994, to clarify applicability of process vent requirements. The changes to the rule will clarify the EPA's intent regarding the meaning of the term process vent and address the way these provisions are to be implemented through the permit rule. The need for this action became apparent recently when it was learned that industry was interpreting the definition more narrowly than we intended, and thus, not identifying all process vents subject to the HON. These amendments will clarify the rule to ensure consistent interpretations of the term process vent while preserving the intended applicability of the requirements. These clarifications will not increase or lower or otherwise affect emissions or environmental protection. Additionally, the actions may clarify additional sections of the HON and correct any typographical errors noted. These actions may contain guidance as well as amended rule language.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4103

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RIN: 2060–AH81

3230. NESHAP: POLYVINYL CHLORIDE AND COPOLYMERS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). 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 the EPA. The EPA has determined that some plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the polyvinyl chloride industry, to be promulgated by November 15, 2000.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4114

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RIN: 2060–AH82

3231. NESHAP: URANIUM HEXAFLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This project will develop national emissions standards for hazardous air pollutants (NESHAP) by establishing emissions limitations for hazardous air pollutants (HAP) which can be emitted by the two known sources in this category. The emissions limitations are to be based upon the application of the maximum achievable control technology (MACT). The purpose of the NESHAP is to reduce emissions of HAP to protect public health and the environment. The project will begin in the spring of 1999. Initially, information on the industry processes and emissions of HAP will be analyzed to identify available emissions control technologies. That work will be followed by the development, proposal and promulgation of NESHAP.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Sectors Affected: 331419 Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)

Additional Information: SAN No. 4098

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RIN: 2060–AH83

3232. PERFORMANCE SPECIFICATION 16—SPECIFICATIONS AND TEST PROCEDURES FOR PREDICTIVE EMISSION MONITORING SYSTEMS IN STATIONARY SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: CAA section 111

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: Performance Specification 16 is being proposed to provide performance criteria for predictive emission monitoring systems. Predictive systems represent a new technology that uses process information or parameters to predict pollutant emissions instead of directly measuring them. The Agency is allowing their use in recently-promulgated rules and they are being considered by a number of regulated facilities. The specification lists the requirements for acceptable systems that are met by passing tests that compare the monitoring system with standardized methods and audit gases to determine system accuracy and stability. Performance Specification 16 will primarily apply to facilities whose emissions can be predicted from process parameters such as combustion processes (including gas turbines and internal combustion engines).

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Rule	06/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Sectors Affected: 33241 Power Boiler and Heat Exchanger Manufacturing; 333611 Turbine and Turbine Generator Set Unit Manufacturing; 336399 All Other Motor Vehicle Parts Manufacturing; 333618 Other Engine Equipment Manufacturing

Additional Information: SAN No. 4119

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RIN: 2060–AH84

3233. NESHAP: WET-FORMED FIBERGLASS MAT PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The CAA required the EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emissions sources. The wet-formed fiberglass mat production industry is not included in the initial list of categories for standards development but information available to the Administrator suggests that the industry is a major source of HAP emissions and, as such, emission standards shall be developed for this industry. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the wet-formed fiberglass mat production industry may be reasonably expected to emit one of the pollutants listed in section 112(b) of the CAA. The purpose of this action is to include the industry in the source category list and to pursue a regulatory development program such that emission standards may be proposed and promulgated for this industry.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 4082

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RIN: 2060–AH89

3234. TECHNICAL CHANGE TO DOSE METHODOLOGY FOR 40 CFR 191, SUBPART A

Priority: Routine and Frequent

Legal Authority: Atomic Energy Act of 1954; Reorganization Plan No. 3 of 1970; Nuclear Waste Policy Act of 1982

CFR Citation: 40 CFR 191(A)

Legal Deadline: None

Abstract: This action is a technical change to the dose methodology for subpart A, Environmental Standards for Management and Storage, of 40 CFR 191, Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes. The current methodology is outdated. The new method, which would be employed as a result of this action, is consistent with recent radiation protection standards as well as Federal Guidance reports issued by EPA. No significant impacts from this action are anticipated.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 4003

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RIN: 2060–AH90

3235. GENERAL CONFORMITY REGULATIONS; REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7671

CFR Citation: 40 CFR 51.850 to 51.860; 40 CFR 93.150 to 93.160

Legal Deadline: None

Abstract: Section 176(c) of the Clean Air Act prohibits Federal entities from taking actions which do not conform to the State implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). In November 1993, EPA promulgated two sets of regulations to implement section 176(c). First, on November 24, EPA promulgated the Transportation Conformity Regulations to establish the criteria and procedures for determining that transportation plans, programs, and projects which are funded under title 23 U.S.C. or the Federal Transit Act conform with the SIP. Then, on November 30, EPA promulgated regulations, known as the General Conformity Regulations, to ensure that other Federal actions also conformed to the SIPs. Since 1993, EPA has amended the transportation conformity rule three times in response to stakeholders' requests. The EPA is working on a separate revision to address transportation conformity in transitional areas which will be final by December 1998. The EPA has not reviewed or revised the General Conformity Regulations since their 1993 promulgation. Several Federal agencies have identified concerns over the implementation of the General Conformity Regulations, including the requirements for areas designated nonattainment for the newly promulgated NAAQS. In conjunction with an ad hoc work group of representatives from several Federal agencies, EPA will review the implementation of the General Conformity Regulations. The EPA will then propose and promulgate any appropriate revision to those regulations.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 4070

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RIN: 2060–AH93

3236. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION ON THE 610 NONESSENTIAL PRODUCTS BAN

Priority: Other Significant

Legal Authority: 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671(q)

CFR Citation: 40 CFR 82(C)

Legal Deadline: None

Abstract: This action would propose to extend the current class I and class II bans on the sale and distribution of nonessential uses of ozone-depleting substances where sufficient substitutes are already readily available. As part of the initial 1993 rulemaking, EPA banned the use of ozone-depleting substances in aerosols, pressurized dispensers, and foams where substitutes were available. Since that rulemaking was issued, the phaseout of production and consumption of class I substances has become effective and the Significant New Alternatives Policy (SNAP) Program under section 612 has been promulgated. The phaseout of newly manufactured class I substances and the identification of new acceptable substitutes for both class I and class II applications provide compelling reasons to reconsider the initial decisions regarding both product-specific exemptions and the decision to limit the ban's effect on major sectors that traditionally used ozone-depleting substances. Most domestic manufacturers have already incorporated the non-ozone-depleting substances in their products. The continued availability and use of ozone-depleting substances in parts and products manufactured abroad, which are sold or incorporated into larger products that are then sold into interstate commerce in the United States, negatively affects the competitiveness of domestic manufacturers who use substitute substances in their production. Therefore, it is appropriate to reconsider the applicability of the class I ban to both specific products and product categories. Amending these requirements would limit the potential use of ozone-depleting substances in applications where substitutes are available and thus, further protect the stratospheric ozone layer.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4077

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RIN: 2060–AH99

3237. TIER II LIGHT-DUTY VEHICLE AND LIGHT-DUTY TRUCK EMISSION STANDARDS AND GASOLINE SULFUR STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7521, 42 USC 7545

CFR Citation: 40 CFR 86 (Revision); 40 CFR 80

Legal Deadline:
Other, Statutory, December 31, 1999, Determine need - tech. feasibility and cost effectiveness of more stringent standards.

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 submitted a report to Congress on July 31, 1998. The report provided evidence that there was a need for further reductions in emissions and that cost-effective technology is available to meet more stringent standards. This rulemaking will propose the next generation of emission standards for light-duty vehicles, light-duty trucks, and gasoline heavy-duty vehicles. The primary focus of this action will be reducing emissions of nitrogen oxides and non-methane hydrocarbons, pollutants which contribute to ozone pollution. Highway vehicles are significant contributors to ozone pollution, though tighter standards will also have additional air quality benefits. The light-duty vehicle and light-duty truck standards cannot go into effect before the 2004 model year, as per Clean Air Act requirements. The rulemaking will also propose limitations on the sulfur content of gasoline available nationwide. Sulfur in gasoline has a detrimental impact on catalyst performance and could be a limiting factor in the introduction of advanced technologies on motor vehicles.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 32411 Petroleum Refineries; 336111 Automobile Manufacturing; 33612 Heavy Duty Truck Manufacturing; 4227 Petroleum and Petroleum Products Wholesalers

Additional Information: SAN No. 4211

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RIN: 2060–AI23

3238. NAAQS: SULFUR DIOXIDE (REVIEW AND IMPLEMENTATION)

Priority: Economically Significant

Legal Authority: 42 USC 7409; CAA sec 109

CFR Citation: 40 CFR 50.4; 40 CFR 50.5

Legal Deadline:
NPRM, Judicial, November 1, 1994.
Final, Judicial, April 22, 1996.

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. In July 1996, the American Lung Association and the Environmental Defense Fund petitioned the U.S. Court of Appeals for the D.C. Circuit for a judicial review of EPA's decision not to establish a new 5-minute NAAQS. On January 30, 1998, the court found that EPA did not adequately explain its decision and remanded the case so EPA could explain its rationale more fully. EPA published a schedule for responding to the remand in the May 5, 1998 Federal Register. The schedule calls for a final response to the remand by December 2000. Any final action on the intervention level program would occur no sooner than December 2000.

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 Rule NAAQS Review	05/22/96	61 FR 25566
NPRM Revised NAAQS Implementation (Part 51)	01/02/97	62 FR 210
Notice Schedule for Response to NAAQS Remand	05/05/98	63 FR 24782
NPRM Response to NAAQS Remand	09/00/99	
Final Response to NAAQS Remand	12/00/00	
Final Rule NAAQS Implementation (Part 51)	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 1002

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RIN: 2060–AA61

3239. REVISION OF APPENDIX W TO 40 CFR PART 51

Priority: Substantive, Nonsignificant

Legal Authority: CAAA sec 110(a)(2); CAAA sec 165(e); CAAA sec 172(a); CAAA sec 172(c); CAAA sec 301(a)(1); CAAA sec 320

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 Guideline on Air Quality Models, published as appendix W to 40 CFR part 51. 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 51 fulfills a Clean Air Act mandate for EPA to specify models for air management purposes. This proposed rulemaking enhances appendix W with new and/or improved techniques.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Federal

Additional Information: SAN No. 3470

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RIN: 2060–AF01

3240. NESHAP/NSPS: RECIPROCATING INTERNAL COMBUSTION ENGINE

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

Legal Authority: PL 101-549; 42 USC 7411 CAA sec 111; 42 USC 7412 CAA sec 112

CFR Citation: 40 CFR 60; 40 CFR 63

Legal Deadline:

Final, Statutory, November 15, 2000.

Abstract: The stationary reciprocating internal combustion engine source category is listed as a major source of hazardous air pollutants (HAPs) under section 112 of the Clean Air Act (CAA). A major source is one which emits more than 10 tons/yr of one HAP or more than 25 tons/yr of a combination of 189 HAPs. Internal combustion engines also emit NOx, SO2, CO, and PM. The EPA will gather information on HAP emissions from internal combustion engines and determine the appropriate maximum achievable control technology (MACT) to reduce HAP emissions, if any. The EPA will also gather information for NOx, SO2, CO, and PM and decide whether standards are required to reduce these emissions. The EPA will use information that has already been developed, if possible, by gathering information by working with State/local agencies, vendors, manufacturers of internal combustion engines, owners and operators of internal combustion engines, and environmentalists. Some small businesses that use internal combustion engines may be directly impacted as well as a few small government entities who produce their own power. The number of small entities that would be affected is not known at this time.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3656

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RIN: 2060–AG63

3241. ● STANDARDS AND GUIDELINES FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS

Priority: Other Significant

Legal Authority: 42 USC 4111; CAA sec 129

CFR Citation: 40 CFR 60

Legal Deadline:
Final, Statutory, November 15, 1992.

Abstract: The Clean Air Act Amendments of 1990 direct the Environmental Protection Agency (EPA) to set standards of performance and emission guidelines for new and existing municipal waste combustors under Sections 111 and 129; to base these standards and guidelines on maximum achievable control technology; and to include emission limits for particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, mercury, lead, cadmium, and dioxins and dibenzofurans. The standards for large municipal waste combustors were adopted in 1995. This rule would establish standards for small MWC units.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4243

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RIN: 2060–AI51

3242. NESHAP/NSPS: COMBUSTION TURBINE

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

Legal Authority: CAA sec 111; CAA sec 112

CFR Citation: 44 CFR 60

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The combustion turbine source category is listed as a major source of hazardous air pollutants (HAPs) under section 112 of the Clean Air Act (CAA). A major source is one which emits more than 10 tons/yr of one HAP or more than 25 tons/yr of a combination of 189 HAPs. Combustion turbines also emit NOx, SO2, CO, and PM. Combustion turbines are already regulated for NOx and SO2 emissions under section 111 of the CAA. This project is part of the Industrial Combustion Coordinated Rulemaking (ICCR) Project. The EPA will gather information on HAP emissions from ICCR project sources including combustion turbines and determine the appropriate maximum achievable control technology (MACT) to reduce HAP emissions, if any. The EPA will also gather information to revise the 1979 NSPS for NOx and SO2 and decide whether CO and PM standards are required for combustion turbines. The EPA information that has already been developed will be used if possible and additional information will be gathered by working with State/local agencies, vendors, manufacturers of combustion turbines, owners and operators of combustion turbines, and environmentalists. A limited number of sources may be tested to gather emission data to supplement the existing emissions data base. The number of small entities that would be affected is not known at this time.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3657

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RIN: 2060–AG67

3243. NESHAP: MINERAL WOOL PRODUCTION INDUSTRY

Priority: Substantive, Nonsignificant

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 emits 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.

Timetable:

Action	Date	FR Cite
NPRM	05/08/97	62 FR 25370
Supp. Proposal	04/00/99	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 3461

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RIN: 2060–AE08

3244. NESHAP: IRON FOUNDRIES AND STEEL FOUNDRIES

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

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Iron foundries and steel foundries have been identified by the EPA as potentially significant sources of air emissions of manganese compounds, lead compounds, and other substances that are among the pollutants listed as hazardous air pollutants in section 112 of the Clean Air Act, as amended in November of 1990. As such, these industries may be source categories for which national emission standards may be warranted.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 331511 Iron Foundries; 331512 Steel Investment Foundries; 331513 Steel Foundries, (except Investment)

Additional Information: SAN No. 3343

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RIN: 2060–AE43

3245. NESHAP: CYANIDE CHEMICALS MANUFACTURING

Priority: Other Significant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Cyanide compounds are among the pollutants listed as hazardous air pollutants in section 112 of the Clean Air Act Amendments of 1990. As a consequence, the EPA has determined that sources that manufacture cyanide compounds may reasonably be anticipated to emit cyanide compounds in quantities sufficient to qualify them as major sources. Three source categories that either produce hydrogen cyanide or use it in the production of other chemicals, specifically cyanuric chloride and sodium cyanide, are on the initial list of HAP emitting source categories selected for regulation. The results of an assessment of the three source categories conducted by the Agency indicated that cyanuric chloride is an unstable intermediate product and is incorrectly listed. Also every facility producing sodium cyanide also produces hydrogen cyanide. As result of this analysis, the cyanuric chloride source category was delisted and the sodium and hydrogen cyanide source categories will be compressed into one cyanide source category. In addition, this new cyanide category was switched from the list of categories scheduled to be regulated in 1997 to the list of categories scheduled for regulation in 2000.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 325188 All Other Basic Inorganic Chemical Manufacturing

Additional Information: SAN No. 3341

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RIN: 2060–AE45

3246. NESHAP: INTEGRATED IRON AND STEEL

Priority: Economically Significant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act, as amended November 1990, requires the EPA to regulate categories of major and area sources of hazardous air pollutants (HAP). The EPA has determined that integrated iron and steel mills emit several of the 189 HAP listed (including compounds of chromium, lead, manganese, toluene, and polycyclic organic matter) in quantities sufficient to designate them as major sources. As a consequence, integrated iron and steel facilities are among the HAP-emitting source categories selected for regulation.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3346

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RIN: 2060–AE48

3247. 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, Judicial, May 15, 1999.

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.

Timetable:

Action	Date	FR Cite
NPRM	03/31/97	62 FR 15228
Supp. Proposal	04/00/99	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 32742 Gypsum and Gypsum Product Manufacturing

Additional Information: SAN No. 3123

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RIN: 2060–AE75

3248. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This regulation would control emissions of hazardous air pollutants from plants engaged in the manufacturing of homopolymers and/or copolymers which contain materials designed to enhance the chemical, physical, and/or thermal properties of the polymer. The source category includes, but is not limited to processing techniques such as hand layup and spray layup of gelcoats that incorporate styrene.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Sectors Affected: 32614 Polystyrene Foam Product Manufacturing

Additional Information: SAN No. 3326

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RIN: 2060–AE79

3249. NESHAP: MISCELLANEOUS ORGANIC CHEMICAL PRODUCTION AND PROCESSES

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

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This regulation will cover organic chemical manufacturing processes not covered by the HON or other MACT standards. The regulation will control process vents (continuous and batch), equipment leaks, storage tanks and wastewater.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 325992 Photographic Film, Paper, Plate and Chemical Manufacturing; 32551 Paint and Coating Manufacturing

Additional Information: SAN No. 3452

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RIN: 2060–AE82

3250. NESHAP: CHLORINE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The chlorine production source category includes facilities engaged in the production of chlorine and sodium hydroxide (caustic) by one of the following electrolytic processes: diaphragm cell, membrane cell, and mercury cell. Hazardous air pollutants emitted include chlorine, hydrogen chloride, and mercury. None of the facilities are major sources on their own. However, several are co-located with major sources (e.g., pulp and paper plants, polymer plants, synthetic organic chemical plants, etc.). Emissions of chlorine and hydrogen chloride are very minor and the Agency is evaluating whether regulation of these HAPs is warranted. Relative to mercury, which is among five

pollutants listed for regulation under section 112(c)(6) due to their persistent and bioaccumulative effects, the Agency intends to subject to regulation under section 112(d)(2) all mercury cell facilities regardless of major source status.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3449

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RIN: 2060–AE85

3251. NESHAP: PRIMARY LEAD SMELTERS

Priority: Substantive, Nonsignificant

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997, Statutory Section 112 of the CAA.
Final, Judicial, May 15, 1999.

Abstract: Primary lead smelters are a major source category of hazardous air pollutants. Potential emissions include compounds of lead, and other metallic HAPs as well as organic HAPs. Emission standards would establish maximum achievable control technology requirements for affected process units and fugitive dust sources. This industry is comprised of two companies which operate three smelters in two states.

Timetable:

Action	Date	FR Cite
NPRM	04/17/98	63 FR 19200
Supplemental NPRM	04/00/99	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 331419 Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)

Additional Information: SAN No. 3467

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RIN: 2060–AE97

3252. NESHAP: MANUFACTURING OF NUTRITIONAL YEAST

Priority: Other Significant

Legal Authority: CAA sec 112 (d)

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Section 112 of the Clean Air Act requires major sources of hazardous air pollutants to achieve emission reduction based on the maximum achievable control technology (MACT). This regulatory action will establish this level of control for both new and existing sources in the nutritional yeast manufacturing industry. This industry is currently comprised of 10 sources of 5 different manufacturers located in 8 different states. The only known HAP emission from this source is acetaldehyde. It is produced as a by-product during the fermentation process. The proposed regulatory options set maximum emission limits of acetaldehyde, which will be achievable by improved process control to reduce formation of this by-product. A supplemental proposal is being developed to provide notice and comment opportunity for updated industry information.

Timetable:

Action	Date	FR Cite
NPRM	10/18/98	63 FR 55812
Supplemental NPRM	10/00/99	
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Sectors Affected: 311999 All Other Miscellaneous Food Manufacturing

Additional Information: SAN No. 3550

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RIN: 2060–AF30

3253. AMENDMENTS TO GENERAL PROVISIONS SUBPARTS A AND B FOR 40 CFR 63

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549; 42 USC 7401 CAA sec 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	07/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3551

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RIN: 2060–AF31

3254. NESHAP: PAINT STRIPPING OPERATIONS

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

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the Act and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. 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 EPA has determined that paint stripping operations emit at least one of the HAPs listed in section 112(b) of the Act, specifically methylene chloride. As a result, the source category is included on the initial list of HAP-emitting categories scheduled for promulgation within 10 years of enactment of the Clean Air Act Amendments of 1990. The purpose of this action is to begin a regulatory development program such that any emission standards may be promulgated according to the mandated schedule. It is unknown now whether this action will impact small businesses.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3746

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RIN: 2060–AG26

3255. NESHAP: BOAT MANUFACTURING

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

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the boat manufacturing industry. The most abundant pollutant emitted by this industry is styrene, which is listed as a hazardous air pollutant in the 1990 Clean Air Act. The Agency will study the various hazardous air pollutants emitted by the industry and will evaluate pollution prevention and abatement techniques which can reduce emissions from these pollutants.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Sectors Affected: 336611 Ship Building and Repairing; 336612 Boat Building

Additional Information: SAN No. 3747

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RIN: 2060–AG27

3256. NESHAP: TIRE MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the Act and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. 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 EPA has determined that 43 major tire manufacturing operations emit at least one of the HAPs listed in section 112(b) of the Act, specifically benzene, hexane, and toluene. As a result, the source category is included on the list of HAP-emitting categories scheduled for promulgation within 10 years of enactment of the Clean Air Act Amendments of 1990. The purpose of this action is to continue a regulatory development program such that any emission standards may be promulgated according to the mandated schedule.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3749

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RIN: 2060–AG29

3257. PETROLEUM SOLVENT DRY CLEANERS MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) STANDARD

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

Legal Authority: 42 USC 7412 CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the Clean Air Act Amendments and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. 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 EPA has determined that the petroleum solvent dry cleaning industry emits several HAPs listed in section 112(b) of the Act; these HAPs are: chlorobenzene, cumene, ethyl benzene, polycyclic organic matter, toluene, and xylene. As a result, the source category is included on the initial list of HAP-emitting categories scheduled for promulgation within 10 years of enactment of the Clean Air Act Amendments of 1990. The purpose of this action is to begin a regulatory development program such that any emission standards may be promulgated according to the mandated schedule. It is anticipated that this action will impact small business, but the extent of that impact has not yet been determined.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3754

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RIN: 2060–AG34

3258. NESHAP: ETHYLENE PROCESSES

Priority: Substantive, Nonsignificant

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
NPRM, Statutory, November 15, 2000.
Final, Statutory, November 20, 2000.

Abstract: Title III of the Clean Air Act requires development of emission standards for all major sources emitting any of the 188 hazardous air pollutants (HAPs) identified in section 112(b) of the CAA. Ethylene Processes is listed as a category of major sources based on process knowledge emissions of benzene and butadiene. This action will explore alternatives controlling the release of HAPs from the following process areas located at ethylene process facilities: process streams, storage, equipment leaks and other fugitive sources, and wastewater operations. There are no anticipated impacts on small businesses.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Sectors Affected: 325193 Ethyl Alcohol Manufacturing

Additional Information: SAN No. 3821

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RIN: 2060–AG53

3259. LARGE APPLIANCE (SURFACE COATING) NESHAP

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

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

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

Abstract: This regulation will apply to surface coating of large appliance products and parts for household, commercial, or recreational use. This regulation will reduce nationwide emissions of HAPs from surface coating of large appliances, a measure required by section 112 of the Clean Air Act.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal

Sectors Affected: 335222 Household Refrigerator and Home Freezer Manufacturing

Additional Information: SAN No. 3823

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RIN: 2060–AG54

3260. NESHAP: ASPHALT ROOFING AND PROCESSING

Priority: Other Significant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The CAA required EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the asphalt roofing and processing industry may be reasonably anticipated to emit one of the pollutants listed in section 112(b) of the CAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within ten years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
Interim Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3655

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RIN: 2060–AG66

3261. NESHAP: INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS

Priority: Economically Significant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act, as amended in 1990, requires EPA to develop emission standards for sources of hazardous air pollutants (HAPs). Industrial boilers and institutional/commercial boilers are among the potential source categories to be regulated under section 112 of the CAA. Emissions of HAPs will be addressed by this rulemaking for both new and existing sources. EPA promulgated an NSPS for these source categories in 1987 and 1990. The standards for the NESHAP are to be technology-based and are to require the maximum achievable control technology (MACT) as described in section 112 of the CAA. This standard is part of the Industrial Combustion Coordinated Rulemaking.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 3837

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RIN: 2060–AG69

3262. NESHAP: LIME MANUFACTURING

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 CAA sec 112, 44 USC 350 et seq, 5 USC 605

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

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 (HAPs). 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 the EPA. The EPA has determined that some lime manufacturing plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the lime manufacturing industry.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 32741 Lime Manufacturing

Additional Information: SAN No. 3651

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RIN: 2060–AG72

3263. NESHAP: FRICTION PRODUCTS MANUFACTURING

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

Legal Authority: PL 91-190 sec 203; 42 USC 7401 CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The friction products manufacturing source category includes any facility that manufactures or remanufactures friction products such as brakes, brake pads, disk pads, and clutch pads, including facilities that use non-asbestiform mineral fibers and asbestos replacement material. Hazardous air pollutants (HAPs) are emitted from solvents contained in the adhesives used to bond the friction material to the automobile part. During 1998, the Agency collected current information from owners/operators regarding business size, quantities of pollutants, processes, air pollution control devices, and workplace practices in the industry. Some of the HAPs reported include phenol, toluene, methyl chloroform, chlorobenzene, o-cresol, formaldehyde, n-hexane, hydrogen cyanide, methanol, methylene chloride, methylisobutyl carbon, 1,1,1-trichloroethane, trichloroethylene, chloroethylether, ethylbenzene, xylenes, and methylethylketone. Owners/operators reported that these particular HAPs are emitted during heated processes such as curing, bonding, and debonding processes. It is expected that substantial reductions in these emissions can be achieved at the floor levels of controls under section 112(b). Based on this information and any needed new information to be developed by EPA and the industry, the Agency plans to propose and promulgate a maximum achievable control technology (MACT) or generally available control technology (GACT) standard for existing sources and new sources. The friction material industry is concentrated in, but not limited to, the automotive markets. Impacts on small businesses (including SBREFA analyses) and on State/local/tribal governments will be assessed.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3899

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RIN: 2060–AG87

3264. NESHAP: SEMICONDUCTOR 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 rule will establish a MACT (maximum available control technology) for semiconductor production facilities. There are currently 6 major sources that would be affected by the NESHAP. This action will result in little or no additional emission reduction but will establish a Federal MACT level for large facilities. It is anticipated that no major sources will be subject to the rule at time of promulgation.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3902

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RIN: 2060–AG93

3265. NESHAP: METAL CAN (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the metal can industry. The Agency will study what pollutants are emitted and evaluate the control techniques, including pollution prevention, that are used to reduce these emissions. The Agency will also determine what, if any, impact the rule would have on small businesses.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3906

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RIN: 2060–AG96

3266. NESHAP: METAL COIL (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants

emitted by the metal coil surface coating industry. The Agency will study what pollutants are emitted and evaluate the control techniques, including pollution prevention, that are used to reduce these emissions. The Agency will also determine what, if any, impact the rule would have on small businesses.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3905

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RIN: 2060–AG97

3267. NESHAP: FABRIC PRINTING, COATING AND DYEING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAP) emitted from fabric printing, coating, and dyeing. The Agency will identify and study the types and sources of HAP emissions from these processes, and evaluate pollution prevention and other control techniques which can reduce these emissions.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3909

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RIN: 2060–AG98

3268. AUTOMOBILE AND LIGHT-DUTY TRUCK MANUFACTURING (SURFACE COATING) NESHAP

Priority: Economically Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAPs) emitted from the coatings used by the automobile and light-duty truck manufacturing industry. The Agency will study the HAP emitted by the industry and will evaluate pollution prevention and other control techniques which can reduce these emissions.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Additional Information: SAN No. 3907

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RIN: 2060–AG99

3269. NESHAP: PRIMARY MAGNESIUM REFINING

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

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 60

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Section 112 of the Clean Air Act (Act), as amended November 1990, requires the EPA to regulate categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b). The EPA has determined that sources that manufacture primary magnesium may reasonably be anticipated to emit several of the 189 HAPs listed (including chlorine and hydrochloric acid) in quantities sufficient to designate them as a major source. As a consequence, primary magnesium refining is among the HAP emitting source categories selected for regulation and is in the group of categories for which final rules are scheduled to be promulgated by November 15, 2000 (58 FR 63941, December 3, 1993).

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3924

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RIN: 2060–AH03

3270. 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	04/00/99	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 2841

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RIN: 2060–AH08

3271. NESHAP: SITE REMEDIATION

Priority: Substantive, Nonsignificant

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	01/00/00	
Final Action	03/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 3968

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RIN: 2060–AH12

3272. 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. Only five U.S. spandex facilities have been identified. Currently, EPA is finalizing the Presumptive MACT (P-MACT). P-MACT is not an emission standard. P-MACT serves as a statement of current knowledge of MACT and a basis for a decision on how to develop the emission standard for the source category involved.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Additional Information: SAN No. 3967

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RIN: 2060–AH14

3273. NESHAP: 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 requires promulgation 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 189 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 1.7 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
NPRM	11/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 31611 Leather and Hide Tanning and Finishing

Additional Information: SAN No. 3964

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RIN: 2060–AH17

3274. NESHAP: MANUFACTURE OF CARBON BLACK

Priority: Substantive, Nonsignificant

Legal Authority: CAA 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. Three hazardous air pollutants identified in 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 Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Sectors Affected: 325182 Carbon Black Manufacturing

Additional Information: SAN No. 3962

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RIN: 2060–AH19

3275. NESHAP: VEGETABLE OIL PRODUCTION

Priority: Substantive, Nonsignificant

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 Rule	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Sectors Affected: 311223 Other Oilseed Processing; 311222 Soybean Processing; 311225 Fats and Oils Refining and Blending

Additional Information: SAN No. 3903

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RIN: 2060–AH22

3276. NESHAP: ROCKET ENGINE TEST FIRING/ENGINE TEST FACILITIES

Priority: Substantive, Nonsignificant

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	11/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected:
Undetermined

Additional Information: SAN No. 3972

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RIN: 2060–AH35

3277. NESHAP: FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS

Priority: Info./Admin./Other

Legal Authority: 42 USC 7412 CAAA, section 112

CFR Citation: 40 CFR 63

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 alternatives 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.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 326299 All Other Rubber Product Manufacturing; 326199 All Other Plastics Product Manufacturing

Additional Information: SAN No. 3973

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RIN: 2060–AH42

3278. NESHAP: GROUP I POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS; AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.480 to 63.506 (Revision); 40 CFR 63.1310 to 63.1335 (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 January 17, 1997, the EPA promulgated 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 NESHAPs regulating similar source categories. An ANPRM was published in the Federal Register on 11/25/96 (61 FR 59849), to explain the nature of changes planned.

Subsequently, six litigants have petitioned for review of the elastomers and thermoplastics regulations. Four companies have petitioned EPA to reconsider specific provisions in the thermoplastics regulation. Revisions will be proposed to parallel HON changes and to resolve petitioners' issues. 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	04/00/99	
Final	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 325211 Plastics Material and Resin Manufacturing

Additional Information: SAN No. 3939

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RIN: 2060–AH47

3279. 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 three court decisions.

This action resulted from splitting of RINs 2060-AC98 and 2060-AC63.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Rule	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3479

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RIN: 2060–AI01

3280. ● NESHAP: PROCESS HEATERS

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act, as amended in 1990, requires EPA to develop emission standards for sources of hazardous air pollutants (HAPs). Process heaters is among the potential source categories to be regulated under section 112 of the CAA. Emissions of HAPs will be addressed by this rulemaking for both new and existing sources. The standards for the NESHAP are to be technology-based and are to require the maximum achievable control technology (MACT) as described in section 112 of the CAA.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 4218

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RIN: 2060–AI35

3281. NSPS: NEW SOURCE PERFORMANCE STANDARDS 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: CAA sec 129

CFR Citation: 40 CFR 60

Legal Deadline:
Final, Statutory, November 15, 1994.
NPRM, Judicial, November 15, 1999.
Final, Judicial, November 15, 2000.

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). Negotiations have been completed with the litigants to grant an extension to the Agency. The Agency has agreed to propose standards by November 1999, and promulgate standards by November 2000.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Additional Information: SAN No. 3613

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RIN: 2060–AF91

3282. NSPS: 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

Legal Authority: 42 USC 7509 CAA sec 129

CFR Citation: 40 CFR 60

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: Section 129 of the Clean Air Act of 1990 requires the Agency to promulgate New Source Performance Standards (NSPS) and Emission Guidelines (EG) for solid waste incinerators. Section 129 specifically required the Administrator to publish a schedule for regulating Other Solid Waste Incinerators (OSWI). A notice in the Federal Register was published on November 2, 1993 that announced that the Administrator would promulgate OSWI standards by November 15, 2000. The notice also listed what classes of incinerators would be covered by the OSWI standards. Because it is believed that these OSWI emit significant amounts of air pollution that cause public health and environmental problems, the Administrator intends to promulgate the NSPS and EG for OSWI in accordance with section 129. Standards will be set for the following pollutants: particulate matter, opacity, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead cadmium, mercury, and dioxins and dibenzofurans.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/94	59 FR 66850
NPRM	11/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local

Additional Information: SAN No. 3751

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RIN: 2060–AG31

3283. ● CONSUMER AND COMMERCIAL PRODUCTS: FLEXIBLE PACKAGE PRINTING MATERIALS: DETERMINATION ON CONTROL TECHNIQUES GUIDELINES IN LIEU OF REGULATION

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, March 23, 1999, Consumer and Commercial Products: Schedule for Regulation 60 FR 15264 03/23/95.

Abstract: In accordance with Section 183(e) of the Clean Air Act, EPA identified flexible package printing materials as a category of consumer and commercial products prioritized for regulation to reduce VOC emissions in ozone nonattainment areas. Section 183(e)(3)(C) gives EPA the authority to issue CTG in lieu of regulation if the Administrator determines that CTG are substantially as effect as regulation in reducing VOC emissions in ozone nonattainment areas. This action will put forward EPA's proposed determination under section 183(e)(3)(C).

Timetable:

Action	Date	FR Cite
NPRM Propose Determination	04/00/99	
Final Action Final Determination/CTG	03/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4245

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RIN: 2060–AI31

3284. 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	12/00/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3979

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RIN: 2060–AH38

3285. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF SECTION 608 SALES RESTRICTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7671g , CAA sec 608

CFR Citation: 40 CFR 82(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 chlorofluorocarbons, hydrochlorofluorocarbons, 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. This action has no impact on small business and State, local, and tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	
Final Action	03/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 3673

This action is combined with RIN 2060-AG47, SAN 3809.

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RIN: 2060–AG20

3286. PROTECTION OF STRATOSPHERIC OZONE: SERVICING OF MOTOR VEHICLE AIR CONDITIONERS: STANDARDS FOR EQUIPMENT THAT RECOVERS AND RECYCLES REFRIGERANTS OTHER THAN CFC-12 AND HFC-134A

Priority: Other Significant

Legal Authority: 42 USC 7671

CFR Citation: 40 CFR 82(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. Specifically, 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, those small entities such as independent repair shops, service stations, truck fleet shops, collision repair shops, new car and truck dealers, car and truck rental shops, and radiator repair shops that choose to service vehicles that contain refrigerants other than CFC-12 or HFC-134a that are listed as acceptable under EPA's SNAP program. Specifically, it will allow them to use equipment to recycle these refrigerants.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	08/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3983

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RIN: 2060–AH29

3287. SUPPLEMENTAL RULE TO REQUIRE CERTAIN PRODUCTS MADE WITH HCFCS TO BEAR WARNING LABEL

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq Clean Air Act sec 611

CFR Citation: 40 CFR 82(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 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	08/00/99	
Final Action	08/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 3640

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RIN: 2060–AF93

3288. ● PROTECTION OF STRATOSPHERIC OZONE: ADDITIONAL STEPS TO CONFORM U.S. METHYL BROMIDE PROGRAM TO OBLIGATIONS UNDER THE MONTREAL PROTOCOL AND RECENT CHANGES TO THE CAA

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This rulemaking will propose remaining phaseout steps for methyl bromide, adjust phaseout data, and establish additional exemptions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 4271

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RIN: 2060–AI41

3289. METAL FURNITURE (SURFACE COATINGS) NESHAP

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

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

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

Abstract: This regulation will apply to surface coating of metal furniture products and parts for household or commercial use. This regulation will reduce nationwide emissions of HAPs from surface coating of metal furniture products and parts, which is required under section 112 of the Clean Air Act.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal

Sectors Affected: 337124 Metal Household Furniture Manufacturing

Additional Information: SAN No. 3824

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RIN: 2060–AG55

3290. NESHAP MISCELLANEOUS METAL PARTS AND PRODUCTS (SURFACE COATING)

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This regulation will control emissions of hazardous air pollutants (HAPs) from operations that apply surface coatings to metal parts and products. Although this rule would cover a wide variety of coating operations, it would not apply to specific coating operations for which regulations have been developed (e.g., plastic parts coating, can coating, large appliance coating, etc.). This regulation is required under section 112 of the Clean Air Act of 1990.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3825

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RIN: 2060–AG56

3291. PLASTIC PARTS (SURFACE COATING) NESHAP

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

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

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

Abstract: This action would address both the and hazardous air pollutants (HAP) emissions from the coating of plastic parts. Pollution prevention approaches will be considered. Specific sectors of the plastic parts industry to be included in this action have not yet been determined.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3826

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RIN: 2060–AG57

3292. PAPER AND OTHER WEB COATING NESHAP

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63; 40 CFR 59

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action would result in the reduction of hazardous air pollutants (HAPs) emitted by the paper and other web coating industries. The Agency will study the various HAP and VOC pollutants emitted by the industry and will evaluate pollution prevention and control techniques which can reduce these emissions. There are likely to be small businesses in the paper and other web coating industry, but at this time it is not known how many of these small businesses will be subject to these rules.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3827

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RIN: 2060–AG58

3293. NESHAP: WOOD BUILDING PRODUCTS (SURFACE COATING)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAP) emitted by the wood building product surface coating industry. The Agency will study the various HAP emitted by the industry and evaluate pollution prevention and control techniques which can reduce these emissions.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

EPA—CAA — Proposed Rule Stage

Government Levels Affected: None

Additional Information: SAN No. 3904

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RIN: 2060–AH02

3294. OFFSET LITHOGRAPHIC PRINTING NATIONAL VOC RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: This action will result in the reduction of volatile organic compound (VOC) emissions from offset lithographic printing.

Timetable:

Action	Date	FR Cite
NPRM	03/00/00	
Final Action	03/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Additional Information: SAN No. 3908

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RIN: 2060–AH00

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage
Clean Air Act (CAA)

3295. NESHAP: CHROMIUM ELECTROPLATING AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63 (Revision)

Legal Deadline: None

Abstract: Since the promulgation of the chromium electroplating NESHAP we have been informed of several sources that are experiencing difficulty in complying with the concentration limit for new sources even though they have installed and operate composite mesh pad scrubber technology similar or identical to that used as the basis for the MACT emission limit. These sources operate new state-of-the-art plating tanks not encountered during rule development which feature enclosing hoods that completely cover the surface of the plating tank. This covered tank design allows for effective capture and ventilation at substantially lower exhaust air flow rates than otherwise encountered with more conventional exterior hooding. Although these sources exceed the new source standard concentration limit of 0.015 mg/dscm, actual mass rate emissions are more than 50 percent lower than would otherwise be achieved with more conventional hooding and higher ventilation rates. The chromium electroplating standard will be amended to include this alternative type of control system.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Sectors Affected: 332813 Electroplating, Plating, Polishing, Anodizing and Coloring

Additional Information: SAN No. 4115

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RIN: 2060–AH69

3296. REDEFINITION OF GLYCOL ETHERS LISTED AS HAPS UNDER THE CLEAN AIR ACT, AND HAZARDOUS SUBSTANCES UNDER CERCLA

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; 42 USC 9602, 9603, and 9604; 33 USC 1321; 33 USC 1361

CFR Citation: 40 CFR 63 (Revision); 40 CFR 302 (Revision)

Legal Deadline: None

Abstract: The proposed action will redefine the glycol ethers category of hazardous air pollutants (HAPs) regulated under the Clean Air Act and hazardous substances under the Comprehensive Emergency Response, Compensation, and Liability Act. The new definition will omit specific compounds of high molecular weight used as surfactants by the soap and detergent industry. These compounds have low volatility, so only minor amounts are emitted during manufacture and use of soaps and detergents. The compounds also have low toxicity, so the small amounts that are released are extremely unlikely to cause any harm to health or the environment. The proposal will reduce the burden of environmental regulations on soap and detergent manufacturers, and will have no adverse environmental impact.

Timetable:

Action	Date	FR Cite
NPRM	01/12/99	64 FR 1780
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Sectors Affected: 325611 Soap and Other Detergent Manufacturing

Additional Information: SAN No. 4159

Development, implementation, and enforcement of emission standards by Federal and State government for the soap and detergent industry will be somewhat simplified by the omission of compounds of high molecular weight and low volatility.

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RIN: 2060–AI08

3297. ● ACID RAIN PROGRAM PERMITS REGULATIONS AND SO2 ALLOWANCE SYSTEM: COMPLIANCE DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 72; 40 CFR 73

Legal Deadline: None

Abstract: This rulemaking would amend certain provisions in the Permits and Sulfur Dioxide Allowances rules under Title IV of the 1990 Clean Air Act Amendments to improve the operation of the Allowance Tracking System and the allowance market. The revisions are proposed in light of the Agency's experience in implementing the acid rain rules and would result in allowing a limited number of allowances to be held for a unit outside the unit's account.

Timetable:

Action	Date	FR Cite
NPRM	08/03/98	63 FR 41357
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 4242

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RIN: 2060–AI27

3298. ● COMPLIANCE BASELINE MODIFICATION NPRM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7414 Sections 114; 42 USC 7545(c) Sections 211(c); 42 USC 7545(k) Sections 211(k); 42 USC 7601; 301 CAA as amended

CFR Citation: 40 CFR 80.101(f)(4)(ii)

Legal Deadline: None

Abstract: This action proposes to evaluate the compliance of conventional gasoline which a refiner sells in Puerto Rico in excess of that refiner's baseline volume of Puerto Rico gasoline using the same seasonal version of the Complex Model for both compliance and baseline determinations. The proposal would modify the reformulated gasoline program's anti-dumping compliance baseline calculation so as to replace the winter Complex Model with the more climatically appropriate summer Complex Model for all baseline and compliance calculations with respect to Puerto Rico gasoline. The proposed provision would apply to any refiner which has Puerto Rico gasoline in its baseline, has increased production of gasoline for sale in Puerto Rico above its baseline volume of Puerto Rico gasoline, and which petitions the Agency to apply the proposed modified compliance baseline to its Puerto Rico gasoline. EPA will require any refiner submitting such a petition to recalculate its individual baseline using the summer Complex Model for any Puerto Rico gasoline. We anticipate that today's action will affect only a single refiner. We have not yet fully evaluated the implications of a general shift toward a climate-sensitive use of the summer and winter Complex Models for other Puerto Rico refiners, or for similarly situated refiners in other regions. However, we are requesting comment from other refiners that produce gasoline for sale in areas not subject to EPA's volatility requirements. Based on the comments we receive, we may or may not proceed with similar future rulemaking action.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4267

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RIN: 2060–AI29

3299. ● NESHAP: ETHYLENE OXIDE COMMERCIAL STERILIZATION AND FUMIGATION OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Section 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: This action suspends the National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Commercial Sterilization and Fumigation Operation (EO NESHAP) requirements for chamber exhaust and aeration room vents. The suspension allows affected sources subject to the EO NESHAP to defer compliance with the NESHAP requirements for chamber exhaust and aeration room vents for one year until December 6, 1999. This suspension does not affect the requirement for sources subject to the EO NESHAP to comply with provisions for sterilizer vents by December 6, 1998. This action does not change the level of the standards or the intent of the NESHAP promulgated in 1994.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/04/98	63 FR 66990
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4222

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RIN: 2060–AI37

3300. ● PROTECTION OF STRATOSPHERIC OZONE: AMENDMENT TO TRANSSHIPMENT PROVISION IN FINAL RULE ACCELERATING THE PHASEOUT OF OZONE-DEPLETING SUBSTANCES

Priority: Routine and Frequent

Legal Authority: Not Yet Determined

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: Amends current rule to require those transshipping goods with ozone-depleting substances through the U.S. to notify EPA of the specifics of the transshipment.

Timetable:

Action	Date	FR Cite
NPRM Reproposal	05/10/95	60 FR 25010
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 3626

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RIN: 2060–AI46

3301. ● REVISIONS TO REFERENCE METHOD FOR THE DETERMINATION OF FINE PARTICULATE MATTER AS PM2.5 IN THE ATMOSPHERE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7409-7601(a)

CFR Citation: 42 CFR 50 (Revision)

Legal Deadline: None

Abstract: A new National Network of fine particulate monitors is being implemented over the next two years. In order to assure that data is of the highest quality and is comparable both within and between air monitoring agencies many specific design and performance requirements were detailed in 40 CFR part 50, appendix L. Other requirements were not detailed in 40 CFR part 50, appendix L, but referenced to documents such as section 2.12 of the Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Specific Methods, EPA/600/R-94/038b. During the comment period and subsequent review of section 2:12 of the Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Specific Methods, EPA/600/R-94/038b, a detailed examination of how fine particulate will be monitored was examined. During this examination, two items detailed in 40 CFR part 50, appendix L were determined to need modification. For transport of exposed filters from the sample location to the conditioning environment, it was determined that there was no technical merit to requiring use of ''metal'' as the composition of protective container. For verification of sampler flow rate, it was determined that the +/- 2% acceptable tolerance was too tight and may result in unnecessary calibrations as a result of false positive flow rate verifications. An acceptable tolerance of +/- 4% was established for verification checks, while yearly calibrations would still require a tolerance of +/- 2%.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Additional Information: SAN No. 4256

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RIN: 2060–AI48

3302. ● FEDERAL PLAN REQUIREMENTS FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMMENCED CONSTRUCTION PRIOR TO 5/30/91 AND HAVE NOT BEEN MODIFIED OR RECONSTRUCTED SINCE 5/30/91

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7411(d)

CFR Citation: 40 CFR 62.13 (Revision); 40 CFR 62.14356 (New)

Legal Deadline: None

Abstract: On 2-12-96, the EPA promulgated emission guidelines for control of non-methane organic compound air emissions from existing municipal solid waste (MSW) landfills, under the authority of section 111(d) of the Clean Air Act (61 FR 9905). State or local regulatory agencies and Indian Tribes were required to develop and submit a Plan for implementing the emission guidelines by 12-12-96. In the event that a State, locality, or Indian Tribe should fail to submit an approvable Plan in accordance with the Clean Air Act, EPA is required to prescribe a Plan for these areas and enforce the provisions of such a Plan. The time lines for such action are specified in 40 CFR 60 subpart B. Under this action, EPA is initiating a Federal Plan that regulates existing MSW landfills in States, localities, and Indian Tribes that have not submitted an approvable plan within the time allotted. This action makes no changes to the requirements in the original rule, and is intended as a gap-filling measure until the State, locality, or Indian Tribe can receive the necessary administrative approvals. When the State, locality, or Indian Tribe submits an approvable Plan, the federal Plan will be amended to no longer apply to existing MSW landfills in these areas.

Timetable:

Action	Date	FR Cite
NPRM	12/16/98	63 FR 69364
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Additional Information: SAN No. 4066

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RIN: 2060–AI50

3303. 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.

Legal Authority: CAA as amended, title I

CFR Citation: 40 CFR 51.160 to 51.166; 40 CFR 52.21; 40 CFR 52.24

Legal Deadline: None

Abstract: This action is to revise the CAA new source review (NSR) regulations, which govern the preconstruction air quality review and permitting programs that are implemented by States and the Federal Government for new and modified major stationary sources of air pollution. This rulemaking will deregulate, that is, exclude from major NSR program requirements those activities of sources that, with respect to air pollution, have little environmental impact. The rulemaking will encourage pollution control and pollution prevention projects at existing sources. Control technology requirements will be clarified with respect to when and how they apply to sources that are covered. The action seeks to more clearly define the appropriate roles and requirements of sources, permitting authorities and Federal land managers and EPA in the protection of air-quality-related values in Federal Class I areas (i.e., certain national parks and wilderness areas) under the NSR regulations. State, local, and tribal permitting agencies will be given more flexibility to implement program requirements in a manner that meets their specific air quality management needs. Consequently, the rulemaking decreases the number of activities that are subject to NSR requirements and also expedites the permitting process for those sources that are subject to NSR. This action is designed to reduce the regulatory burden over all industries without respect to commercial size or capacity; therefore, it should have no detrimental impact on small businesses. Finally, this action also addresses several pending petitions for judicial review and administrative action pertaining to NSR applicability requirements and control technology review requirements. Regulations that will be affected are State implementation plan requirements for review of new sources and modifications to existing sources (40 CFR 51.160-166), the Federal prevention of significant deterioration program (40 CFR 52.21), and Federal restriction on new source construction (40 CFR 52.24).

Timetable:

Action	Date	FR Cite
NPRM	07/23/96	61 FR 38249
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3259

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RIN: 2060–AE11

3304. NESHAP: PETROLEUM REFINERIES—FCC UNITS, REFORMERS AND SULFUR PLANTS

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq; PL 101-549 104 Stat. 2399

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Judicial, May 15, 1999.

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	09/11/98	63 FR 48889
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 32411 Petroleum Refineries

Additional Information: SAN No. 3549

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RIN: 2060–AF28

3305. 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 51

Legal Deadline: None

Abstract: In response to litigation on the operating permits rule regulations, 40 CFR Part 70, to provide more effective implementation of part 70, and to address comments provided in response to notices of proposed rulemaking, parts 70 and 51 are being revised. In part, the changes streamline the procedures for revising stationary-source operating permits issued by State and local permitting authorities under title V of the Clean Air Act; revise the certification of compliance that is required to be submitted as part of the permit documentation; clarify the title V permitting requirements for research and development facilities; and modify public participation requirements for minor new source review actions at title V facilities.

Timetable:

Action	Date	FR Cite
NPRM	08/29/94	59 FR 44460
NPRM Supplemental Proposal for Part 70	08/31/95	60 FR 45530
NPRM Interim Approval Extension	07/27/98	63 FR 40053
Direct Final Interim Approval Extension	07/27/98	63 FR 40054
Final Action	02/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Additional Information: SAN No. 3412

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RIN: 2060–AF70

3306. 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	58 FR 61639
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 2915

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RIN: 2060–AF83

3307. SERVICE INFORMATION AVAILABILITY

Priority: Other Significant

Legal Authority: 42 USC 7521(m)

CFR Citation: 40 CFR 86

Legal Deadline: None

Abstract: This rule will require manufacturers of automobiles to provide necessary information needed to make use of emission control diagnostic systems as well as that needed to make emission-related diagnosis and repairs by any person engaged in the repairing or servicing of motor vehicles or motor vehicle engines. This will allow independent service repair garages, individual owners, parts manufacturers, etc., to have access to emission control information to better service automobiles and ensure clean air compliance requirements.

Timetable:

Action	Date	FR Cite
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3741

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RIN: 2060–AG13

3308. AMENDMENTS TO PART 60, PART 61, AND PART 63 AND ADDITION OF METHOD 14A TO PART 60

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7410 to 7412; 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. Performance specification 15 is also being proposed in this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	08/27/97	62 FR 45369
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3743

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RIN: 2060–AG21

3309. AMENDMENT TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; MONITORING REQUIREMENTS (PS-1)

Priority: Substantive, Nonsignificant

Legal Authority: CAA sec 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 vendor 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
Supplemental NPRM	09/23/98	63 FR 50824
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3744

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RIN: 2060–AG22

3310. CONSOLIDATED FEDERAL AIR RULE FOR THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY

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 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, recordkeeping, and reporting requirements.

These requirements may be duplicative, overlapping, 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.

All existing Federal air rules applicable to an industry sector will be reviewed to determine whether their 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 may be expanded to air rules for other industry sectors.

Timetable:

Action	Date	FR Cite
NPRM	10/28/98	63 FR 57748
Final	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3748

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RIN: 2060–AG28

3311. ACID RAIN PROGRAM: CONTINUOUS EMISSION MONITORING (CEM) RULE REVISIONS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 75 (Revision); 40 CFR 72 (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 begun to comply with this regulation by installing and completing certification testing by the January 1, 1995, statutory deadline.

As a result of on-going internal and external assessment of the Acid Rain Program monitoring and reporting requirements, EPA, State environmental agencies, and affected utilities have identified areas of the part 75 CEM regulations which would benefit from revision or clarification. Many of the suggested revisions will add increased flexibility to the utility industry in implementing and complying with the requirements of part 75. Other revisions will clarify existing provisions in an effort to make the regulation more understandable. Still other revisions will provide increased quality assurance of the Acid Rain Program CEM data. These issues include allowing reduced monitoring and reporting requirements for low emitting units, more effective and economical quality assurance requirements, greater flexibility for fuel sampling and fuel flowmeter testing procedures under appendix D, clarification of span/range equipment specifications, greater flexibility for monitoring controlled emissions, and greater flexibility for using backup monitors during malfunction of the primary monitor. This action is necessary because of the experience and additional information both EPA and industry have 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	05/21/98	63 FR 28032
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3808

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RIN: 2060–AG46

3312. ADDITION OF METHOD 207 TO APPENDIX M OF 40 CFR PART 51 METHOD FOR MEASURING ISOCYANATES IN STATIONARY SOURCE EMISSIONS

Priority: Substantive, Nonsignificant

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	12/08/97	62 FR 64532
Final Action	02/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3900

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RIN: 2060–AG88

3313. FEDERAL OPERATING PERMITS PROGRAM IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7661a(d)(3)

CFR Citation: 40 CFR 71.4

Legal Deadline:
Final, Statutory, November 15, 1997.

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	03/21/97	62 FR 13748
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3868

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RIN: 2060–AG90

3314. REVISION TO THE LIGHT-DUTY VEHICLE EMISSION COMPLIANCE PROCEDURE (CAP 2000)

Priority: Other Significant

Legal Authority: CAA

CFR Citation: Not yet determined

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	07/23/98	63 FR 39653
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3913

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RIN: 2060–AH05

3315. 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 determining, on a continuous basis, compliance with stationary source opacity emission limitations.

Timetable:

Action	Date	FR Cite
NPRM	10/07/92	57 FR 46114
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3958

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RIN: 2060–AH23

3316. EXPANDED DEFINITIONS FOR ALTERNATIVE-FUELED VEHICLES AND ENGINES MEETING LOW-EMISSION VEHICLE EXHAUST EMISSION STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2001; 15 USC 2002; 15 USC 2003; 15 USC 2005; 15 USC 2006; 15 USC 213; 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7549; 42 USC 7550; 42 USC 7552

CFR Citation: 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will ease the burden of certification for both Original Equipment Manufacturers (OEMs) and after-market conversion entities. This action will, for vehicles and engines meeting LEV emission standards, broaden the definition of the term dedicated fuel system, broaden the criteria for engine families, and provide an exemption from certification fees. This action is not a deregulatory action. This action will provide another means for small business to remain active entities in supplying alternatively fueled vehicles to the market place. The above three changes are intended to reduce the cost of complying with the requirements of certification, and small business will benefit from these changes. This action will enhance the ability for the regulated industry to provide alternatively fueled vehicles to the consumer in support of the Executive Order 13031.

Timetable:

Action	Date	FR Cite
NPRM	07/20/98	63 FR 38767
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4030

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RIN: 2060–AH52

3317. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORY: PULP AND PAPER PRODUCTION; AMENDMENTS TO THE PROMULGATED RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.440 to 63.459 (Revision)

Legal Deadline: None

Abstract: The purpose of this action is to clarify sections of the promulgated pulp and paper industry maximum achievable control technology (MACT) standards where commenters have indicated that the wording is confusing. This action will also correct any typographical errors noted. This action will contain guidance and amended rule language.

Timetable:

Action	Date	FR Cite
Final Rule Interpretations and Technical Amendment	09/16/98	63 FR 49455
NPRM	12/28/98	63 FR 71408
Direct Final Rule Amendment	12/28/98	63 FR 71385
Final Action Interpretations and Technical Amendment	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4123

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RIN: 2060–AH74

3318. FEDERAL IMPLEMENTATION PLANS (FIPS) TO REDUCE THE REGIONAL TRANSPORT OF OZONE IN THE EASTERN UNITED STATES

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 52; 40 CFR 97; 40 CFR 98

Legal Deadline: None

Abstract: This action proposes to require Nitrogen Oxides (NOx) emissions decreases in 22 States and the District of Columbia. The intended effect is to reduce the transport of ozone (smog) pollution and one of its main precursors -- NOx -- across State boundaries in the eastern half of the United States.

On October 27, 1998, EPA published a final rule (often referred to as the ''OTAG SIP Call'') finding that the transport of ozone from certain States in the Ozone Transport Assessment Group (OTAG) region (the OTAG region is comprised of the 37 easternmost States and the District of Columbia) contributes significantly to nonattainment of the ozone national ambient air quality standards (NAAQS) in downwind States. Further, EPA determined the appropriate levels of NOx emissions that each of the affected States will be required to achieve. The final OTAG SIP Call rule allows States 12 months to develop, adopt, and submit revisions to their State Implementation Plans (SIPs) to address the transport problem.

The Administrator is required to promulgate a Federal Implementation Plan (FIP) within 2 years of: (1) finding that a State has failed to make a required submittal or (2) finding that a submittal is not complete or (3) disapproving a SIP submittal. Although the Clean Air Act allows EPA up to 2 years after the finding to promulgate a FIP, EPA intends to expedite the FIP promulgations to help assure that the downwind States realize the air quality benefits of regional NOx reductions as soon as practicable. Therefore, EPA proposed FIPs at the same time as final action was taken on the October 27, 1998 SIP Call final rule. Furthermore, EPA intends to make a finding and promulgate a FIP immediately after the

SIP submittal due date for each upwind State that fails to submit a SIP.

Timetable:

Action	Date	FR Cite
NPRM	10/21/98	63 FR 56393
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local, Tribal, Federal

Additional Information: SAN No. 4096

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RIN: 2060–AH87

3319. FINDINGS OF SIGNIFICANT CONTRIBUTION AND RULEMAKING ON SECTION 126 PETITIONS FOR PURPOSES OF REDUCING INTERSTATE OZONE TRANSPORT

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7426

CFR Citation: 40 CFR 52; 40 CFR 75; 40 CFR 97

Legal Deadline:
Other, Statutory.
Final, Judicial, April 30, 1999, Consent decree.

Abstract: In August 1997, eight northeastern States (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Pennsylvania, and Vermont) submitted individual petitions to EPA under section 126 of the Clean Air Act. Each petition requests that EPA make a finding that certain major stationary sources in upwind States contribute significantly to ozone nonattainment problems in the petitioning State. The petitions target sources in the eastern half of the United States. If EPA grants the requested findings, EPA must establish Federal emission control requirements for the affected sources. Sources would have to comply with the emissions limits within three years from the finding. These sources may also subjected to State-adopted emission limitations and control schedules in response to a separate EPA rulemaking action on regional ozone transport that EPA promulgated on October 27, 1998 (63 FR 57356, summarized elsewhere in this Agenda as RIN 2060-AH10). In this related action, EPA made a finding that emissions from 22 eastern States and the District of Columbia significantly contribute to nonattainment problems in downwind States. EPA required that these States and DC must revise their State implementation plans to include provisions that will reduce Statewide nitrogen oxide emissions (an ozone precursor) to a specified level. Because this ozone transport rulemaking overlaps considerably with the section 126 petition process, EPA believes it is important to coordinate the two actions as much as possible. On December 17, 1997, EPA signed a memorandum of agreement with the eight petitioning States concerning the schedule for EPA action on the petitions. The agreement provides EPA with additional time beyond the statutory deadline for analyzing the technical merits of the petitions and carrying out the rulemaking process. The agreement is designed to ensure that EPA will take timely action on the petitions while recognizing that EPA is simultaneously examining ozone transport through a State-based process.

Timetable:

Action	Date	FR Cite
ANPRM	04/30/98	63 FR 24058
NPRM	09/30/98	63 FR 52213
NPRM	10/21/98	63 FR 56291
Supplemental NPRM	03/03/99	64 FR 10342
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Sectors Affected: 221112 Fossil Fuel Electric Power Generation

Additional Information: SAN No. 4095

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RIN: 2060–AH88

3320. AIR QUALITY INDEX REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This regulation will update the Pollutant Standards Index (PSI) to reflect revisions to the NAAQS for ozone and particulate matter. The PSI program is codified in section 58.50 and appendix G to part 58. Section 58.50 and appendix G to part 58 require that States report to the public an air quality index, the Pollutant Standards Index, which translates ambient concentrations of five of the criteria pollutants to a uniform, numerical index, ranging from 0 to 500. The scale of the PSI is based on human health effects information. Revisions will be made to the ambient concentrations which specify the breakpoints between the PSI categories (i.e., the good, moderate, unhealthful, very unhealthful, and hazardous categories) and associated example health advisories.

Timetable:

Action	Date	FR Cite
NPRM	12/09/98	63 FR 67818
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4073

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RIN: 2060–AH92

3321. ELECTRIC ARC FURNACE NSPS AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

EPA—CAA **Final Rule Stage**

CFR Citation: 40 CFR 60 (Revision)

Legal Deadline: None

Abstract: The NSPS currently requires monitoring of the furnace pressure by installing a pressure sensor in the furnace or in the duct connected to the furnace. Maintaining an operating pressure sensor under these conditions of extreme temperatures is difficult. The NSPS will be amended to allow daily observations of visible emissions from the shop in conjunction with monitoring of primary and secondary emission control system parameters, in lieu of monitoring internal furnace pressure. This amendment was recommended by the iron and steel common sense initiative.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4125

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RIN: 2060–AH95

3322. ACID RAIN PROGRAM: PROPOSED REVISION OF TEST METHOD 1, 2, AND 2F FOR MEASURING VOLUMETRIC FLOW IN STACKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7411; 42 USC 7414; 42 USC 7416; 42 USC 7429; 42 USC 7601

CFR Citation: 40 CFR 60; 40 CFR 60 (Appendix A) ''Test Method 1 and 2''; 40 CFR 75

Legal Deadline:
Other, Statutory, December 31, 1998, Voluntary.

Abstract: EPA Test Methods are Agency-approved procedures used by test teams to accurately determine emissions from sources; e.g., power plants. The proposed revisions to Test Methods 1, 2, and 2F will improve the accuracy of the determination of volumetric flow measurements in utility stacks. These revisions will affect electric utilities and other sources covered by EPA's Acid Rain Program and possibly by other air quality control regulations; e.g., New Source Performance Standards, Prevention of Significant Deterioration, and State emission limits. Currently, the Test Methods do not allow yaw or pitch angles or wall effects to be considered in calculating volumetric flow. In the Acid Rain Program and in other programs requiring reporting of mass emission rates, e.g., lbs SO2/hour, not allowing these parameters in the calculation of volumetric flow may cause overreporting of pollutant emissions in some situations. The Test Method revisions are also expected to help reduce such overreporting as well as the disparity between stack-measured power plant heat rate and combustion-calculated heat rate. Heat rate is important to power plants because it affects, e.g., electric rates, and limitations on plant operations in State permits.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4130

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RIN: 2060–AH97

3323. OPTIONAL CERTIFICATION STREAMLINING PROCEDURES FOR LDVS, LDTS, AND HDES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2001; 15 USC 2002; 15 USC 2003; 15 USC 2005; 15 USC 2006; 15 USC 213; 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7549; 42 USC 7550; 42 USC 7552

CFR Citation: 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will ease the burden of certification for both Original Equipment Manufacturers (OEMs) and after-market conversion entities that meet Clean-Fuel Vehicle requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/20/98	63 FR 38767
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4165

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RIN: 2060–AI15

3324. CONTROL OF EMISSIONS OF AIR POLLUTION FROM NEW MARINE DIESEL ENGINES AT OR ABOVE 37 KILOWATTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7547(a)

CFR Citation: 40 CFR 89

Legal Deadline:
NPRM, Judicial, November 25, 1998, Consent Decree.
Final, Judicial, November 26, 1999, Consent Decree.

Abstract: The ANPRM notifies and invites comments from the public on EPA's plans to propose stringent standards for control of emissions of oxides of nitrogen, hydrocarbons, and particulate matter from diesel marine engines at or above 37 kilowatts. The ANPRM contains a broad outline of EPA's plans for defining a national emission control program for these engines, including engine categories to be covered, emission standard levels being considered, and potential compliance programs. Results of a Nonroad Engine and Vehicle Emission Study conducted by EPA indicated the need for regulation of categories or

classes of new nonroad engines and vehicles that are significant contributors to ozone or CO in NAAQS nonattainment areas. Such a finding led to control of emissions from various nonroad sources. This action outlines a strategy to control emissions from one nonroad source: diesel marine engines. If the emission control program discussed in the ANPRM is implemented, EPA would expect to see NOx and PM reductions comparable to their land-based counterparts on a per engine basis, for marine engines which are derivatives of land-based engines.

Timetable:

Action	Date	FR Cite
ANPRM	05/22/98	63 FR 68507
NPRM	12/11/98	63 FR 68507
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 336399 All Other Motor Vehicle Parts Manufacturing; 335312 Motor and Generator Manufacturing

Additional Information: SAN No. 4078

This was previously listed as RIN 2060-AH65.

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RIN: 2060–AI17

3325. ● PROTECTION OF STRATOSPHERIC OZONE: INCORPORATION OF MONTREAL PROTOCOL ADJUSTMENT FOR A 1999 INTERIM REDUCTION IN CLASS I, GROUP VI CONTROLLED SUBSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This action reconsiders 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, in San Jose, Costa Rica in 1996 and in Montreal, Canada in 1997.

Timetable:

Action	Date	FR Cite
NPRM	02/25/99	64 FR 9290
Final Action	02/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4206

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RIN: 2060–AI24

3326. ● REVISION OF EPA'S RADIOLOGICAL EMERGENCY RESPONSE PLAN

Priority: Other Significant

Legal Authority: PL 96-295 Sec 304; EO 12777

CFR Citation: Not yet determined

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 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
Final Plan	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3638

Was previously listed in the Regulatory Agenda as RIN 2060-AF85.

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RIN: 2060–AI49

3327. AMENDMENTS—INTEGRATED NESHAP AND EFFLUENT GUIDELINES: PULP AND PAPER

Priority: Economically Significant

Legal Authority: 42 USC 7412 CAAA sec 112; 42 USC 7414 CAAA sec 114; 42 USC 7601 CAAA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306-308; 33 USC 1317; 33 USC 1318; 33 USC 1361 CWA sec 301; CWA sec 501

CFR Citation: 40 CFR 63; 40 CFR 430

Legal Deadline: None

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. On April 15, 1998, the EPA promulgated an integrated regulation for the pulp and paper industry that includes both effluent guidelines and air emission standards to control the release of pollutants to both the water and the air. At the same time, the EPA proposed MACT standards for the

chemical recovery combustion sources. The regulations were 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.

Next Steps will be to issue final effluent guidelines for Phase II and Phase III mills. Phase II will address the effluent from mills not covered in the Final Phase I effluent guidelines (except dissolving grade mills) plus will set limits for reserved parameters for chemical oxygen demand (COD) and chloroform at Phase I mills. Phase III will set final effluent limits for dissolving grade mills.

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	04/15/98	63 FR 18754
Final NESHAP Phases I and III and Effluent Guidelines Phase I	04/15/98	63 FR 18504
Final NESHAP Phase II - Combustion Sources	04/00/99	
Final Effluent Guidelines Phase II	02/00/00	
Final All NESHAP Phases	08/00/00	
Final Effluent Guidelines Phase III - Dissolving Grade	08/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3105

(Air), SAN No. 2712 (Water), SAN No. 4050 (Water Phase II),

ADDITIONAL AGENCY CONTACT: Jeff Telander (NESHAP Phase II - Combustion Sources)

ADDITIONAL AGENCY CONTACT: Elaine Manning (NESHAP Phase III - Nonchemical and other Pulp and Paper Mills)

See also RIN 2040-AB53

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RIN: 2060–AD03

3328. NESHAP: OIL AND NATURAL GAS PRODUCTION AND NATURAL GAS TRANSMISSION AND STORAGE

Priority: Other Significant

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

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.

Timetable:

Action	Date	FR Cite
NPRM	02/06/98	63 FR 6288
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3229

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RIN: 2060–AE34

3329. NESHAP FOR THE MANUFACTURING OF AMINO AND PHENOLIC RESINS (POLYMERS AND RESINS GROUP III)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA 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 188 hazardous air pollutants identified in section 112(b) of the Act. Amino, and phenolic resins productions have been listed as categories of major sources based on documented emissions of phenol and/or formaldehyde. The purpose of the NESHAP for the Manufacturing of Amino and Phenolic Resins (Polymers and Resins Group III) project is to initiate the regulatory process for sources engaged in the production of amino, and phenolic resins, and to ultimately develop a NESHAP based on candidate Maximum Achievable Control Technology.

Timetable:

Action	Date	FR Cite
NPRM	12/14/98	63 FR 68831
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 325211 Plastics Material and Resin Manufacturing

Additional Information: SAN No. 3228

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RIN: 2060–AE36

3330. NESHAP: PHOSPHORIC ACID MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, Clean Air Act Amendments of 1990.
Final, Judicial, May 15, 1999.

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 so 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 emits several of the 189 HAPs listed in section 112(b) of the CAAA. The purpose of this action is to pursue a regulatory development program that would ensure that emission standards may be proposed and promulgated for this industry.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3303

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RIN: 2060–AE40

3331. NESHAP: STEEL PICKLING, HC1 PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Judicial, May 15, 1999.

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	09/18/97	62 FR 49052
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3345

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RIN: 2060–AE41

3332. NESHAP: PHOSPHATE FERTILIZERS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997, Clean Air Act Amendments of 1990.

Abstract: EPA is required to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAAA and, to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs so 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 emits several of the 189 HAPs listed in section 112(b) of the CAAA. The purpose of this action is to pursue a regulatory development program that would ensure that emission standards may be proposed and promulgated for this industry.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3304

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RIN: 2060–AE44

3333. NESHAP: PRIMARY COPPER SMELTING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

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.

The industry is comprised of seven smelters located in four states. All 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	04/20/98	63 FR 19582
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3340

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RIN: 2060–AE46

3334. 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 that would help to ensure that emission standards may be proposed and promulgated.

Timetable:

Action	Date	FR Cite
NPRM	02/11/99	64 FR 6946
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3078

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RIN: 2060–AE77

3335. NESHAP: PORTLAND CEMENT MANUFACTURING

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12866; EO 12291

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.
Final, Judicial, May 15, 1999.

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 source category are major sources of hazardous air pollutants. A regulation (emission standards) is being developed for the Portland cement manufacturing industry. Cement kilns which burn RCRA hazardous waste are subject to a separate rule that has been proposed by the EPA Office of Solid Waste.

Timetable:

Action	Date	FR Cite
NPRM	03/24/98	63 FR 14182
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Sectors Affected: 32731 Cement Manufacturing

Additional Information: SAN No. 3079

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RIN: 2060–AE78

3336. NESHAP: POLYETHER POLYOLS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.
Final, Judicial, May 15, 1999.

Abstract: Title III of the CAA requires development of emission standards for all major sources emitting any of the hazardous air pollutants (HAPs) identified in section 112(b) of the CAA. Polyether Polyol Production is listed as a category of major sources based on documented emissions of propylene oxide and ethylene oxide. This action will regulate 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.

Timetable:

Action	Date	FR Cite
NPRM	09/04/97	62 FR 46804
Correction Notice	10/20/97	62 FR 54410
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3408

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RIN: 2060–AE81

3337. NESHAP: PESTICIDE ACTIVE INGREDIENT PRODUCTION (PRODUCTION OF AGRICULTURAL CHEMICALS)

Priority: Other Significant

Legal Authority: CAA sec 112

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 1997.
Final, Judicial, May 15, 1999.

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.

On November 10, 1997, the EPA proposed 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 188 listed hazardous air pollutants was also included. A variety of HAPs are emitted including, toluene, methyl chloride, methanol, chlorinated compounds, etc.

Timetable:

Action	Date	FR Cite
NPRM	11/10/97	62 FR 60565
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 325199 All Other Basic Organic Chemical Manufacturing; 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 3450

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RIN: 2060–AE84

3338. NESHAP: ACRYLIC/MODACRYLIC FIBERS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA sec 112 (d)

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

Abstract: This NESHAP will control hazardous air pollutant emissions from existing and new facilities that manufacture or produce as an interim process acrylic or modacrylic fibers. Principal pollutants identified are vinyl acetate and acrylonitrile. The majority of emissions occur during the polymerization reaction and spinning process. There are only three major sources in the United States that will be affected by this regulation. This rule is being developed as part of the Generic MACT rule (see RIN 2060-AG91) for more information.

Timetable:

Action	Date	FR Cite
NPRM	10/14/98	63 FR 55178
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3378

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RIN: 2060–AF06

3339. NESHAP: POLYCARBONATES PRODUCTION

Priority: Other Significant

Legal Authority: 42 USC 7401 CAA sec 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 developed as part of the General MACT Standard (RIN 2060-AG91). See Generic MACT entry for more information.

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3465

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RIN: 2060–AF09

3340. NESHAP: PUBLICLY OWNED TREATMENT WORKS (POTW)

Priority: Other Significant

Legal Authority: CAAA sec 112(e)(5); CAAA sec 112(n)(3)

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Judicial, May 15, 1999.

Abstract: This rule will specify maximum achievable control technology for publicly owned treatment works (POTW), also known as sewage/wastewater treatment plants, or water reclamation facilities. Hazardous air pollutant emissions from the headworks, primary and secondary treatment, solids handling, and other operations will be considered in developing the rule.

Timetable:

Action	Date	FR Cite
NPRM	12/01/98	63 FR 66084
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 3377

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RIN: 2060–AF26

3341. REVISIONS TO THE REGULATION FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHORITIES 112(L)

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: CAA sec 112(l)

CFR Citation: 40 CFR 63(E)

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 some 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 permits; and mechanisms and requirements for approval of State air toxics programs. Additionally, the Partial Approval and Delegable Authorities rulemakings will be added to this rulemaking. The Partial Approval language will provide flexibility to States by allowing States to accept delegation of parts of standards. This will allow them to implement and enforce these provisions on a smaller scale. The delegable authorities rulemaking will clarify what authorities EPA has delegated to States when the part 63, subpart A, general provisions have been delegated. Due to a lack of clear guidance, the EPA Regions have not been consistent in the delegation of general provisions to States.

Timetable:

Action	Date	FR Cite
NPRM	01/12/99	64 FR 1880
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3829

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RIN: 2060–AG60

3342. GENERIC MACT FOR SOURCE CATEGORIES (ACRYLIC MODACRYLIC FIBERS, POLYCARBONATES, HYDROGEN FLUORIDE, AND ACETAL RESINS)

Priority: Other Significant

Legal Authority: CAA sec 112

CFR Citation: Not yet determined

Legal Deadline:
Final, Judicial, May 15, 1999.

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 five). For such source categories, EPA plans to develop the underlying information through its MACT Partnership Program. 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. The source categories included in this standard are: Acrylic/Modacrylic (RIN 2060-AF06), Polycarbonates (RIN 2060-AF09), Acetal Resins, and Hydrogen Fluoride (RIN 2060-AG94).

Timetable:

Action	Date	FR Cite
NPRM	10/14/98	63 FR 55177
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3901

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RIN: 2060–AG91

3343. NESHAP: HYDROGEN FLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

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 one HF production facility, which is currently well-controlled. This action will result in little or no additional emission reduction but will establish a Federal MACT level for this plant. The rule is being proposed as part of the Generic MACT rule (RIN 2060-AG91).

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3654

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RIN: 2060–AG94

3344. NATIONAL STRATEGY FOR URBAN AREA SOURCES OF TOXIC AIR EMISSIONS

Priority: Other Significant

Legal Authority: 42 USC 7412(k) CAA sec 112(k); 42 USC 7412(c)(3) CAA sec 112(c)(3)

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 1995.
NPRM, Judicial, August 31, 1998.
Final, Judicial, June 18, 1999.

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
Final	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 3959

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RIN: 2060–AH21

3345. NESHAP: OIL AND NATURAL GAS PRODUCTION AND NESHAP: NATURAL GAS TRANSMISSION AND STORAGE, AMENDMENTS TO PROPOSED RULE

Priority: Other Significant

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 1997.

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.

Timetable:

Action	Date	FR Cite
NPRM	02/02/98	63 FR 6288
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 4162

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RIN: 2060–AI13

3346. TRANSPORTATION CONFORMITY RULE AMENDMENT AND SOLICITATION FOR PARTICIPATION IN THE 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 sec 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	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3610

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RIN: 2060–AG79

3347. 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, Judicial, July 1, 1999.

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 substantially 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. Data recently gathered for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for these industries will be used to maximize resources and avoid duplication of data gathering efforts.

Timetable:

Action	Date	FR Cite
NPRM	08/22/97	62 FR 44672
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3828

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RIN: 2060–AG59

3348. IMPORTATION OF NONCONFORMING VEHICLES; AMENDMENTS TO REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7522 CAA sec 203; 42 USC 7525 CAA sec 206; 42 USC 7541 CAA sec 207; 42 USC 7542 CAA sec 208; 42 USC 7601 CAA sec 301; 42 USC 7522 CAA sec 203; 42 USC 7550 CAA sec 216; 42 USC 7601 CAA sec 301

CFR Citation: 40 CFR 85

Legal Deadline: None

Abstract: This action will amend the regulations in 40 CFR part 85, subpart P to allow entry into the U.S. of vehicles which are originally sold in Canada and which are identical to their U.S. counterparts, without obtaining a certificate of conformity from EPA. This action is in response to a petition for review of import rules. The final rule also will address certain other issues in part 85, subpart P and subpart R, including: 1) formalizing a long-standing EPA policy regarding the importation of owned vehicles that are proven to be identical to a vehicle certified for sale in the U.S., 2) establishing new emission standards applicable to imported nonconforming vehicles, 3) clarifying the regulatory language that concerns exclusions and exemptions from meeting Federal emission requirements, and 4) providing several minor clarifications to the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/24/94	59 FR 13912
Supplemental NPRM	02/12/96	61 FR 5840
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 2665

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RIN: 2060–AI03

3349. 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 sec 213

CFR Citation: 40 CFR 90

Legal Deadline: None

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	01/27/98	63 FR 3950
NPRM Non-hand-held engines	06/30/98	63 FR 3950
Final Action Hand-held engines	04/00/99	
Final Action Non-hand-held engines	03/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3361

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RIN: 2060–AE29

3350. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE REGARDING A RECYCLING STANDARD UNDER SECTION 608

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq CAA sec 608

CFR Citation: 40 CFR 82(F)

Legal Deadline: None

Abstract: This rule will amend the recordkeeping aspects of the technician certification program, clarify aspects of a sales restriction, and adopt an updated version of ARI standard 740. The rule will also clarify the distinction between major and non-major repairs and amend several definitions including small appliances. The rule also addresses the transfers of unreclaimed refrigerant between majority-owned and majority-controlled subsidiaries.

Timetable:

Action	Date	FR Cite
NPRM 1	02/29/96	61 FR 7858
NPRM	11/01/96	61 FR 56493
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3556

Additional SANs 3895, 3896. This rule will address a potential adoption of a more flexible method for cleaning refrigerants for refrigerant transferred between appliances with different ownership with a potential adoption of a 3rd party certification program for labs.

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RIN: 2060–AF36

3351. PROTECTION OF STRATOSPHERIC OZONE: REFRIGERANT RECYCLING RULE AMENDMENT TO INCLUDE SUBSTITUTE REFRIGERANTS

Priority: Economically Significant

Legal Authority: PL 101-54; 42 USC 7671(g) CAA sec 608; 42 USC 7401 et seq

CFR Citation: 40 CFR 82(F)

Legal Deadline:
Final, Statutory, November 15, 1995.

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 venting prohibition. Requirements would parallel those of the current section 608 regulations, expanding applicability, where appropriate, to substitute refrigerants.

Timetable:

Action	Date	FR Cite
NPRM	06/11/98	63 FR 32044
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3560

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RIN: 2060–AF37

3352. NESHAP: OFF-SITE WASTE AND RECOVERY OPERATIONS; FINAL RULE—SETTLEMENT AGREEMENT; AND NESHAP FOR OFF-SITE WASTE AND RECOVERY OPERATIONS; TECHNICAL AMENDMENTS

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.

EPA—CAA — Final Rule Stage

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The actions will amend the Off-Site Waste and Recovery Operations rule that was promulgated on July 1, 1996, based on the settlement agreement with the Chemical Manufacturers Association, the Hazardous Waste Management Association, and the Environmental Technology Council. The changes to the rule will clarify the EPA's intent and do not increase or lower or otherwise affect emissions or environmental protection. Additionally, the actions will clarify sections of the promulgated off-site waste and recovery operations regulation and correct any typographical errors noted. These actions will contain guidance and amended rule language.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Sectors Affected: 32411 Petroleum Refineries; 325412 Pharmaceutical Preparation Manufacturing

Additional Information: SAN No. 4108

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RIN: 2060–AH96

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Clean Air Act (CAA)

3353. CONTROL OF EMISSIONS FROM NONROAD SPARK-IGNITION ENGINES RATED OVER 19 KW AND NEW LAND-BASED RECREATIONAL SPARK-IGNITION ENGINES

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

Legal Authority: 42 USC 7401 to 7671q

CFR Citation: 40 CFR 94

Legal Deadline:
Other, Statutory, Proposed Finding. NPRM, Judicial, September 30, 2000. Final, Judicial, December 31, 2001.

Abstract: Emissions from large spark-ignition engines are currently unregulated. EPA and CARB are cooperating in an effort to set emission standards for these engines to substantially reduce their contribution to the emission inventory.

Timetable:

Action	Date	FR Cite
Proposed Finding	02/08/99	64 FR 6008
NPRM	09/00/00	
Final Rule	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 333924 Industrial Truck, Tractor, Trailer and Stacker Machinery Manufacturing; 42183 Industrial Machinery and Equipment Wholesalers; 335312 Motor and Generator Manufacturing

Additional Information: SAN No. 4154

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RIN: 2060–AI11

3354. ● AMENDMENT TO REGULATIONS GOVERNING EQUIVALENT EMISSION LIMITATIONS BY PERMIT

Priority: Substantive, Nonsignificant

Legal Authority: CAA Section 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: This action delays a permit requirement triggered by the Agency's failure to promulgate all of the 7 year MACT standards by the 112(j) hammer date of May 15, 1999. The Agency was sued due to the fact that not all of the 7 year standards were promulgated by the statutory deadline of November 15, 1997. The settlement agreement requires that all remaining 7 year standards will be promulgated by December 2000. This action will delay the permit requirements triggered by the Section 112(j) hammer until the remaining standards are promulgated.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4244

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RIN: 2060–AI28

3355. ● REVIEW NATIONAL AMBIENT AIR QUALITY STANDARDS FOR CARBON MONOXIDE

Priority: Other Significant

Legal Authority: Clean Air Act Title I

CFR Citation: 40 CFR 50

Legal Deadline:
Final, Statutory, May 31, 2001, Clean Air Act requires reviews every five years.

Abstract: Review of the national ambient air quality standards (NAAQS) for carbon monoxide (CO) every 5 years is mandated by the Clean Air Act. This review assesses the available scientific data about the health and environmental effects of CO and translates the science into terms that can be used in making recommendations about whether or how the standards should be changed. The last review of the CO NAAQS was completed in 1994 with a final decision

that revisions were not appropriate at that time.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 4266

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RIN: 2060–AI43

3356. ● REVIEW OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR PARTICULATE MATTER

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7408; 42 USC 7409

CFR Citation: 40 CFR 50

Legal Deadline:
Final, Statutory, July 1, 2002, Under the Clean Air Act--the next standards review is to be completed July 2002.

Abstract: On July 18, 1997, the EPA published a final rule revising the national ambient air quality standards (NAAQS) for particulate matter (PM) (62 FR 38652). While retaining the PM10 standard levels, new standards were added for fine particles (PM2.5) to provide increased protection against both health and environmental effects of PM. On the same day, a Presidential Memorandum (62 FR 38421, July 16, 1997) was published that, among other things, directed EPA to complete the next review of the PM NAAQS by July 2002. The EPA's plans and schedule for the next periodic review of the PM NAAQS were published on October 23, 1997 (62 FR 55201). As with other NAAQS reviews, a rigorous assessment of relevant scientific information will be presented in a Criteria Document (CD), and the preparation of this document is currently under way by the EPA's National Center for Environmental Assessment. The EPA's Office of Air Quality Planning and Standards will also prepare a Staff Paper (SP) for the Administrator which will evaluate the policy implications of the key studies and scientific information contained in the CD and additional technical analyses and identify critical elements that EPA staff believe should be considered in reviewing the standards. The SP and CD will be reviewed by the Clean Air Scientific Advisory Committee (CASAC) and the public; both will reflect the input received through these reviews. As the PM NAAQS review is completed, the Administrator's proposal to revise or reaffirm the PM NAAQS will be published with a request for public comment. Input received during the public comment period will be reflected in the Administrator's final decision which will be published in July 2002.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
Final Action	07/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 21 Mining

Additional Information: SAN No. 4255

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RIN: 2060–AI44

3357. NSPS: SYNTHETIC ORGANIC CHEMICALS MANUFACTURING INDUSTRY—WASTEWATER

Priority: Other Significant

Legal Authority: CAAA

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 of the synthetic chemical manufacturing industry.

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46780
Supplemental NPRM (First)	10/11/95	60 FR 52889
Supplemental NPRM (Second)	12/09/98	63 FR 67987
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3380

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RIN: 2060–AE94

3358. 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 of a 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	06/00/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3649

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RIN: 2060–AF72

3359. FEDERAL IMPLEMENTATION PLAN (FIP) TO CONTROL EMISSIONS FROM SOURCES LOCATED ON THE FORT HALL INDIAN RESERVATION

Priority: Other Significant

Legal Authority: CAA, title I

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: EPA will propose Federal rulemaking for sources located on the Reservation 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	02/12/99	64 FR 7307
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 3637

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RIN: 2060–AF84

3360. REVISED PERMIT REVISION PROCEDURES FOR THE FEDERAL OPERATING PERMITS 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 7661a(d)(3)

CFR Citation: 40 CFR 71.7

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.

The Agency does not anticipate any significant impact on small businesses and State/local/tribal governments.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3922

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RIN: 2060–AG92

3361. REVIEW OF MINOR NEW SOURCES AND MODIFICATIONS IN INDIAN COUNTRY

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

Legal Authority: 42 USC 7410

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: As required by the Clean Air Act's New Source Review provisions, the EPA is proposing Federal regulations governing preconstruction permitting of minor stationary sources of air pollution in Indian Country. Pursuant to the Tribal Air Rule, eligible Indian Tribes may receive EPA authorization to develop and implement such programs. The Federal minor New Source Review permitting program would be effective throughout Indian Country and would be implemented by the EPA if eligible Indian Tribes do not elect, or do not receive authorization, to manage such programs. The proposed rule would require sources in Indian Country, with certain exceptions, to obtain a permit prior to construction if they are: (1) new minor sources, (2) existing minor sources undergoing modification, or (3) existing major sources undergoing minor modification. The proposed rule also would allow new or existing stationary sources to accept enforceable limits on their production capacity or hours of operation in order to be considered minor sources and avoid being subject to other Clean Air Act requirements such as the title V operating permit program. This rule would not impose any mandates on Tribal governments to implement a minor New Source Review permitting program. Tribal governments may be affected, however, insofar as they own or operate sources that must obtain a permit from the EPA under the final Federal permitting program regulations.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local, Tribal, Federal

Additional Information: SAN No. 3975

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RIN: 2060–AH37

3362. RULEMAKING TO MODIFY THE LIST OF SOURCE CATEGORIES FROM WHICH FUGITIVE EMISSIONS ARE CONSIDERED IN MAJOR SOURCE DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7602; CAA sec 302(j)

CFR Citation: 40 CFR 51; 40 CFR 52; 40 CFR 70; 40 CFR 71

Legal Deadline: None

Abstract: This rulemaking will potentially expand the list of source categories for which fugitive emissions are to be considered in major source determinations under the New Source Review (Prevention of Significant Deterioration and Nonattainment New Source Review) and title V programs. As provided by section 302(j) of the Act, EPA adopted rules on August 7, 1980 that require, for specific source categories, the inclusion of fugitive emissions when determining if a stationary source is a major source.

In its 1980 rulemaking, EPA identified one such specific source category as those stationary-source categories being regulated, as of August 7, 1980, under Sections 111 or 112 of the Clean Air Act. EPA indicated that at the time of any future rulemaking proposing to regulate additional categories of sources under sections 111 or 112, the EPA would conduct a parallel rulemaking under section 302(j) to determine whether fugitive emissions from sources within these source categories needed to be considered in determining whether the sources were major stationary sources. EPA did not conduct these parallel rulemakings as intended and is now conducting a rulemaking pursuant to section 302(j) to address the source categories which became subject to section 111 and 112 standards after August 7, 1980.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4045

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RIN: 2060–AH58

3363. NESHAP: HYDROGEN CHLORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

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 (HAPs). 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 the EPA. The EPA has determined that some plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the hydrogen chloride industry, to be promulgated by November 15, 2000.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	11/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Sectors Affected: 325199 All Other Basic Organic Chemical Manufacturing; 325188 All Other Basic Inorganic Chemical Manufacturing; 325181 Alkalies and Chlorine Manufacturing; 325211 Plastics Material and Resin Manufacturing

Additional Information: SAN No. 4112

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RIN: 2060–AH80

3364. NESHAP: REFRACTORIES MANUFACTURING

Priority: Other Significant

Legal Authority: CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the Act and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. 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 refractory manufacturing source category is included on the initial list of HAP-emitting categories scheduled for promulgation within ten years of enactment of the Clean Air Act Amendments of 1990. Testing conducted and information obtained to date indicate 22 major sources exist in this source category. The EPA has determined that the refractory manufacturing industry emits chromium, ethylene glycol, phenol, methanol, hydrochloric acid, formaldehyde, polycyclic organic matte (POM) and hydrogen fluoride; eight of the 189 HAPs listed in section 112 of the Act. The Agency estimates approximately 146 facilities will be affected by this rulemaking. Impacts on small businesses and on State/local/tribal governments will be assessed.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3652

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RIN: 2060–AG68

3365. NESHAP: 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 (HAPs) from all industries to protect the public health and environment. The EPA has not determined the scope of this project. However, this project 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.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3971

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RIN: 2060–AH41

3366. ● NESHAP: CHEMICAL RECOVERY COMBUSTION SOURCES AT KRAFT, SODA, SULFITE AND STAND ALONE SEMICHEMICAL PULP MILLS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7412 CAAA sec 112; 42 USC 7414 CAAA sec 114; 42 USC 7601 CAAA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306-308; 33 USC 1317; 33 USC 1318; 33 USC 1361 CWA sec 301; CWA sec 501

CFR Citation: 40 CFR 63; 40 CFR 430

Legal Deadline: None

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. On April 15, 1998, the EPA promulgated an integrated regulation for the pulp and paper industry that includes both effluent guidelines and air emission standards to control the release of pollutants to both the water and the air. At the same time, the EPA proposed MACT standards for the chemical recovery combustion sources. The regulations were 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.

Next steps will be to issue final effluent guidelines for Phase II and Phase III mills. Phase II will address the effluent from mills not covered in the Final Phase I effluent guidelines (except dissolving grade mills) plus will set limits for reserved parameters for chemical oxygen demand (COD) and chloroform at Phase I mills. Phase III will set final effluent limits for dissolving grade mills.

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	12/28/98	63 FR 71408
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4240

(Air), SAN No. 2712 (Water), SAN No. 4050 (Water Phase II),

ADDITIONAL AGENCY CONTACT: Jeff Telander (NESHAP Phase II - Combustion Sources)

ADDITIONAL AGENCY CONTACT: Elaine Manning (NESHAP Phase III - Nonchemical and other Pulp and Paper Mills)

See also RIN 2040-AB53

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RIN: 2060–AI34

3367. FIELD CITATION PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7413(d) CAA sec 113(d)

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: The Clean Air Act Amendments give EPA the authority to issue on-the-spot field citations for minor violations of the Clean Air Act, with penalties of up to $5,000 per day of violation. Section 113(d) of the Act requires the field citation program to be implemented through regulations which provide the informal hearing procedures. These hearing procedures are not required to be as rigorous as those imposed by the Administrative Procedures Act (APA), but nevertheless must provide due process. Agency guidance providing appropriate penalties for specific minor violations will be prepared for EPA employees and made available to the regulated community. Training on the issuance of field citations will also be developed.

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22776
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 2937

Agency Contact: Cary Secrest, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2242A, Washington, DC 20460
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RIN: 2020–AA32

3368. 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; CAA sec 160; CAA sec 161; CAA sec 162; CAA sec 163; CAA sec 164; CAA sec 165; CAA sec 166; CAA sec 167; CAA sec 168; CAA sec 169

CFR Citation: 40 CFR 51.166; 40 CFR 52.21

Legal Deadline: None

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	05/16/97	62 FR 27158
NPRM	10/00/00	
Final Rule	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3919

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RIN: 2060–AH01

3369. LOCATION OF SELECTIVE ENFORCEMENT AUDITS OF FOREIGN MANUFACTURED VEHICLES AND ENGINES; AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7525 CAA sec 206(b)

CFR Citation: 40 CFR 86G (Revision); 40 CFR 86K (Revision)

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to include ports of entry as a location for EPA selection of foreign produced vehicles and engines for SEA emissions testing at laboratories in the U.S. While the regulations do not specify EPA authority to conduct such port selections, the increased flexibility provided by port selections warrants amending the regulations. Presently, EPA must travel overseas to conduct SEA audits of foreign manufactured vehicles and engines, even though most manufacturers now have access to laboratory facilities in the U.S. The benefits include a reduction in Agency cost since fewer overseas trips would be necessary. Also, EPA would be able to conduct more audits of foreign manufactured vehicles and engines.

Separate from the provisions proposed in this NPRM for amendments to allow port selection for SEAs, EPA is also proposing to make two other amendments to 40 CFR part 86. The first would amend current Selective Enforcement Auditing regulations to change the minimum annual limit of Selective Enforcement Audits per manufacturer to two (2) per year. Currently, the minimum annual limit is one audit per manufacturer. Under the proposed amendments EPA would be able to perform a second audit on those manufacturers that might otherwise be limited to one audit.

The second additional proposed amendment to part 86 would delete from subparts A and E references to the Agency representation in certain types of administrative hearings. The two provisions state that the Office of General Counsel will represent the Agency in administrative procedures governing hearings on certification for light-duty vehicles, light-duty trucks, heavy-duty engines and motorcycles. The Agency is proposing to delete these two provisions in order to be consistent with other hearing procedures in part 86.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3139

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RIN: 2060–AD90

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Clean Air Act (CAA)

3370. ● PROTECTION OF STRATOSPHERIC OZONE: ALLOCATION OF 1999 ESSENTIAL USE ALLOWANCES

Priority: Economically Significant

Legal Authority: 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671q

CFR Citation: 40 CFR 82.4(t)(2)

Legal Deadline:
Final, Statutory, Pharmaceutical companies need allowances before 1/1/98.
Final, Statutory, to manufacture MDIs.

Abstract: EPA is proposing the allocation of essential-use allowances for the 1999 control period. The United States nominated specific uses of controlled ozone-depleting substances (ODS) as essential for 1999 under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol). The

Parties to the Protocol subsequently authorized specific quantities of ODS for 1999 for the uses nominated by the United States. Essential use allowances permit a person to obtain controlled ozone-depleting substances as an exemption to the January 1, 1996 regulatory phaseout of production and import. Essential use allowances are allocated to a person for exempted production or importation of a specific quantity of a controlled substance solely for the designated essential purpose for the calendar year.

Timetable:

Action	Date	FR Cite
NPRM	11/20/98	63 FR 64437
Final Action	01/07/99	64 FR 1091

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 32541 Pharmaceutical and Medicine Manufacturing; 33641 Aerospace Product and Parts Manufacturing

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RIN: 2060–AI26

3371. COMPREHENSIVE RADIATION WASTE MANAGEMENT REGULATION

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

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Withdrawn	02/23/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Albert Colli
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RIN: 2060–AF41

3372. ACID RAIN PROGRAM: DELETION OF CERTAIN UNITS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 73.10

Completed:

Reason	Date	FR Cite
Withdrawn - Merged With RIN 2060-AG86	02/18/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2060–AF46

3373. SALES VOLUME LIMIT PROVISIONS FOR SMALL-VOLUME MANUFACTURE CERTIFICATION FOR CLEAN FUEL AND CONVENTIONAL VEHICLE CONVERSIONS AND RELATED PROVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 85; 40 CFR 86; 40 CFR 88

Completed:

Reason	Date	FR Cite
Direct Final	01/03/96	61 FR 140

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Clifford Tyree
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RIN: 2060–AF87

3374. AMENDMENTS TO RESIDENTIAL WOOD HEATERS

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: Not yet determined

Completed:

Reason	Date	FR Cite
Final Action	11/24/98	63 FR 64963

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2060–AG30

3375. AMENDMENT TO THE USER FEES FOR RADON PROFICIENCY PROGRAMS RULE

Priority: Other Significant

CFR Citation: 40 CFR 195; 40 CFR 700 (Revision)

Completed:

Reason	Date	FR Cite
Withdrawn	02/22/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

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RIN: 2060–AG64

3376. 1998 REVISION OF ACID RAIN ALLOWANCE ALLOCATIONS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 73

Completed:

Reason	Date	FR Cite
Final Action	09/28/98	63 FR 51705

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2060–AG86

3377. FINDING OF SIGNIFICANT CONTRIBUTION AND RULEMAKING FOR CERTAIN STATES IN THE OZONE TRANSPORT ASSESSMENT GROUP (OTAG) REGION FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OF OZONE

Priority: Economically Significant

CFR Citation: 40 CFR 51; 40 CFR 52(a)

Completed:

Reason	Date	FR Cite
Final Action	10/27/98	63 FR 57355

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

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RIN: 2060–AH10

3378. REVISIONS TO CLARIFY THE PERMIT CONTENT REQUIREMENTS FOR STATE OPERATING PERMITS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 70.6

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	02/16/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Tribal

Agency Contact: Jeff Herring
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RIN: 2060–AH46

3379. REVISIONS TO THE PERMITS AND SULFUR DIOXIDE ALLOWANCE SYSTEM REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT: ALLOWANCE TRANSFER

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 72; 40 CFR 73

Completed:

Reason	Date	FR Cite
Final Action	12/11/98	63 FR 68400

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

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RIN: 2060–AH60

3380. ACID RAIN PROGRAM: DETERMINATION ON SECTION 75.7 (EPA STUDY OF BIAS TEST) AND SECTION 75.8 (RELATIVE ACCURACY AND AVAILABILITY ANALYSIS)

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 75

Completed:

Reason	Date	FR Cite
Withdrawn - Merged With RIN 2060-AG46	02/18/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 2060–AH64

3381. NESHAP: WOOD FURNITURE MANUFACTURING OPERATIONS, AMENDMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Final Action - Final Amendments	12/28/98	63 FR 71376

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2060–AH66

3382. NESHAP: AMMONIUM SULPHATE PRODUCTION (CAPROLACTAM BY-PRODUCT)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Merged Into RIN 2060-AE82	04/01/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Federal

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RIN: 2060–AH77

3383. SUPPLEMENTAL RULEMAKING FOR CERTAIN STATES IN THE OZONE TRANSPORT ASSESSMENT GROUP REGION FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OF OZONE

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 51(G); 40 CFR 51; 40 CFR 52(A); 40 CFR 76; 40 CFR 96

Completed:

Reason	Date	FR Cite
Withdrawn - Merged Into RIN 2060-AH10, SAN 3945	02/26/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

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RIN: 2060–AH91

3384. REVIEW OF OPERATING PERMITS ISSUED BY INDIAN TRIBES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 70.4

Completed:

Reason	Date	FR Cite
Withdrawn	02/10/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Tribal, Federal

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RIN: 2060–AH98

3385. CONTROL OF EMISSIONS FROM NEW NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS, MINOR AMENDMENTS TO THE PHASE I EMISSION STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 90

Completed:

Reason	Date	FR Cite
Withdrawn - Merged With RIN 2060-AE29, SAN 3361.	02/23/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Paul Machiele
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RIN: 2060–AI02

3386. NOTICE OF PROMULGATED COMPLIANCE EXTENSION: HALOGENATED SOLVENT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Final Rule - Compliance Extension for Continuous Web Cleaners	12/11/98	63 FR 68397

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

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RIN: 2060–AI04

3387. STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; NEW RESIDENTIAL WOOD HEATERS (COMPLETED REGULATORY FLEXIBILITY ACT REVIEW)

Priority: Info./Admin./Other

Legal Authority: 5 USC 610

CFR Citation: 40 CFR 60, Subpart AAA

Legal Deadline: None

Abstract: This announces the results of a completed Regulatory Flexibility Act section 610 review. On September 11, 1996, as part of a program to reduce regulatory burden, EPA issued a proposal to reduce the reporting and recordkeeping burden associated with a number of existing EPA rules. One of the rules being reviewed as part of this effort was a 1988 rule entitled ''Standards of Performance for New Stationary Sources: New Residential Wood Heaters.'' Moreover, since this 1988 wood heater rule had been determined to have a significant impact on a substantial number of small entities, it was also given an additional, parallel review under Section 610 of the Regulatory Flexibility Act, which requires such rules to be reviewed within 10 years after promulgation. This Agenda entry announces the results of that section 610 review, and also summarizes the status of the parallel review under the aforementioned burden-reduction project.

In the November 9, 1998 issue of the Regulatory Agenda (63 FR 62374, RIN 2060-AI05), EPA announced the section 610 review of the wood heater rule, and solicited public comment on whether additional changes to that rule could be identified which would further reduce impacts on small entities while still accomplishing the objectives of the authorizing statute. No public comments were received, and EPA has not found additional changes that would benefit small entities beyond those identified in the burden-reduction effort cited below. EPA has also determined that the wood heater rule continues to be necessary to reduce emissions of harmful particulate matter as required by the Clean Air Act. As outlined in the preamble to the 1988 final rule, the health effects associated with particulate matter include both mortality and morbidity resulting from respiratory disease, cardiovascular disease, and carcinogenesis. Concern about the effects of particulate matter has only grown since 1988, particularly in light of EPA's recently-issued revised air-quality standards for particulate matter. Therefore, EPA intends to retain the wood heater rule, as modified by the final rulemakings cited below. With this notice, EPA hereby concludes its section 610 review of the wood heater rule.

Regarding the aforementioned 1996 burden-reduction effort, EPA's final decisions are being issued in two final rulemakings cited elsewhere in this Regulatory Agenda. The first of these is ''Standards of Performance for New Stationary Sources: Residential Wood Heaters, Final Rule, Amendments,'' published on 11/24/98 at 63 FR 64963, and listed elsewhere in this Agenda as SAN 3750, RIN 2060-AG30. The second rulemaking, ''Final Revisions to Existing Standards for Recordkeeping & Reporting Burden Reduction,'' was published on 2/12/99, 64 FR 7457 (listed elsewhere in this Agenda as SAN 4225, RIN 2060-AI33).

Timetable:

Action	Date	FR Cite
End Review - Decision To Leave Rule Unchanged.	02/17/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 4136

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RIN: 2060–AI05

3388. TRANSPORTATION CONFORMITY RULE AMENDMENTS: FLEXIBILITY AND STREAMLINING

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 51; 40 CFR 93

Completed:

Reason	Date	FR Cite
Final Action	08/15/97	62 FR 43780

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Kathryn Sargeant
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RIN: 2060–AI16

3389. NESHAP: FLEXIBLE POLYURETHANE FOAM PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Final Action	10/07/98	63 FR 53979

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2060–AE86

3390. NESHAP: RADON EMISSIONS FROM PHOSPHOGYPSUM STACKS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 61

Completed:

Reason	Date	FR Cite
Final Action	02/03/99	64 FR 5573

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Martin Offutt
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RIN: 2060–AF04

3391. NESHAP: AEROSPACE TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Final Action - Technical Correction	09/01/98	63 FR 46526

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2060–AG65

3392. INDUSTRIAL COMBUSTION COORDINATED RULEMAKING—ICCR PROJECT

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Withdrawn - See RINs 2060-AG31, AG63, AG67, AG69, and SAN 4218	02/18/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

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RIN: 2060–AG84

3393. STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE, INDIVIDUAL BASELINE FUEL ADJUSTMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 80

Completed:

Reason	Date	FR Cite
Final Action	03/04/97	62 FR 9872

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Christine Brunner
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RIN: 2060–AG80

3394. NATIONAL VOC EMISSION STANDARDS FOR AUTOMOBILE REFINISH COATINGS

Priority: Other Significant

CFR Citation: 40 CFR 59

Completed:

Reason	Date	FR Cite
Final Action	09/11/98	63 FR 48806

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

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RIN: 2060–AE35

3395. VOC REGULATION FOR ARCHITECTURAL COATINGS

Priority: Other Significant

CFR Citation: 40 CFR 59

Completed:

Reason	Date	FR Cite
Final Action	09/11/98	63 FR 48848

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local

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RIN: 2060–AE55

3396. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS

Priority: Other Significant

CFR Citation: 40 CFR 59

Completed:

Reason	Date	FR Cite
Final Action	09/11/98	63 FR 48819

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

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RIN: 2060–AF62

3397. CONTROL OF EMISSIONS OF AIR POLLUTION FROM HIGHWAY HEAVY-DUTY ENGINES AND DIESEL ENGINES

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 9; 40 CFR 86; 40 CFR 89

Completed:

Reason	Date	FR Cite
Final Action - Nonroad	10/23/98	63 FR 56967

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Tad Wysor
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RIN: 2060–AF76

3398. SPECIFICATION OF SUBSTANTIALLY SIMILAR DEFINITION FOR DIESEL FUELS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 80

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Work on This Rule.	02/22/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David Korotney
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RIN: 2060–AD77

3399. REVISION TO THE COVERED AREAS PROVISION FOR REFORMULATED GASOLINE

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 80

Completed:

Reason	Date	FR Cite
Final Action	09/29/98	63 FR 52093

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Karen Smith
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RIN: 2060–AG77

3400. APPLICABILITY OF ON-HIGHWAY HEAVY-DUTY CERTIFIED ENGINES FOR USE IN NONROAD HEAVY-DUTY VEHICLES AND EQUIPMENT; AMENDMENT

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 9; 40 CFR 89

Completed:

Reason	Date	FR Cite
Direct Final Rule	11/12/96	61 FR 58102

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John Guy
Phone: 202 564-9276

RIN: 2060–AG78

3401. NSPS: NITROGEN OXIDE EMISSIONS FROM FOSSIL-FUEL FIRED STEAM GENERATING UNITS—REVISION

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 60.40

Completed:

Reason	Date	FR Cite
Final Action	09/16/98	63 FR 49442

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2060–AE56

3402. TECHNICAL AMENDMENTS TO HAZARDOUS WASTE TSDF & HAZARDOUS WASTE GENERATORS: ORGANIC AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS & CONTAINERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 262

Completed:

Reason	Date	FR Cite
Final Action - Technical Amendment	01/21/99	64 FR 3382

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2060–AG44

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Atomic Energy Act (AEA)

3403. RADIATION WASTE MANAGEMENT REGULATION

Priority: Other Significant

Legal Authority: Atomic Energy Act of 1954; Reorganization Plan No. 3 of 1970; Waste Policy Act of 1982

CFR Citation: 40 CFR 193

Legal Deadline: None

Abstract: This action is directed to the disposal of low-activity radioactive wastes in disposal facilities that meet the design requirements for RCRA-C disposal cells. The wastes to be disposed of in these cells are intended to be mixed wastes, consisting of a chemically hazardous component and low levels of radioactivity. These wastes are anticipated to arise in the commercial sector from various sources. The rule is intended to increase disposal options for these wastes and offer a streamlined regulatory process which melds hazardous chemical protection and radioactivity protection requirements while protecting public health and safety. The rule is permissive in the sense that the disposal method proposed is not a mandated disposal method, but rather an alternative to existing disposal methods. The U.S. Nuclear Regulatory Commission is anticipated to be the implementing Agency for the application of this rule.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 4054

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RIN: 2060–AH63

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Atomic Energy Act (AEA)

3404. PROTECTIVE ACTION GUIDANCE FOR DRINKING WATER

Priority: Other Significant

Legal Authority: 42 USC 2021(h) AEA of 1954 sec 274(h); Reorganization Plan No. 3 of 1970; PL 96-295 sec 304; EO 12241

CFR Citation: 41 CFR 351

Legal Deadline: None

Abstract: This action will result in Federal protective action guidance (PAG) for State and local officials to use in the event of a nuclear accident to protect the general public from the adverse health effects associated with the ingestion of drinking water that is contaminated with radioactive material. As soon as the draft guidance is developed it will be submitted to the PAG Subcommittee of the Federal Radiological Preparedness Coordinating Committee (FRPCC) for review and comment. Members of the PAG subcommittee include representatives from DOE, DOD, FEMA, NRC, HHS, USDA, DOT, and the Conference of Radiation Control Program Directors (CRCPD). When a consensus among the representatives is reached, the guidance is recommended to the full FRPCC for endorsement. After that endorsement is obtained a notice of the availability of a revised EPA 400-R-92-001, Manual of Protective Action Guides and Protective Actions for Nuclear Incidents will be published in the Federal Register. This action is temporarily delayed until the FDA's revised PAGs for Food can be evaluated.

Timetable:

Action	Date	FR Cite
Notice of Availability	04/00/00	
Notice of Submission to FRPCC for Endorsement	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3602

Agency Contact: Charles Blue, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460
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RIN: 2060–AF39

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3405. PESTICIDES; PROCEDURES FOR REGISTRATION REVIEW PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(g), 136w

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: The Agency is establishing procedures to implement section 3(g) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) which provides for periodic review of pesticide registrations. The goal of these regulations is to review a pesticide's registration every 15 years.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 4170

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EPA—FIFRA **Prerule Stage**

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RIN: 2070–AD29

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3406. REGISTRATION REQUIREMENTS FOR ANTIMICROBIAL PESTICIDE PRODUCTS; AND OTHER PESTICIDE REGULATORY CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(h); 7 USC 136w

CFR Citation: 40 CFR 152; 40 CFR 156

Legal Deadline:
NPRM, Statutory, May 1, 1997, Final rule due 240 days after close of comment period.

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, and expansion of the current notification procedures. This regulation will also implement some general provisions of FIFRA pertaining to all pesticides, including labeling requirements and notification procedures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing; 32551 Paint and Coating Manufacturing; 32561 Soap and Cleaning Compound Manufacturing

Additional Information: SAN No. 3892

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RIN: 2070–AD14

3407. PESTICIDES; TOLERANCE PROCESSING FEES

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346a

CFR Citation: 40 CFR 180.33

Legal Deadline: None

Abstract: In 1996, the Food Quality Protection Act amended the Federal Food, Drug, and Cosmetic Act to require EPA to charge tolerance fees that, in the aggregate, will cover all costs associated with processing tolerance actions, including filing a tolerance petition, and establishing, modifying, leaving in effect, or revoking a tolerance or tolerance exemption. Since 1983 (the last time a cost analysis was conducted), factors such as expanded data requirements, changes in risk assessment methods, improvements in data base management and tracking systems, and the increasing complexity of scientific review of petitions have resulted in costs substantially exceeding the fees currently charged. This proposed rule will adjust the fee structure and fee amounts for tolerance actions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 4027

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RIN: 2070–AD23

3408. PESTICIDE TOLERANCE REASSESSMENT PROGRAM

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

Legal Authority: 21 USC 346a(q)

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

Legal Deadline:
Other, Statutory, August 3, 1999, See Additional Information.

Abstract: EPA will reassess pesticide tolerances and exemptions for raw and processed foods established prior to August 3, 1996, to determine whether they meet the reasonable certainty of no harm standard of the Federal Food, Drug and Cosmetic Act (FFDCA). FFDCA sec. 408(q), as amended by the Food Quality Protection Act, requires that EPA conduct this reassessment on a phased 10-year schedule. Based on its reassessment, EPA will take a series of regulatory actions to modify or revoke tolerances.

Timetable:

Action	Date	FR Cite
NPRM Modification or revocation of tolerances for 16 pesticides	04/00/99	
Final Action Modification or revocation of tolerances for 30 pesticides	04/00/99	
NPRM Modification or revocation of tolerances for 10 pesticides	07/00/99	
Final Action Modification or revocation of tolerances for 10 pesticides	07/00/99	

Action	Date	FR Cite
Final Action Modification or revocation of tolerances for 10 pesticides	10/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 4175

LEGAL DEADLINE CONT: EPA is required to complete reassessments on a phased schedule of: 33% by August 3, 1999, 66% by August 3, 2002, and 100% by August 3, 2006.

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RIN: 2070–AD24

3409. ENDOCRINE DISRUPTOR SCREENING PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346A FFDCA; 7 USC 136 FIFRA; 15 USC 2603 TSCA; 42 USC 300J-17 SDWA

CFR Citation: Not yet determined

Legal Deadline:
NPRM, Statutory, August 3, 1998, EDSP must be developed.
Final, Statutory, August 3, 1999, Agency must implement EDSP.
Other, Statutory, August 3, 2000, Agency must report to Congress on EDSP.

Abstract: This final policy statement will set forth EPA's Endocrine Disruptor Screening Program. EPA published a proposed policy statement setting forth the Screening Program on December 28, 1998. In the final policy statement, EPA will describe the screens and tests that it will require as part of the Program. It also will describe the universe of chemicals that will be included in the program, the priority setting mechanism that it will use to determine the order in which those chemicals will be tested, and certain issues related to implementing the Program.

Timetable:

Action	Date	FR Cite
Notice Outline of Screening Program	08/11/98	63 FR 42852
Notice Proposed Screening Program & Request for Comment	12/28/98	63 FR 71542
Notice Final Screening Program	08/00/99	
NPRM Proposed Procedural Rule	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Additional Information: SAN No. 4143

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RIN: 2070–AD26

3410. ● REGULATORY REVIEW OF PESTICIDE EMERGENCY EXEMPTION 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: 7 USC 136p

CFR Citation: 40 CFR 166

Legal Deadline: None

Abstract: EPA will propose revisions to its regulations on emergency exemptions under section 18 of the Federal Insecticide, Fungicide and Rodenticide Act. Emergency exemptions allow temporary use of a pesticide not in accordance with registration requirements when emergency conditions exist. In the 1995 Presidential Reinvention Initiative, EPA identified a number of issues and options for change, which have been refined through informal discussions with States, user groups, and other stakeholders. EPA is considering revisions in four areas: 1) Options for increased authority for States to administer certain aspects of the exemption process, or increased use by EPA of multi-year exemptions, or some combination of these; 2) the use of emergency exemptions to address pesticide resistance; 3) the possibility of granting of exemptions based upon reduced risk considerations; and 4) definitions of emergency situation and significant economic loss, which affect whether an exemption may be granted.

Timetable:

Action	Date	FR Cite
NPRM	03/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Tribal, Federal

Sectors Affected: 9241 Administration of Environmental Quality Programs

Additional Information: SAN No. 4216

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RIN: 2070–AD36

3411. ● STATUS OF PESTICIDE-TREATED SEEDS UNDER FIFRA

Priority: Substantive, Nonsignificant

Legal Authority: FIFRA sec. 25(a) and 25(b)

CFR Citation: 40 CFR 152.25

Legal Deadline: None

Abstract: EPA will propose a revision to its regulation on treated articles to specifically address seeds treated with

pesticides. Currently, pesticide-treated seeds are considered treated articles that are exempt from FIFRA only if the treating pesticide is registered in the United States for use on the specific crop, and if the purpose of the treatment is to protect the seed itself. EPA and the Canadian Pest Management Regulatory Agency will work together under the auspices of the North American Free Trade Agreement to harmonize policies and practices pertaining to pesticide-treated seed. EPA expects to implement an agreed-upon policy by revising its current regulations to define the status of pesticide-treated seeds. Harmonization will facilitate the import and export of treated seeds.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 111 Crop Production; 11511 Support Activities for Crop Production

Additional Information: SAN No. 4260

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RIN: 2070–AD37

3412. 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 where emergency conditions exist. Under the Federal Food, Drug and Cosmetic Act, as amended by the Food Quality Protection Act, EPA must 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.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Sectors Affected: 92614 Regulation of Agricultural Marketing and Commodities; 9241 Administration of Environmental Quality Programs

Additional Information: SAN No. 3890

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RIN: 2070–AD15

3413. DATA REQUIREMENTS FOR PESTICIDE REGISTRATION (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: 7 USC 136a to 136y

CFR Citation: 40 CFR 158

Legal Deadline: None

Abstract: EPA will update the data requirements specifically necessary for the Agency to evaluate the registrability of pesticide products. The revisions will clarify all data requirements to reflect current practice. Procedural and explanatory sections of the current regulations will be amended to make them consistent with the revised data requirements and new use indexing.

Timetable:

Action	Date	FR Cite
NPRM 40 CFR 158	11/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 2687

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RIN: 2070–AC12

3414. DATA REQUIREMENTS FOR ANTIMICROBIAL REGISTRATIONS

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, 136c, 136w

CFR Citation: 40 CFR 158

Legal Deadline: None

Abstract: EPA will update and revise its pesticide data requirements for antimicrobial products. The data requirements specify the data that are required for EPA to evaluate the registrability of a pesticide product. The revisions will clarify all data requirements to reflect current practice. Procedural and explanatory sections of the current regulations will be amended to make them consistent with the revised data requirements and new use indexing.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing; 32551 Paint and Coating Manufacturing; 32561 Soap and Cleaning Compound Manufacturing

Additional Information: SAN No. 4173

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RIN: 2070–AD30

3415. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT

Priority: Other Significant

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

CFR Citation: 40 CFR 165; 40 CFR 156

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

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

Timetable:

Action	Date	FR Cite
NPRM (Container Design & Residue Removal & Bulk Containment)	02/11/94	59 FR 6712
Supplemental NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing; 44422 Nursery and Garden Centers; 115112 Soil Preparation, Planting, and Cultivating

Additional Information: SAN No. 2659

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RIN: 2070–AB95

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3416. WPS; PESTICIDE WORKER PROTECTION STANDARD; GLOVE AMENDMENT

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 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, and provide Regulatory Agenda entries when actions are planned.

Timetable:

Action	Date	FR Cite
NPRM	09/09/97	62 FR 47544
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 1111 Oilseed and Grain Farming; 1112 Vegetable and Melon Farming; 1113 Fruit and Tree Nut Farming; 1114 Greenhouse, Nursery and Floriculture Production

Additional Information: SAN No. 3731

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RIN: 2070–AC93

3417. PLANT PESTICIDE REGULATIONS UNDER FIFRA AND FFDCA

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 136 et seq; 21 USC 346a et seq

CFR Citation: 40 CFR 152.20; 40 CFR 174

Legal Deadline: None

Abstract: Substances that plants produce to protect themselves against pests are pesticides under FIFRA if humans intend to use them to destroy, prevent, repel or mitigate any pest. The Agency designates these substances, along with the genetic material necessary to produce them, plant-pesticides. This rulemaking will exempt several categories of plant-pesticides from FIFRA and FFDCA regulations; confirms that plants used as biological control agents are exempt from regulation under FIFRA; and establishes a new part in title 40 of the CFR, part 174, which consolidates

EPA—FIFRA **Final Rule Stage**

regulations specific for plant-pesticides in one part of the CFR. The proposed consolidation is expected to benefit the public by providing greater focus, enhanced clarity and ease of use. These actions will reduce burden on both the regulated community and EPA.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60496
Supplemental NPRM	07/22/96	61 FR 37891
Supplemental NPRM	05/16/97	62 FR 27132
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 2684

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RIN: 2070–AC02

3418. GROUND WATER AND PESTICIDE MANAGEMENT PLAN

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: 7 USC 136a FIFRA sec 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

Abstract: This regulation would establish Pesticide Management Plans (PMPs) as a new regulatory requirement for certain pesticides. Unless a State or tribal authority has an EPA-approved Plan specifying risk-reduction measures, use of the chemical would be prohibited. The rule would also specify procedures and deadlines for development, approval and modification of plans by States and tribal authorities.

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33259
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 9241 Administration of Environmental Quality Programs

Additional Information: SAN No. 3222

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RIN: 2070–AC46

3419. 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 canceled pesticides for disposal.

Timetable:

Action	Date	FR Cite
NPRM	05/05/93	58 FR 26856
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3432

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RIN: 2020–AA33

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3420. EXEMPTION OF CERTAIN PESTICIDE SUBSTANCES FROM FIFRA REQUIREMENTS

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: FIFRA 25(b)

CFR Citation: 40 CFR 152.25(g)(1)

Legal Deadline: None

Abstract: EPA is considering exempting from regulation under section 25(b)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) certain substances when used, sold or distributed as pesticide active ingredients. EPA believes regulation of these substances is not necessary to prevent unreasonable adverse effects on the environment or human health, and these substances are not of a character necessary to be subject to FIFRA in order to carry out its purposes. Substances exempted are pesticides and would continue to be distributed and sold as pesticides after promulgation of a final rule. If exemptions are established, false claims and advertising would still be subject to jurisdiction of the Federal Trade Commission or could result in civil liabilities for the manufacturer and distributor. This proposal, and any subsequent final rule, would not establish or alter exemptions or tolerances for the listed substance

under provisions of the Federal Food, Drug and Cosmetic Act.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

Additional Information: SAN No. 4026

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RIN: 2070–AD21

3421. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

Priority: Other Significant

Legal Authority: 7 USC 136 FIFRA sec 6

CFR Citation: 40 CFR 168

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/28/91	56 FR 13042
Final	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 2720

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RIN: 2020–AA29

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3422. 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

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	02/03/98	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal

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RIN: 2070–AC99

3423. WPS; PESTICIDE WORKER PROTECTION STANDARDS; PESTICIDE HAZARD COMMUNICATION

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

CFR Citation: 40 CFR 170

Completed:

Reason	Date	FR Cite
Withdrawn - Agency Activities Not Currently Planned.	02/03/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal, Federal

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RIN: 2070–AC34

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Toxic Substances Control Act (TSCA)

3424. CHEMICAL RIGHT-TO-KNOW INITIATIVE

Priority: Other Significant

Legal Authority: 15 USC 4 TSCA; 15 USC 8 TSCA; 7 USC 136 FIFRA; 42 USC 313 EPCRA

CFR Citation: Not yet determined

Legal Deadline:

Other, Judicial, December 31, 1999, Final Actions must be completed by 12/31/99.

Abstract: The Chemical RTK Initiative was announced by Vice President Gore on EPA's Earth Day 1998 in response to the finding that most commercial chemicals have very little, if any, toxicity information on which to make sound judgments about potential risks. There are three key components to this initiative, each of which is being rapidly implemented by EPA. These are: baseline toxicity testing for 2,800 widely used commercial chemicals; additional health effects testing for chemicals to which children are substantially exposed; and the listing

and lowering thresholds for persistent, bioaccumulative, toxic chemicals reported to TRI. This Initiative will involve several separate activities, with any regulatory related actions included as separate entries in the Regulatory Agenda.

Timetable:

Action	Date	FR Cite
Initiative Completion	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 4176

This Initiative includes the following Regulatory Agenda activities: TRI's Reporting Threshold Rule (SAN 3880; RIN 2070-AD09); Test Rule; Multi-Chemicals Test Rule for High Production Volume Chemicals (SAN 3990; RIN 2070-AD16); Children's Health Test Rule (SAN 2865; RIN 2070-AC27).

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RIN: 2070–AD25

3425. TSCA SECTION 4 ENFORCEABLE CONSENT AGREEMENT FOR CERTAIN OXYGENATED FUEL ADDITIVES

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: Methyl tertiary butyl ether (MTBE) alcohol is commonly found at concentrations above the current EPA draft lifetime health advisory for drinking water at many point source-gasoline release sites. MTBE is significantly more persistent than benzene, toluene, ethyl-benzene and xylenes (BTEX) in the subsurface. Releases of fuel oxygenates occur during manufacture, distribution, storage, and use, particularly from point sources such as underground storage tanks, pipelines and refueling facilities. The Toxic Release Inventory (TRI) estimates that MTBE releases in the United States exceeded 3.3 million pounds in 1994. EPA has not established water quality criteria for fuel oxygenates for protection of freshwater or marine aquatic life. The American Petroleum Institute (API) has recently completed a search and evaluation of extant literature on the acute and chronic toxicity of oxygenates for aquatic organisms and has provided the results to EPA. From the data gaps identified through that effort, testing to fill critical needs is expected to be conducted within a year of the API submission. Current actions should provide an appropriate basis for later determining whether additional effects testing or research is needed.

Most of the testing and research on the toxicity of oxygenates has been concerned with the effects of inhaled MTBE in laboratory and human volunteers. Virtually no information exists on the effects of ingested oxygenates on humans, with the notable exception of the extensive database on the health effects of ingested alcohol. The lack of a more substantial health effects database has made it difficult to develop a final drinking water Health Advisory or derive an oral Reference Dose (RfD) for MTBE and other oxygenates. Further subchronic and chronic data are necessary to develop a final Health Advisory. This action, which would reflect a cooperative effort between EPA and Industry to develop a testing program, would serve as a mechanism to develop the needed data.

Timetable:

Action	Date	FR Cite
Notice Solicit Interested Parties	06/00/99	
Notice ECA	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4174

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RIN: 2070–AD28

3426. TRI; REVIEW OF CHEMICALS ON THE ORIGINAL TRI LIST

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 1101 et seq

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: When TRI was established by Congress in 1986, the statutory language placed 309 chemicals and 20 categories of chemicals on the TRI list; that is referred to as the original TRI list. The chemicals on the original list were taken from two existing lists of toxic substances: the Maryland Chemical Inventory Report List of Toxic or Hazardous Substances, and the New Jersey Environmental Hazardous Substances list. This action constitutes the first systematic review of toxicology and environmental data for all the chemicals on the original TRI list to determine whether data for those chemicals conform with the statutory criteria for listing of chemicals on TRI. Chemicals for which data do not meet the statutory criteria will be delisted.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 4015

AFFECTED SECTORS: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes

4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and Solvent Recovery Services (SIC code 7389).

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RIN: 2070–AD18

3427. 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 exposure-related information and the industrial and consumer end uses of chemicals they produce or import. 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 3,000 facilities reported data on about 9,000 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; 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 the programs' progress; encourage pollution prevention by identifying potentially safer substitute chemicals for uses of potential concern; and enhance the effectiveness of chemical risk communication efforts. Additionally, EPA will consider other amendments to the IUR. These include removing the inorganic chemicals exemption; providing the information to better assess and manage risks of inorganic chemicals; improving the linkages of IUR data to other data sources to enhance the data's usefulness; and altering the confidential business information (CBI) claim procedures to reduce the frequency of CBI claims, allowing the public greater access to relevant information on toxic chemicals. EPA has held meetings with representatives of the chemical industry, environmental groups, environmental justice leaders, labor groups, State governments and other Federal agencies to ensure public involvement in the TSCA Inventory Update Rule Amendments Project.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3301

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RIN: 2070–AC61

3428. LEAD-BASED PAINT ACTIVITIES RULES; TRAINING, ACCREDITATION, AND CERTIFICATION RULE AND MODEL STATE PLAN RULE—BUILDING AND STRUCTURES

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

Unfunded Mandates: Undetermined

Legal Authority: PL 102-550 sec 402; PL 102-550 sec 404; 15 USC 2603; TSCA Title IV

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 promulgate regulations governing lead-based paint (LBP) activities to ensure that individuals engaged in such activities are properly trained, that LBP 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. EPA promulgated regulations for training and certification of training programs for LBP activities and child occupied facilities in 1996. Regulations for LBP activities in public and commercial buildings and bridges and other structures are still under development.

Timetable:

Action	Date	FR Cite
NPRM 1 (Residential)	09/02/94	59 FR 45872
Final Action 1 (Residential)	08/29/96	61 FR 45778
Interim Final Rule Minor Amendment to Grant Provisions	08/04/98	63 FR 41430
NPRM 2 (Buildings & Structures)	09/00/99	
Final Action 2 (Buildings & Structures)	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3244

See discussion of related rules in Reg. Plan entry (RIN 2070-AD06)

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RIN: 2070–AC64

3429. LEAD; OVER OF RULEMAKINGS UNDER TSCA SECTION 402, LEAD-BASED PAINT ACTIVITIES FOR THE REGULATORY PLAN

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

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2603; TSCA Title IV

CFR Citation: 40 CFR 745

Legal Deadline:
Final, Statutory, April 28, 1994, (Sections 402(a) - 404).
Other, Statutory, October 28, 1996, Section 402(c)(3)).

Abstract: The Residential Lead-Based Hazard Reduction Act of 1992 (Title X) amended TSCA by adding a new Title IV. TSCA section 402, Lead-Based Paint Activities Training and Certification directs EPA to promulgate a number of regulations intended to address the nation's need for a qualified and properly trained workforce to assist in the prevention, detection, and elimination of hazards associated with lead-based paint. EPA is required to promulgate (a) 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 (section 402(a); (b) a Model State program which may be adopted by any State which seeks to administer and enforce a State Program for the requirements established under TSCA section 402 (section 404); (c) a rule addressing lead risks from renovation and remodeling activities or state why no regulation is necessary (section 402(c)(3)); and (d) a rule establishing a fee schedule for the lead-based paint training, certification, and accreditation activities addressed in the rules developed under TSCA section 402 (section 402(a)(3)). Additionally, in response to other Federal agencies and several States and advocacy groups who were concerned that the high costs of disposing of lead-based paint debris as a RCRA hazardous waste were discouraging residential lead abatements, EPA is using its authority under TSCA section 402(a) to address the disposal of lead-based paint debris that will result from the lead-based paint activities regulated under TSCA section 402. To minimize duplication of waste management requirements, EPA is developing a companion RCRA rule to suspend temporarily hazardous waste management regulations (i.e., Toxicity Characteristic Rule) applicable to lead-based paint debris which will be subject to the new TSCA standards. These rules are listed separately in the Regulatory Agenda.

Timetable:

Action	Date	FR Cite
NPRM Sections 402(a) and 404 (Residential)	09/02/94	59 FR 45872
Final Rule Sections 402(a) and 404 (Residential)	08/29/96	61 FR 45778
Interim Final Rule Section 404(g)	08/04/98	63 FR 41430
NPRM Sections 402(a)(3)/404(h)	09/02/98	63 FR 46734
Direct Final Rule Sections 402(a)(3)/404(h)	09/02/98	63 FR 46668
Withdraw Direct Final Rule Sections 402(a)(3)/404(h)	10/16/98	63 FR 55547
NPRM Section 402(a) (Debris)	12/18/98	63 FR 70190
NPRM Section 402(a) (Buildings & Structures)	09/00/99	
NPRM Section 402(c) (Remodeling & Renovation)	09/00/99	
Final Rule Sections 402(a)(3)/404(h)	09/00/99	
Final Rule Section 402(a) (Debris)	11/00/00	
Final Rule Section 402(a) (Buildings & Structures)	09/00/01	
Final Rule Section 402(c) (Remodeling & Renovation)	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3243

Also covers SANs 3244, 3557, 3881, 4172, 3506.

Lead-Based Paint Activities Rules: Training, Accreditation and Certification Rule and Model State Plan Rule (sections 402 and 404)(SAN 3244; RIN 2070-AC64); Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling (section 402(c)(3))(SAN 3557; RIN 2070-AC83); Lead Fee Rule for Lead-Based Paint Activities Training and Certification (section 402(a)(3)) (SAN 3881; RIN 2070-AD11); Lead-Based Paint: Notification of Commencement of Abatement Activities (section 404(h)) (SAN 4172; RIN 2070-AD31); Lead: TSCA Requirements for the Disposal of Lead-Based Paint Debris (section 402(a)) and Temporary Suspension of Toxicity Characteristic Rule for Specified Lead-Based Paint Debris (RCRA sections 1006(b)(1) and 2002)(SAN 3508; RIN 2070-AC72).

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RIN: 2070–AD06

3430. MULTI-CHEMICAL TEST RULE; HIGH PRODUCTION VOLUME CHEMICALS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: This action is related to Vice President Gore's challenge to industry on the eve of Earth Day, April 21, 1998, to come forward quickly with needed test data on high production volume (HPV) chemicals. This challenge encompasses approximately 2,800 chemicals which are manufactured (including imported) in the aggregate at more than 1 million pounds on an annual basis. The data needed on these chemicals are: acute toxicity, repeat dose toxicity, developmental and reproductive toxicity; mutagenicity; ecotoxicity and environmental fate. This rule will require testing and recordkeeping requirements for those chemicals for which industry does not voluntarily agree to provide testing in a timely manner. The action is part of the Chemical Right-to-Know Initiative, which is described in the Regulatory Plan. The first rule will propose testing for 803 of these chemicals. Future rules will encompass the remaining 2,000 chemicals.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 32411 Petroleum Refineries

Additional Information: SAN No. 3990

See also the Regulatory Plan entry entitled ''Chemical Right-to-Know Initiative'' (RIN 2070-AD25; SAN 4176).

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RIN: 2070–AD16

3431. TEST RULES; GENERIC ENTRY FOR PROPOSED DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603,TSCA 4; 15 USC 2611, TSCA 12.

CFR Citation: 40 CFR 700 to 799

Legal Deadline: None

Abstract: EPA is proposing to require testing via rule, 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:

Action	Date	FR Cite
NPRM ITC II Chemicals (ITC List 28)	04/00/99	
NPRM OSHA Chemicals with Insuf. Skin Absorption Data (ITC List 32)	04/00/99	
NPRM OSHA Chemicals with No Skin Absorption Data (ITC List 31)	04/00/99	
NPRM OSHA Chemicals with No Skin Absorption Data (ITC List 35)	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3494

NPRM must be published within one year of ITC designation.

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RIN: 2070–AB07

3432. TEST RULES; 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 sec 4; 15 USC 2611, TSCA sec 12

CFR Citation: 40 CFR 790; 40 CFR 799

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	05/17/85	50 FR 20652
Interim Final	06/30/86	51 FR 23706
Interim Final (Technical Modification)	09/01/89	54 FR 36311
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2245

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RIN: 2070–AB30

3433. TEST RULE; ATSDR SUBSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603,TSCA 4; 42 USC 9604(i),CERCLA 104(i); 5 USC 2611, TSCA 12.

CFR Citation: 40 CFR 795 to 799

Legal Deadline: None

Abstract: EPA is proposing a test rule under section 4(a) of the Toxic Substances Control Act (TSCA) requiring manufacturers and processors of eight chemicals (benzene, chloroethane, methylene chloride, perchloroethylene, hydrogen cyanide, sodium cyanide, toluene, and trichloroethylene) to fulfill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP), and EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104(i).

Under CERCLA, the Agency for Toxic Substances and Disease Registry (ATSDR) is to establish a list of priority hazardous substances found at superfund sites, develop toxicological profiles for the hazardous substances, identify priority data needs, and establish a research program obtaining the necessary data. This action is a component of ATSDR's research program.

Data from this action would provide specific information about the substances for the public and scientific community. The information would be used in conducting comprehensive public health assessments of populations living near hazardous waste sites. Scientific data improves the quality of risk assessments used by EPA, other Federal agencies, and State and local governments. The risk assessments affect standards, guidelines, listing/delisting, and other decisions affecting public health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 2563

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RIN: 2070–AB79

3434. CHILDREN'S HEALTH TEST RULE

Priority: Other Significant

Legal Authority: 15 USC 2603 TSCA 4

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: The multi-chemical test rule will propose the testing of chemicals to which the general population, including children, have potentially high exposure. The chemical selection criteria will include high production volume, indoor air pollutant present in consumer products, presence with high frequency in consumer products, TRI chemical with annual release to environment of more than 1 million pounds, pesticide inert, unregulated drinking water contaminant, and nominations from other government agencies. The test battery will include acute and subchronic toxicity, developmental neurotoxicity, neurotoxicity, immunotoxicity, 2-generation reproductive toxicity, mutagenicity, oncogenicity, and pharmacokinetics. This Children's Health test rule will focus on chemicals with a high potential for exposure; future test rules may also consider chemicals with suggestive, but not fully characterized, evidence of toxicity. The purpose of this and future Children's Health test rules is to improve our understanding of the risks posed to children's health by chemicals to which they may be exposed in the home, school, and the environment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 2865

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RIN: 2070–AC27

3435. TEST RULE FOR CERTAIN METALS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603,TSCA 4; 15 USC 2611, TSCA 12; 15 USC 2625, TSCA 26; 42 USC 9604(i), CERCLA 104(i)

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: EPA is proposing a test rule under section 4(a) of the Toxic Substances Control Act (TSCA) requiring manufacturers and processors of certain metals (beryllium, chromium, manganese, mercury, nickel, and selenium) to fulfill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP), and EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104(I).

Under CERCLA, the Agency for Toxic Substances and Disease Registry (ATSDR) is to establish a list of priority hazardous substances found at superfund sites, develop toxicological profiles for the hazardous substances, identify priority data needs, and establish a research program obtaining the necessary data. This action is a component of ATSDR's research program.

Data from this action would provide specific information about the substances for the public and scientific community. The information would be used in conducting comprehensive public health assessments of populations living near hazardous waste sites. Scientific data improves the quality of risk assessments used by EPA, other Federal agencies, and State and local governments. The risk assessments affect standards, guidelines, listing/delisting, and other decisions affecting public health and the environment.

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3882

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RIN: 2070–AD10

3436. FOLLOW-UP RULES ON EXISTING CHEMICALS

Priority: Routine and Frequent

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

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM 2 & 4-Pentanedione SNUR	09/27/89	54 FR 39548
NPRM Chloranil	05/12/93	58 FR 27980
NPRM Benzidine-based Chemical Substances	08/30/95	60 FR 45119
Final Action Benzidine-based Chemical Substances	10/07/96	61 FR 52287
NPRM p-Aminophenol & Bromochloro-methane 8(a) Chemical Specific Rule	05/00/99	
NPRM Methylcyclopentane SNUR	05/00/99	
NPRM 2 & 4-Pentanedione SNUR (Reproposal)	05/00/99	
NPRM 2-Ethoxyethanol & 2-Methoxyethanol & 2-Methoxyethanol Acetate	05/00/99	
NPRM o-Tolidine & o-Dianisidine-based Dyes (Benzidine Congener Dyes)	06/00/99	
NPRM Amendment to Benzidine-based Chemical Substances SNUR	06/00/99	
NPRM Flame Retardant Chemicals	09/00/99	
NPRM Heavy Metal-Based Pigments in Aerosol Spray Paints SNUR	10/00/99	
Final Action Amendment to Benzidine-based Chemical Substances SNUR	12/00/99	
NPRM Certain Chemical Substances No Longer in Production SNUR	10/00/00	
Final Action Final Chloranil SNUR	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Additional Information: SAN No. 1923

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RIN: 2070–AA58

3437. TSCA BIOTECHNOLOGY FOLLOW-UP RULES

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 2604; TSCA 5(a)

CFR Citation: 40 CFR 720; 40 CFR 725 (Revision)

Legal Deadline: None

Abstract: As a follow-up to the final Biotechnology rule under the Toxic Substances Control Act (TSCA), EPA plans to address two actions. (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 indicated in its 1994 proposed biotechnology regulations that it may reconsider its interpretation of new microorganism in a later rulemaking, based on the more current state of scientific knowledge about the manner in which genetic material is exchanged among microorganisms in the environment. (2) TSCA Oversight of Transgenic Plants: Certain transgenic plants which express products or which are used for purposes subject to EPA jurisdiction under TSCA may be used for commercial purposes in the United States without oversight by EPA. Such uses include: plants used as intermediates to produce industrial grade oils; and plants used for phytoremediation (cleanup of contaminated soils). Section 5 of TSCA requires that new chemical substances be reviewed by the Agency prior to their introduction into commerce. In its proposed rule, 59 FR 45526 (September 1, 1994), EPA stated that it was reserving jurisdiction over certain transgenic plants and animals: Plants and animals could also be chemical substances under TSCA. EPA is reserving authority under TSCA to screen transgenic plants and animals in the future as needed, 59 FR 45526, 45527 (September 1, 1994). This action will address whether EPA should exercise jurisdiction under TCSA over products produced by transgenic plants, and/or certain plants.

Timetable:

Action	Date	FR Cite
Policy Statement (2) TSCA Plants Oversight Policy	11/00/99	
NPRM (1) Intergeneric Scope of Oversight	06/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 212393 Other Chemical and Fertilizer Mineral Mining; 32551 Paint and Coating Manufacturing

Additional Information: SAN No. 3894

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RIN: 2070–AD13

3438. ASBESTOS MODEL ACCREDITATION PLAN REVISIONS

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 sec 206

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 (MAP) to extend training and accreditation requirements to include persons performing certain asbestos-related work in public or commercial buildings, to increase the minimum number of training hours required for accreditation purposes and to effect other changes necessary to implement the amendments. The upcoming notice of proposed rulemaking (NPRM) will improve harmony of the existing interim final MAP with the Occupational Safety and Health Administration's regulations to the extent consistent with applicable EPA statutes, and provide clarifications.

Timetable:

Action	Date	FR Cite
Model Plan	05/13/92	57 FR 20438
Interim Final	02/03/94	59 FR 5236
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3148

See entry 2070-AC62

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RIN: 2070–AC51

3439. ASBESTOS; AMENDMENTS TO THE ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE

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: 15 USC 2605 TSCA sec 6; 15 USC 2607 TSCA sec 8; 15 USC 2647 TSCA sec 207; 15 USC 2646 TSCA sec 206; 15 USC 2643 TSCA sec 203; 15 USC 2614 TSCA sec 15; 15 USC 2615 TSCA sec 16

CFR Citation: 40 CFR 763

Legal Deadline: None

Abstract: EPA is proposing to amend the Asbestos-Containing Materials in Schools Rule in order to improve harmony with the Occupational Safety and Health Administration's regulations and to provide clarifications regarding several definitions, air clearance monitoring techniques, and response actions. As a part of this effort, the Agency is also developing proposals to amend the Asbestos Model Accreditation Plan (RIN 2070-AC51) and the Asbestos Worker Protection Rule (RIN 2070-AC66). These activities are already included in the Regulatory Agenda as separate items, but were included in this entry to highlight this reinvention activity in the Regulatory Plan for FY 1999.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3047

Please also see Regulatory Agenda entries for the Asbestos Model Accreditation Plan Revisions (SAN 3148; RIN 2070-AC51) and the Asbestos Worker Protection Rule Amendments (SAN 2249; RIN 2070-AC66).

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RIN: 2070–AC62

3440. ASBESTOS WORKER PROTECTION RULE AMENDMENTS

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: 15 USC 2605 TSCA sec 6; 15 USC 2607 TSCA sec 15; 15 USC 2614 TSCA sec 15; 15 USC 2615 TSCA sec 16

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 that were made to the Occupational Safety and Health Administration (OSHA) asbestos workplace standards issued since EPA's WPR was promulgated in 1987 to the extent that the OSHA revisions are consistent with applicable EPA statutes. 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. 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 relating to schools, which are currently contained in that rule, to the WPR.

Timetable:

Action	Date	FR Cite
NPRM (1)	11/01/94	59 FR 54746
NPRM (2)	12/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2249

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RIN: 2070–AC66

3441. PCBS; POLYCHLORINATED BIPHENYL; USE AUTHORIZATIONS

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: 15 USC 2605(e); TSCA sec 6(e)

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: The notice of proposed rulemaking that was published on December 6, 1994, covered the manufacture (including import), processing, distribution in commerce, export use, disposal, and marking of PCBs. On June 29, 1998, EPA issued a final rule involving the disposal related provisions. Other provisions, e.g., certain use authorizations and import provisions, were to be addressed in separate actions. This rulemaking addresses a use authorization for certain non-liquid PCB applications, which although currently in use have never been authorized under the PCB regulations at 40 CFR part 761.

Timetable:

Action	Date	FR Cite
ANPRM	06/10/91	56 FR 26738
NPRM	12/06/94	59 FR 62788
Final Action 1 PCB Disposal Provisions	06/29/98	63 FR 35384
Supplemental NPRM Use Authorizations - Data Availability	04/00/99	
Final Action 2 Use Authorizations	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4179

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RIN: 2070–AD27

3442. LEAD-BASED PAINT ACTIVITIES; TRAINING AND CERTIFICATION FOR RENOVATION AND REMODELING

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

Unfunded Mandates: Undetermined

Legal Authority: PL 102-550 Sec 402(c)(3); 15 USC2603 TSCA Title IV

CFR Citation: 40 CFR 745

Legal Deadline:
Final, Statutory, October 31, 1996.

Abstract: Under section 402(c)(2) of TSCA Title IV, EPA conducted a study of the extent to which persons engaged in renovation and remodeling activities in target housing are exposed to lead in the conduct of such activities or disturb lead and create a lead-based paint hazard. EPA must use the results of this study and consult with interested parties to determine which categories of renovation and remodeling activities require training and certification. EPA must then revise the training and certification regulations originally developed for individuals performing lead-based paint abatement under section 402(c)(a) of TSCA Title IV to apply them to the renovation and remodeling categories. If EPA determines that any category does not require certification, EPA must publish an explanation of the basis for that determination.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 23321 Single Family Housing Construction; 23322 Multifamily Housing Construction; 23521 Painting and Wall Covering Contractors; 23551 Carpentry Contractors

Additional Information: SAN No. 3557

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RIN: 2070–AC83

3443. LEAD-BASED PAINT; NOTIFICATION OF COMMENCEMENT OF ABATEMENT ACTIVITIES

Priority: Info./Admin./Other

Legal Authority: PL 102-550; 15 USC 2603; TSCA 4

CFR Citation: 40 CFR 745

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

Abstract: Section 402 of TSCA directs EPA to establish regulations containing standards for performing lead-based paint activities. One of the standards

EPA developed, codified at 40 CFR section 745.227(e)(4), requires notification to EPA of the commencement of lead-based paint abatement activities in a residential dwelling or child-occupied facility or as a result of a Federal, State, or local order. This rule establishes requirements for the notification of commencement of lead-based paint abatement activities. These provisions include uniform procedures to notify the Agency of routine and emergency lead-based paint abatement activities. The rule will also prohibit lead-based paint abatement activities from starting on any date other than the one contained in the notification. This information is necessary to provide enforcement personnel with information for compliance activities and to prioritize inspections.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4172

This action has been split off from the action entitled ''Fees for Accreditation and Certification of Lead-Based Paint Activities'' (SAN 3881; 2070-AD11).

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RIN: 2070–AD31

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Toxic Substances Control Act (TSCA)

3444. LEAD; MANAGEMENT AND DISPOSAL OF LEAD-BASED PAINT DEBRIS

Priority: Other Significant. Major under 5 USC 801.

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. To minimize duplication of waste management requirements, EPA is developing a companion RCRA rule to suspend temporarily hazardous waste management regulations applicable to lead-based paint debris which will be subject to the new TSCA standards.

Timetable:

Action	Date	FR Cite
NPRM Proposed Temporary Suspension of Toxicity Characteristic Rule	12/18/98	63 FR 70233
NPRM TSCA Proposal	12/18/98	63 FR 70189
Final Action	01/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3508

This SAN and RIN includes RCRA companion rule: Temporary Suspension of Toxicity Characteristic Rule for Specified Lead-Based Paint Debris.

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RIN: 2070–AC72

3445. GUIDANCE ON ENVIRONMENTALLY PREFERABLE PURCHASING FOR FEDERAL AGENCIES

Priority: Info./Admin./Other

Legal Authority: EO 13101

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: As mandated by Executive Order 13101, OPPTS is developing final guidance to direct Federal agencies in their procurement of Environmentally Preferable Products.

Timetable:

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50722
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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. 3480

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RIN: 2070–AC78

3446. TEST RULES; GENERIC ENTRY FOR FINAL DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603, TSCA sec 4; 15 USC 2611, TSCA sec 12.

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 Federal or other EPA offices through EPA review processes.

Timetable:

Action	Date	FR Cite
ANPRM Aryl Phosphates (ITC List 2)	12/29/83	48 FR 57452
NPRM Brominated Flame Retardants	06/25/91	56 FR 29140
NPRM Aryl Phosphates (ITC List 2)	01/17/92	57 FR 2138
Final Action (ECA) DiBasic Esters (CPSC)	04/00/99	
Final Action (ECA) Aryl Phosphates (ITC List 2)	07/00/99	
Final Action ITC Chemicals (ITC List 28)	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3493

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RIN: 2070–AB94

3447. TEST RULE; HAZARDOUS AIR POLLUTANTS (HAPS)

Priority: Other Significant

Legal Authority: 15 USC 2603 TSCA 4; 42 USC 7412 CAA 112; 42 USC 7403 CAA 103; 15 USC 2611 TSCA 12

CFR Citation: 40 CFR 790 to 799

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 technology-based emissions standards 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
Supplemental NPRM	12/24/97	62 FR 67466
Supplemental NPRM	04/21/98	63 FR 19694
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3487

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RIN: 2070–AC76

3448. FOLLOW-UP RULES ON NON-5(E) NEW CHEMICAL SUBSTANCES

Priority: Routine and Frequent

Legal Authority: 15 USC 2604 TSCA sec 5

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA regulates 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:

Action	Date	FR Cite
NPRM Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	06/11/86	51 FR 21199
NPRM 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	12/08/87	52 FR 46496
NPRM Diphenyl-2&4&6-Trimethylbenzol Phosphine Oxide (87-586)	02/02/88	53 FR 2857
NPRM Aluminum Cross-linked Sodium Carboxy-methylcellulose	06/11/93	58 FR 32628
NPRM Certain Chemical Substances (95-1584 96-1674/75 and 97-267)	08/13/97	62 FR 43297
Final Action Certain Chemical Substances (95-1584 96-1674/75 and 97-267)	11/30/98	63 FR 65705
Final Action Diphenyl-2&4&6-Trimethylbenzol Phosphine Oxide (87-586)	01/29/99	64 FR 4605
Final Action Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	06/00/99	
Final Action Aluminum Cross-linked Sodium Carboxy-methylcellulose	06/00/99	
Final Action 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 1976

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RIN: 2070–AA59

3449. 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 sec 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 (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:

Action	Date	FR Cite
NPRM Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	05/27/93	58 FR 30744
NPRM Aromatic Amino Ether (P90-1840)	06/06/94	59 FR 29255
NPRM Alkenyl Ether of Alkanetriol Polymer (93-458)	12/19/94	59 FR 65289
NPRM Butanamide 2 2'-(3' 3-dichloro)1 1'-biphenyl 4 4'-diyl) bisazob	06/26/97	62 FR 34424
NPRM Certain Chemical Substances (91-1299/95-1667 91-1298 91-1297	06/26/97	62 FR 34421
NPRM Substituted Phenol (89-1125 L91-87 P92-41 92-511 94-1527 etc.	06/26/97	62 FR 34427
Final Action Substituted Phenol (89-1125 L91-87 P92-41 92-511 94-1527 etc.	04/30/98	63 FR 23678
NPRM Certain Chemical Substances	09/09/98	63 FR 48157
Final Action Butanamide 2 2'- 3' 3-dichloro(1 1'-biphenyl)-4 4'-diyl bisazob	02/04/99	64 FR 5740
Final Action Alkenyl Ether of Alkanetriol Polymer (93-458)	06/00/99	
Final Action Aromatic Amino Ether (P90-1840)	06/00/99	
Final Action Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	06/00/99	
Final Action Certain Chemical Substances (91-1299/95-1667 91-1298 91-1297	06/00/99	
Final Action Certain Chemical Substances	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3495

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RIN: 2070–AB27

3450. PCBS; POLYCHLORINATED BIPHENYLS; EXEMPTIONS FROM THE PROHIBITIONS AGAINST MANUFACTURING, PROCESSING, AND DISTRIBUTION IN COMMERCE

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 761

Legal Deadline: None

Abstract: Section 6(e)(3)(B) of the Toxic Substances Control Act (TSCA)

provides that the Administrator may grant, by rule, exemptions from the prohibitions against manufacturing, processing and distribution in commerce of PCBs upon finding that 1) no unreasonable risk to health or the environment will occur, and 2) good faith efforts have been made by the petitioner to develop a substitute for PCB which does not pose an unreasonable risk of injury to health or the environment. In addition, the Interim Procedural Rules were amended to require certain petitioners to reapply for EPA approval to continue PCB activities previously approved by EPA.

Timetable:

Action	Date	FR Cite
NPRM (1) Group I	12/06/94	59 FR 62875
NPRM (2) Group II	09/00/99	
Final Action Group I	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Additional Information: SAN No. 2150

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RIN: 2070–AB20

3451. REFRACTORY CERAMIC FIBERS; SIGNIFICANT NEW USE RULES ON NATIONAL PROGRAM CHEMICALS

Priority: Substantive, Nonsignificant

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

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 6 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:

Action	Date	FR Cite
NPRM Refractory Ceramic Fiber	03/21/94	59 FR 13294
Final Action Refractory Ceramic Fiber	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3528

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RIN: 2070–AC37

3452. PCBS; 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 sec 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 during operation, but retrofitting still successfully reduces PCB concentration. Safety risks to employees and to the general public occur in mandating the continued adherence to the current regulations. EPA may also address the reclassification of voltage regulators.

Timetable:

Action	Date	FR Cite
NPRM	11/18/93	58 FR 60970
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Additional Information: SAN No. 3021

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RIN: 2070–AC39

3453. TSCA SECTION 8(A) PRELIMINARY ASSESSMENT INFORMATION RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607(a) TSCA sec 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 ITC List	02/28/96	61 FR 7421
Final Action 38th ITC List	10/29/96	61 FR 55871
Final Action 38th ITC List - Stay	12/11/96	61 FR 65186
Final Action 38th ITC List - Stay/Technical Amendments	01/07/98	63 FR 684
Final Action 38th ITC List - Revocation	04/00/99	
Final Action 39th ITC List	04/00/99	
Final Action 41st ITC List	04/00/99	
Final Action 42nd ITC List	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2178

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RIN: 2070–AB08

3454. TSCA SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES

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: 15 USC 2607(d) TSCA sec 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 38th ITC List	10/29/96	61 FR 55871
Final 38th ITC List - Stay	12/11/96	61 FR 65186
Final 38th ITC List - Stay/Technical Amendment	01/07/98	63 FR 684
Final Action 38th ITC List - Revocation	04/00/99	
Final Action 43rd ITC List	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 1139

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RIN: 2070–AB11

3455. USE OF ACRYLAMIDE FOR GROUTING

Priority: Other Significant

Legal Authority: 15 USC 2605 TSCA sec 6; 15 USC 2607 TSCA sec 8

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 has reviewed the comments and expects to promulgate the final rule in the Spring of 1999.

Timetable:

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863
Notice Reopening Record for Comments on Durability of NMA	02/28/96	61 FR 7454
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2779

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RIN: 2070–AC17

3456. TSCA SECTION 8(E) POLICY; NOTICE OF CLARIFICATION

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 sec 8(e)

CFR Citation: Not yet determined

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	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3118

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RIN: 2070–AC80

3457. 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 sec 4; 15 USC 2611; TSCA sec 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); and (3) the end of the period during which export notification requirements under TSCA section 12(b) are triggered.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

Additional Information: SAN No. 3559

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RIN: 2070–AC84

3458. LEAD-BASED PAINT; FEES FOR ACCREDITATION AND CERTIFICATION ACTIVITIES

Priority: Info./Admin./Other

Legal Authority: PL 02-550; 15 USC 2682(a)(3) TSCA 402(a)(3)

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: This rule is mandated by section 402(a) of TSCA for the purpose of implementing a fee schedule for lead-based paint activities. (40 CFR part 745, Lead Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities, published August 28, 1996). The rule will recoup for the US Treasury, through assessment of fees, the cost of EPA's administrative and enforcement costs in implementing this program. 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.

Timetable:

Action	Date	FR Cite
NPRM	09/02/98	63 FR 46734
Direct Final Rule	09/02/98	63 FR 46668
Withdrawn - Withdrawal of DFR and Effective Date	10/16/98	63 FR 55547
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3881

This action is split from the action Notification of Commencement of Abatement Activities (SAN 4172; 2070-AD31)

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RIN: 2070–AD11

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Toxic Substances Control Act (TSCA)

3459. LEAD; TSCA SECTION 403; IDENTIFICATION OF DANGEROUS LEVELS OF LEAD

Priority: Economically Significant

Legal Authority: 15 USC 2683

CFR Citation: 40 CFR 745

Legal Deadline:
NPRM, Judicial, May 26, 1998, Consent Decree.

Abstract: The Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X) amended TSCA by adding a new Title IV. TSCA section 403 requires EPA to promulgate regulations that identify lead-based paint hazards, lead-contaminated dust and lead-contaminated soil for the purposes of TSCA Title IV as well as for the entire Title X. EPA developed an interim guidance document in July 1994, to provide public and private decision-makers with guidance on identifying and prioritizing lead-based paint hazards for control. This interim guidance, which was subsequently published in 1995 (60 FR 47248, 9/11/95), will continue to serve as EPA's official policy until the final TSCA section 403 rule is promulgated.

Timetable:

Action	Date	FR Cite
NPRM	06/03/98	63 FR 30301
Notice Comment Period Extended to 10/01/98	07/22/98	63 FR 39262
Notice Comment Period Extended to 11/30/98	10/01/98	63 FR 52662
Notice Comment Period Extended to 12/31/98 & Announces Public Meeting	11/05/98	63 FR 59754
NPRM Correction	12/18/98	63 FR 70087
Notice Reopens Comment Period to 03/01/99	01/14/99	64 FR 2460
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3243

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RIN: 2070–AC63

3460. LEAD; REGULATORY INVESTIGATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA) TO REDUCE LEAD (PB) CONSUMPTION AND USE

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

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2605; TSCA 6

CFR Citation: 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. EPA is exploring a combination of approaches to address human health and wildlife exposure to lead fishing sinkers including voluntary initiatives and education campaigns. EPA is developing materials to explain the dangers of lead through misuse and improper handling of lead sinkers. EPA is working with States to generally distribute such materials and to include information on lead hazards to human health and wildlife in State fishing guidelines booklets.

Timetable:

Action	Date	FR Cite
ANPRM	05/13/91	56 FR 22096
NPRM Proposed Ban of Fishing Sinkers	03/09/94	59 FR 11122
Final Action Fishing Sinkers	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3252

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RIN: 2070–AC21

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Emergency Planning and Community Right-to-Know Act (EPCRA)

3461. TRI; ADDITION OF OIL AND GAS EXPLORATION AND PRODUCTION TO THE TOXIC RELEASE INVENTORY

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 11013 EPCRA 313; 42 USC 11023; 42 USC 1108; 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 facilities whose primary economic activity was classified as manufacturing. This requirement was specified under the Emergency Planning and Community Right-To-Know Act (EPCRA) section 313(b)(1)(A). 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. The Environmental Protection Agency (EPA) has recently expanded this original list of covered industries. EPA began additional analyses to determine whether facilities which perform exploration and production of oil and gas should also be added to the list of facilities covered under EPCRA section 313. Facilities recently added include certain electric generating facilities, waste management facilities, metal and coal mining, hazardous waste treatment facilities, solvent recyclers, and wholesale distributors of chemicals and petroleum products.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Federal

Sectors Affected: 211111 Crude Petroleum and Natural Gas Extraction

Additional Information: SAN No. 4023

Program is implemented at the Federal level. States are designated as co-recipients of the information, but are not required to manage the information in any particular manner.

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RIN: 2070–AD19

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Emergency Planning and Community Right-to-Know Act (EPCRA)

3462. TRI; RESPONSES TO PETITIONS RECEIVED TO ADD OR DELETE OR MODIFY CHEMICAL LISTINGS ON THE TOXIC RELEASE INVENTORY

Priority: Routine and Frequent

Unfunded Mandates: Undetermined

Major: Undetermined

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

Legal Authority: 42 USC 11013 EPCRA sec 313

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: These actions grant or deny petitions received to add or delete or modify chemicals on the list of toxic chemicals under section 313 of the Emergency Planning and Community Right to Know Act (EPCRA) that are subject to reporting under the Toxic Chemical Release Reporting Rule. The actions cover individual chemicals or groups of chemicals for which petitions have been received.

Timetable:

Action	Date	FR Cite
Notice DBNPA (Request to Delete)	10/27/95	60 FR 54949
Proposed Rule Dioxin & Dioxin-like Compounds (Furans & PCBs) (Req. to Add)	05/07/97	62 FR 24887
Notice of Denial Phosphoric Acid (Request to Delete)	01/23/98	63 FR 3566
Notice of Denial Methyl Ethyl Ketone (MEK) (Request to Delete)	03/30/98	63 FR 15195
Amendments to Proposed Rule Dioxin and Dioxin-like Compounds (Furans & PCBs) Req. to Add.)	01/05/99	64 FR 688
NPRM Chromite Ore (Request to Delete)	02/23/99	64 FR 8774
Notice of Denial Methyl Isobutyl Ketone (MIBK) (Request to Delete)	02/23/99	64 FR 8769
Response Acetonitrile (Request to Delete)	04/00/99	
Final Response Dioxin & Dioxin-like Compounds (Furans & PCBs)(Req. to Add)	09/00/99	
Final Response DBNPA (Request to Delete)	11/00/99	
Response Di(2-ethylhexyl) Phthalate (DEHP) (Request to Delete)	12/00/99	
Response Alloys--Chromium & Nickel & and Copper Alloys (Req. to Modify)	03/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2425

Statutory deadline: Within 180 days of receipt the Agency must either initiate rulemaking or explain why not in the Federal Register. Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code

1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070–AC00

3463. TRI; POLLUTION PREVENTION ACT INFORMATION REQUIREMENTS

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

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: Section 6607(b) of the Pollution Prevention Act of 1990 (PPA) (Pub. L. 101-508) requires the addition of several data elements to the Toxic Chemical Release Inventory (TRI) reporting requirements as promulgated under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (Pub. L. 99-499). Section 313 of EPCRA requires owners or operators of certain facilities that manufacture, process, or otherwise use listed toxic chemicals to annually report their releases of these chemicals to each environmental medium. The PPA mandates that section 313 covered facilities also report on source reduction and recycling activities relating to the toxic chemicals beginning with the 1991 reporting year. Since 1991 covered facilities have been providing this information to EPA in section 8A, Source Reduction and Recycling Activities, of EPA Form R. On September 25, 1991 (56 FR 48475), EPA proposed regulations which would provide definitions and instructions for reporting the PPA data elements on the EPA Form R. In this action, EPA will amend certain aspects of the September 25, 1991, proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48475
Supplemental NPRM	09/00/99	
Final Action	03/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2847

Affected Sectors Include: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070–AC24

3464. ● TRI; LOWERING OF EPCRA SECTION 313 REPORTING THRESHOLDS FOR LEAD AND LEAD COMPOUNDS

Priority: Other Significant

Legal Authority: 42 USC 11001 et seq

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 pounds 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 certain persistent bioaccumulative toxic (PBT) chemicals and has issued a proposed rule that sets out the criteria EPA intends to use for determining if a chemical is persistent and bioaccumulative under EPCRA section 313. EPA is currently conducting analysis to determine if lead and lead compounds meet the proposed criteria for persistence and bioaccumulation and whether the EPCRA section 313 reporting thresholds should be lowered. EPA is also evaluating the environmental fate of lead.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 4259

By Statute and Regulation, this rule will affect SIC codes 20-39, 10 (except SIC codes 1011, 1081, 1094), 12 (except SIC code 1241), 4911, 4931, 4939, 4953, 5169, 5171, and 7389.

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RIN: 2070–AD38

3465. ● TRI; REVISIONS TO THE OTHERWISE USE ACTIVITY EXEMPTIONS AND THE COAL EXTRACTION ACTIVITIES EXEMPTION

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 11001 et seq

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The Toxics Release Inventory (TRI) requires reporting from facilities which manufacture or process at least 25,000 pounds of a listed chemical, or otherwise use 10,000 pounds of a listed chemical. In determining amounts of listed chemicals that are manufactured, processed or otherwise used, facilities may be entitled to consider specific exemptions from reporting. EPA is presently reviewing a group of these exemptions. The categories of exemptions presently being reconsidered by EPA are the structural component exemption, the routine janitorial and facility grounds maintenance exemption, the personal use exemption, the motor vehicle maintenance exemption, and the intake water/air exemption. Also known as the ''otherwise use'' exemptions because they are limited to ''otherwise use'' activities, these exemptions are expressly provided for at 40 CFR 372.38(c). EPA is also considering changes to the coal mining extraction exemption provided for at 40 CFR 372.38(g).

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Additional Information: SAN No. 4265

By Statute and Regulation, this rule will affect SIC codes 20-39, 10 (except SIC codes 1011, 1081, 1094), 12 (except SIC code 1241), 4911, 4931, 4939, 4953, 5169, 5171, and 7389.

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RIN: 2070–AD39

3466. TRI; CHEMICAL EXPANSION; FINALIZATION OF DEFERRED CHEMICALS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: On November 30, 1994, EPA added 286 chemicals and chemical categories to the EPCRA section 313 list, including 39 chemicals as part of two delineated categories. Each chemical and chemical category was found to meet the statutory criteria described in EPCRA section 313(d)(2)(A)-(C). At this time, EPA deferred final action on 40 chemicals and one chemical category until a later date. These were deferred because the comments received on them raised difficult technical or policy issues which required additional time to address. EPA chose not to delay final action on the 286 chemicals and chemical categories because of the additional time needed to address the issues surrounding the smaller group of 40 chemicals and one chemical category; rather, EPA believed it to be in the spirit of community right-to-know to proceed with the final rulemaking of the additional chemicals and chemical categories.

Timetable:

Action	Date	FR Cite
NPRM	01/12/94	59 FR 1788
Final Finalizes Listing of 286 Chemicals and Chemical Categories	11/30/94	59 FR 61432
Supplemental NPRM Deferred Chemicals	12/00/99	
Final Action Deferred Chemicals	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3007

Includes SIC codes: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070–AC47

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Emergency Planning and Community Right-to-Know Act (EPCRA)

3467. TRI; REPORTING THRESHOLD AMENDMENT FOR CERTAIN PERSISTENT AND BIOACCUMULATIVE TOXIC CHEMICALS (PBTS)

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

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 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.

Timetable:

Action	Date	FR Cite
NPRM	01/05/99	64 FR 688
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Additional Information: SAN No. 3880

OTHER DEADLINE: Presidential Initiative with Final Rule in place and effective by 12/31/99. AFFECTED SECTORS: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070–AD09

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Emergency Planning and Community Right-to-Know Act (EPCRA)

3468. EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT: AMENDMENTS AND STREAMLINING 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: 42 USC 11002; 42 USC 11004; 42 USC 11048; 42 USC 11021; 42 USC 11022

CFR Citation: 40 CFR 355; 40 CFR 370

Legal Deadline: None

Abstract: This rule will address the remaining issues from the proposed rule of June 8, 1998. (Reporting thresholds for gasoline and diesel fuel at retail gas stations were included in a separate final rule; 64 FR 7031, February 11, 1999.) This rule will include: reporting thresholds for rock salt, sand, gravel and other chemicals that pose minimal risk; plain language rewrite; and may consider reporting thresholds for facilities with some similarities to gas stations (motor pools, marinas, etc.) and guidance on approaches to State flexibility.

Timetable:

Action	Date	FR Cite
NPRM	06/08/98	63 FR 31268
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3215

Agency Contact: Meg Victor, Environmental Protection Agency, Solid Waste and Emergency Response, 5104, Washington, DC 20460
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Phone: 202 260-4043

RIN: 2050–AE17

3469. RESPONSE TO A PETITION REQUESTING DELETION OF PHOSMET FROM THE EXTREMELY HAZARDOUS SUBSTANCES (EHSS) LIST

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11002; 42 USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355

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	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3994

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RIN: 2050–AE42

3470. 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

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 Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 325 Chemical Manufacturing

Additional Information: SAN No. 3993

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RIN: 2050–AE43

3471. TRI; DATA EXPANSION AMENDMENTS; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 11013 EPCRA; 42 USC 11023; 42 USC 11048; 42 USC 11076; 42 USC 13106

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The original Toxics Release Inventory (TRI) required reporting from manufacturing facilities on the releases and other waste management activities 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; 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. Because of competing priorities, this project is currently on hold. No activities are planned for 1999.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3877

SECTORS AFFECTED: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2070–AD08

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Emergency Planning and Community Right-to-Know Act (EPCRA)

3472. EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW PROGRAMS; AMENDMENTS TO HAZARDOUS CHEMICAL REPORTING THRESHOLDS FOR GASOLINE AND DIESEL FUEL AT RETAIL GAS STATIONS

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 370

Completed:

Reason	Date	FR Cite
Final Action	02/11/99	64 FR 7031

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2050–AE58

3473. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS: RISK MANAGEMENT PROGRAMS UNDER THE CLEAN AIR ACT, SECTION 112(R)(7): AMENDMENT

Priority: Other Significant

CFR Citation: 40 CFR 68

Completed:

Reason	Date	FR Cite
Final Action	01/06/99	64 FR 963

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2050–AE46

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Resource Conservation and Recovery Act (RCRA)

3474. HAZARDOUS WASTE STORAGE AND DISPOSAL REGULATION RELATED TO LOW LEVEL MIXED WASTE; PROPOSED MODIFICATIONS

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; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6924; 42 USC 6926

CFR Citation: 40 CFR 261.4; 40 CFR 262.34

Legal Deadline:
NPRM, Judicial, October 31, 1999.
Final, Judicial, April 30, 2001.

Abstract: EPA is considering a regulatory exemption from the RCRA hazardous waste disposal requirements for mixed low level waste (MLLW). EPA will determine whether the disposal of LLMW in facilities designed to address radiological hazards which are licensed by the Nuclear Regulatory Commission (NRC) will provide adequate protection of human health and the environment with respect to chemical hazards. If the Agency decides that such disposal is protective, EPA will propose that for the purposes of disposal these wastes meeting requirements under the land disposal restrictions program be conditionally exempted from the RCRA subtitle C disposal requirements. Commercial mixed waste generators, particularly nuclear power plants, contend that NRC regulations covering design, licensing and operation of low level radioactive waste disposal facilities offer human health and environmental protection similar to that required by EPA requirements governing chemical hazards under RCRA regulations. Furthermore, there is a serious shortage of disposal capacity for MLLW. The waste acceptance criteria of the only dually regulated facility (i.e., having both a RCRA permit and an NRC license) severely limits the activity levels of radionuclides they can dispose. This rulemaking provides alternatives to the disposal capacity concern. EPA is also considering alternatives to current EPA regulations applicable to mixed waste storage. NRC regulations also apply to storage of commercial mixed waste. Current RCRA regulation prohibits indefinite storage of waste containing hazardous constituents, despite the lack of treatment technology or disposal capacity for some mixed wastes. Through this rulemaking action, EPA seeks to explore regulatory alternatives that could provide flexibility for MLLW from hazardous waste storage requirements while waste is subject to NRC regulations and licensing conditions.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/99	64 FR 10063
ANPRM Comment Period End	04/15/99	
NPRM	10/00/99	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Additional Information: SAN No. 4017

DOE mixed waste could exit RCRA if disposed at commercial low level waste disposal facilities.

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RIN: 2050–AE45

3475. REINVENTING THE LAND DISPOSAL RESTRICTIONS 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 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268

Legal Deadline: None

Abstract: The Land Disposal Restrictions (LDR) program was established to minimize threats posed by the land disposal of untreated hazardous wastes. The program has been in place for a number of years and now regulates all but the most recently listed hazardous wastes. The Agency is now examining the LDR program, exploring past accomplishments, current issues, and future possibilities. The goals of the examination are to make the LDR program cheaper, smarter, cleaner, and more flexible. The Agency will develop an Advance Notice of Proposed Rulemaking (ANPRM) to present initial thinking and the results of some activities taken as part of the ongoing LDR Reinvention Project so that the public will have an opportunity to comment. A proposed and final rule will follow.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/99	
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Sectors Affected: 325 Chemical Manufacturing; 331 Primary Metal Manufacturing; 2122 Metal Ore Mining; 32411 Petroleum Refineries

Additional Information: SAN No. 4093

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RIN: 2050–AE53

3476. LAND DISPOSAL RESTRICTIONS; POTENTIAL REVISIONS FOR MERCURY LISTED AND CHARACTERISTIC WASTES

Priority: Other Significant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268

Legal Deadline: None

Abstract: This Advance Notice of Proposed Rulemaking (ANPRM) will solicit data and comments on treatment data that the Agency has gathered on the treatment of mercury wastes. Some forms of mercury wastes are now required to be treated by either incineration or retorting. Both of these forms of treatment have the potential to emit mercury via air emissions. Also, some information suggests that certain waste types which are required to be retorted are not amenable to that form of treatment. There also is a shrinking demand for mercury, which brings up concerns about requiring recovery of mercury wastes. The data and information gathered by this ANPRM process are intended to be used to propose revised treatment standards for some forms of mercury hazardous wastes in a future rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Sectors Affected: 3353 Electrical Equipment Manufacturing; 325181 Alkalies and Chlorine Manufacturing; 32551 Paint and Coating Manufacturing; 3254 Pharmaceutical and Medicine Manufacturing

Additional Information: SAN No. 4094

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RIN: 2050–AE54

3477. REVIEW OF TOXICITY CHARACTERISTIC LEVEL FOR SILVER UNDER THE RESOURCE CONSERVATION RECOVERY ACT (RCRA)

Priority: Info./Admin./Other

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 is a technical review of the possible risks associated with management of silver-bearing wastes and economic impacts of this regulation, which is being conducted in response to petitions submitted to the Agency to re-assess the toxicity characteristic level for silver. EPA will address all potential pathways for risks from silver-bearing wastes, including possible ecological effects.

Silver is on the toxicity characteristic list because it was a regulated drinking water contaminant. In January 1991, the Agency deleted the primary drinking water maximum contaminant level (MCL) for silver based on consideration that the major effect is ''cosmetic'' and that silver is unlikely to occur in drinking water supplies. The petitioners, users of silver materials and silver waste generators, requested the Agency to re-evaluate the basis for silver's inclusion in the TC.

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.

Timetable:

Action	Date	FR Cite
Initial Study Complete	06/30/97	
Peer Review Complete	10/30/98	
Final Study	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3886

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RIN: 2050–AE37

3478. RCRA REPORTING AND RECORDKEEPING BURDEN REDUCTION; NOTICE OF DATA AVAILABILITY

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 104-13; 42 USC 6907; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6935; 42 USC 6937 to 6939; 42 USC 6944; 42 USC 6949a; 42 USC 6974

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, The Paperwork Reduction Act requires reduction of record keeping and reporting burden by 2001.

Abstract: To comply with the requirements of the Paperwork Reduction Act of 1995, EPA must reduce the information collection burden associated with the reporting and recordkeeping requirements imposed on the regulated community by the Agency's regulatory programs. Information Collection Requests (ICRs) approved by the Office of Management and Budget provide a measure of the reporting and recordkeeping requirements associated with a particular regulation. The Office of Solid Waste (OSW) is conducting a review of RCRA ICRs and developing options for reducing the associated burden. OSW will solicit comment on these ideas and estimates of actual burden reduction hours in a Notice of Data Availability. Comments on this Notice will be considered when we start preparing a proposed burden reduction rulemaking.

Timetable:

Action	Date	FR Cite
Notice	04/00/99	
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal, Federal

Sectors Affected: 325 Chemical Manufacturing; 331 Primary Metal Manufacturing; 332 Fabricated Metal Product Manufacturing; 334 Computer and Electronic Product Manufacturing

Additional Information: SAN No. 4084

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RIN: 2050–AE50

3479. RCRA APPENDIX VIII STREAMLINING

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 6921

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: This action will propose to modify the list of chemicals found in Appendix VIII of 40 CFR part 261 by: (1) rearranging the Appendix into groups of chemicals according to their frequency of expected occurrence in wastes; (2) clarifying ambiguous entries currently on the Appendix such as those marked ''not otherwise specified''; and (3) deleting those chemicals for which the risk from potential exposure is considered to be minimal.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4090

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RIN: 2050–AE55

3480. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS

Priority: Other Significant

Legal Authority: 42 USC 6921(b)(3)(C) RCRA sec 3001(b)(3)(C)

CFR Citation: Not yet determined

Legal Deadline:
Other, Judicial, October 1, 1999, Regulatory Determination for Phase II Remaining Wastes.

Abstract: On December 1, 1992, the Agency determined that additional study of four large-volume wastes -- fly ash, bottom ash, boiler slag and flue gas emission control wastes -- from the combustion of coal by electric utility power plants was not necessary. A Final Regulatory Determination on these wastes was signed on August 2, 1993 and published in the Federal Register on August 9, 1993. The Agency also determined that for the remaining fossil-fuel combustion wastes, additional data collection is necessary to make a Regulatory Determination on these wastes. A Final Regulatory Determination will be made by October 1, 1999. These remaining wastes include: (1) fly ash, bottom ash, boiler slag, and flue gas emission control wastes from the combustion of coal by electric utility power plants when such wastes are mixed with, co-disposed, co-treated, or otherwise co-managed with other wastes generated in conjunction with the combustion of coal or other fossil fuels, and (2) any other wastes subject to section 8002(n) of RCRA other than those subject to the August 1993 regulatory determination referenced above.

Timetable:

Action	Date	FR Cite
Notice of 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)	04/00/99	

Regulatory Flexibility Analysis Required: No

EPA—RCRA — Prerule Stage

Government Levels Affected: Undetermined

Additional Information: SAN No. 3201

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RIN: 2050–AD91

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage
Resource Conservation and Recovery Act (RCRA)

3481. MODIFICATIONS TO RCRA RULES ASSOCIATED WITH SOLVENT-CONTAMINATED SHOP TOWELS AND WIPERS

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

CFR Citation: 40 CFR 261; 40 CFR 268

Legal Deadline: None

Abstract: This action would modify RCRA rules that impact the management of solvent-contaminated shop towels and wipers. Solvent-contaminated shop towels and wipers are used throughout industry for equipment cleaning and other related facility operations. Many times the spent shop towels and wipers are a hazardous waste because the solvent used is either a characteristic or listed solvent. An examination of industry use and management practices reveals that many facilities may use only small amounts of solvent on their disposable wipers, and use small numbers of wipers daily -- suggesting that these materials, particularly if listed solvents are being used, may pose little or no risk to human health and the environment if disposed in municipal landfills. Similarly, situations exist where both disposable wipers and reusable shop towels are not being managed according to prescribed Federal and States' rules and policies. Problems with this issue have persisted since the late 1980s.

Timetable:

Action	Date	FR Cite
NPRM	01/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Sectors Affected: 323 Printing and Related Support Activities; 325 Chemical Manufacturing; 332 Fabricated Metal Product Manufacturing; 333 Machinery Manufacturing

Additional Information: SAN No. 4091

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RIN: 2050–AE51

3482. GLASS-TO-GLASS RECYCLING OF CATHODE RAY TUBES (CRTS): CHANGES TO HAZARDOUS WASTE 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.

Legal Authority: 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6924; 42 USC 6925

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This action will revise the existing Federal hazardous waste regulations to remove unnecessary regulatory barriers to glass-to-glass recycling of Cathode Ray Tubes (CRTs). A CRT is the main component of a television or computer monitor. A CRT is made largely of specialized glasses, some of which contain lead to protect the user from X-rays inside the CRT. Due to the lead, when they are disposed of or reclaimed, some CRTs are hazardous wastes under the Federal Resource Conservation and Recovery Act (RCRA) regulations. Glass-to-glass recycling involves the return of used CRT glass to manufacturing of new CRTs. This action is planned in response to a June 9, 1998 recommendation on CRT recycling from the Common Sense Initiative (CSI) Council to the Environmental Protection Agency (EPA). CSI is a consensus-based process for developing cleaner, cheaper, smarter environmental improvements that includes representatives of: industry; environmental groups; community groups; environmental justice groups; labor; and, Federal, State, local, and tribal governments. The recommendation involves minimizing RCRA requirements for glass-to-glass recycling while retaining appropriate controls to ensure protection of human health and the environment. The goal of the recommendation is to facilitate an increase in glass-to-glass recycling, thereby minimizing disposal of lead, increasing resource recovery, and enhancing protection of human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 334411 Electron Tube Manufacturing

Additional Information: SAN No. 4092

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RIN: 2050–AE52

3483. ● LAND DISPOSAL RESTRICTIONS; TREATMENT STANDARDS FOR SPENT POTLINERS FROM PRIMARY ALUMINUM REDUCTION (K088)

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268; 40 CFR 271

Legal Deadline: None

Abstract: On September 21, 1998, the Agency promulgated interim treatment standards for spent potliners from primary aluminum reduction (EPA hazardous Waste K088). In this rule, the Agency committed to establishing final treatment standards within the next two years. The Agency needs to gather data, review treatment technologies and develop treatment standards for arsenic and fluoride based on this new analysis. In addition, the Agency must evaluate alternative treatment technologies for the thermal destruction of K088. In particular, the Agency will assess the effectiveness of vitrification on K088 waste. Vitrification treatment enables K088 to be treated while generating a ''product'' from the vitrified K088. EPA, however, needs to determine whether control technologies are appropriate for the vitrification units.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 3334 Ventilation, Heating, Air-Conditioning and Commercial Refrigeration Equipment Manufacturing

Additional Information: SAN No. 4233

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RIN: 2050–AE65

3484. ● REVISIONS TO GUIDELINES FOR THE STORAGE AND COLLECTION OF RESIDENTIAL, COMMERCIAL, AND INSTITUTIONAL SOLID WASTE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6907; 42 USC 6912; 42 USC 6944

CFR Citation: 40 CFR 243

Legal Deadline: None

Abstract: EPA promulgated Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste in 1976. These guidelines referenced safety standards that are now obsolete. The Agency was petitioned to incorporate current safety standards. Two sections are revised. The revisions amend the requirements for waste containers used for the storage of both solid waste and materials that have been separated for the purpose of recycling. The safety requirements for mobile equipment and stationary compactors are revised.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 562 Waste Management and Remediation Services

Additional Information: SAN No. 4229

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RIN: 2050–AE66

3485. ● REVISIONS TO SOLID WASTE LANDFILL CRITERIA—LEACHATE RECIRCULATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6907; 42 USC 6912; 42 USC 6944; 42 USC 6949

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: The Agency is reviewing and evaluating the technology of leachate recirculation in municipal solid waste landfills (MSWLFs). If sufficient data is found to justify a change in the regulations, we will propose to revise the regulations to allow leachate recirculation in units constructed with alternative liner designs resulting in a significant cost savings to some facilities.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 562 Waste Management and Remediation Services

Additional Information: SAN No. 4230

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RIN: 2050–AE67

3486. 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.

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, Statutory, February 8, 1986.
NPRM, Judicial, February 29, 2000.

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 any potentially unacceptable 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	02/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3805

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RIN: 2050–AE32

3487. MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT; CODIFICATION OF WASTE MANAGEMENT PROVISIONS

Priority: Other Significant

Legal Authority: 42 USC 14303

CFR Citation: 40 CFR 271; 40 CFR 273

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 or the equivalent requirements of an approved state program, 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 Federal Universal Waste Rule, but allows States to adopt and enforce identical standards and to implement and enforce collection, storage, and transport requirements identical to those included in the universal waste rule if the standards are approved by the EPA Administrator.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Direct Final Rule	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Additional Information: SAN No. 3888

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RIN: 2050–AE39

3488. 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; 42 USC 9601(37); 42 USC 9614(c)

CFR Citation: 40 CFR 258; 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270; 40 CFR 279

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 accelerated its review process for new methods by eliminating several unnecessary internal review steps, and by streamlining the internal approval process for each new method. However, there are currently 32 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 more cheaply, faster and, in some cases, more accurately.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3989

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RIN: 2050–AE41

3489. STANDARDIZED PERMIT FOR RCRA HAZARDOUS WASTE MANAGEMENT FACILITIES

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; 42 USC 6912; 42 USC 6924; 42 USC 6925; 42 USC 6927; 42 USC 6939; 42 USC 6974

CFR Citation: 40 CFR 124; 40 CFR 267; 40 CFR 270

Legal Deadline: None

Abstract: This rulemaking will allow a type of general permit, called a standardized permit, for facilities that generate waste and routinely manage the waste on-site in tanks, containers, and containment buildings. Under the standardized permit, facility owners and operators would certify compliance with generic design and operating conditions set on a national basis. The permitting agency would review the certifications submitted by the facility owners or operators. The permitting agency would also be able to impose additional site-specific terms and conditions for corrective action or other purposes, as called for by RCRA. Ensuring compliance with the standardized permit's terms and conditions would occur during inspection of the facility after the permit has been issued.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Sectors Affected: 3251 Basic Chemical Manufacturing; 325211 Plastics Material and Resin Manufacturing; 32551 Paint and Coating Manufacturing; 3252 Resin, Synthetic Rubber, and Artificial and Synthetic Fibers and Filaments Manufacturing

Additional Information: SAN No. 4028

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RIN: 2050–AE44

3490. ● PROPOSED REGULATORY AMENDMENTS ON RECYCLING OF HAZARDOUS WASTES IN FERTILIZERS

Priority: Other Significant

Legal Authority: 42 USC 1006 et seq

CFR Citation: 40 CFR 261; 40 CFR 266; 40 CFR 268; 40 CFR 271

Legal Deadline: None

Abstract: This rulemaking is intended to revise the current RCRA regulations that apply to recycling of hazardous wastes in the manufacture of fertilizers. Exemptions from RCRA standards are currently provided for some hazardous wastes used in this manner, while other hazardous wastes that may be more suitable as fertilizer ingredients are subject to stringent regulatory requirements that can discourage legitimate recycling practices. This rulemaking effort is intended to establish a more consistent regulatory framework for this practice, to remove current regulatory disincentives to legitimate recycling of hazardous wastes in fertilizer products, and to establish a set of standards for contaminant concentrations in hazardous waste-derived fertilizers that are more appropriate to fertilizers and which are protective of human health and the environment.

These regulatory revisions will directly affect companies that manufacture zinc micronutrient fertilizers from hazardous wastes, and is likely to benefit such manufacturers that are small businesses by removing regulatory disincentives to recycling.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State, Federal

Sectors Affected: 331492 Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum); 325188 All Other Basic Inorganic Chemical Manufacturing; 331419 Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum); 331111 Iron and Steel Mills; 562112 Hazardous Waste Collection; 32531 Fertilizer Manufacturing

Additional Information: SAN No. 4208

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RIN: 2050–AE69

3491. CHLORINATED ALIPHATICS LISTING DETERMINATION

Priority: Other Significant

Legal Authority: 42 USC 6921 RCRA sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

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

Legal Deadline:
NPRM, Judicial, July 31, 1999.
Final, Judicial, September 30, 2000.

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 any potentially unacceptable 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.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3151

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RIN: 2050–AD85

3492. HAZARDOUS WASTE IDENTIFICATION RULE (HWIR): IDENTIFICATION AND LISTING OF HAZARDOUS 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 6905 RCRA sec 1006; 42 USC 6912(a) RCRA sec 2002(a); 42 USC 6921 RCRA sec 3001; 42 USC 6922 RCRA sec 3002; 42 USC 6926 RCRA sec 3006

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

Legal Deadline:
Other, Judicial, October 31, 1999, Reproposal.
Final, Judicial, April 30, 2001.

Abstract: Under the current Resource Conservation and Recovery Act (RCRA) Mixture and Derived From rules, some low-risk wastes are currently regulated by the EPA's hazardous waste regulations. To address this, EPA will make modifications to the Mixture and Derived From rules and establish new criteria that would provide the option to exempt certain lower risk wastes from the hazardous waste regulations. In developing the 1995 proposal, EPA considered the views of all members of a Federal Advisory Committee Act (FACA) committee. EPA will use the comments from the 1995 proposal to develop a reproposal by October 1999. Because this action is deregulatory, it is not expected to have adverse impacts on small business. 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
NPRM Reproposal	10/00/99	
Final	04/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Sectors Affected: 325 Chemical Manufacturing; 324 Petroleum and Coal Products Manufacturing; 331 Primary Metal Manufacturing; 332 Fabricated Metal Product Manufacturing

Additional Information: SAN No. 3328

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RIN: 2050–AE07

3493. LISTING DETERMINATION OF WASTES GENERATED DURING THE MANUFACTURE OF AZO, ANTHRAQUINONE, AND TRIARYLMETHANE DYES AND PIGMENTS

Priority: Other Significant

Legal Authority: 42 USC 6921 RCRA sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

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

Legal Deadline:
NPRM, Judicial, March 31, 1999, Dyes II (deferred wastes). EPA is negotiating an extension.
Other, Judicial, May 1, 1999, Dyes I Notice of Data Availability.
Final, Judicial, March 31, 2000, Dyes I - 05/01/00--Dyes II - 03/31/00.

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 potentially unacceptable risks. If listed under RCRA, these wastes would 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 at this time. EPA proposed listing decisions for most wastes in 1994 (Dyes-I), and deferred decisions on several others. Two deferred waste streams (filter aids, triarylmethane, and sludges) are subject to separate deadlines for proposed and final action (Dyes II rulemaking). The rule proposed in 1994 was incomplete because it did not contain information confidential by industry. Therefore, a NODA will be necessary, when EPA is able to release an adequate record. The deadlines are based on recent settlement discussions with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 D.D.C.

Timetable:

Action	Date	FR Cite
NPRM Dyes I	12/22/94	59 FR 66072
NPRM Dyes II (Deferred Wastes)	04/00/99	
Notice Dyes I (Notice of Data Availability)	05/00/99	
Final Action Dyes II (Deferred Wastes)	03/00/00	
Final Action Dyes I	05/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3066

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RIN: 2050–AD80

3494. HAZARDOUS WASTE MANIFEST 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: 42 USC 6922 RCRA sec 3002; 42 USC 6923 RCRA sec 3003; 42 USC 6926 RCRA sec 3006

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 271

Legal Deadline: None

Abstract: The Uniform Hazardous Waste Manifest (Form 8700-22) is a multi-copy form used to identify the quantity, composition, origin, routing, and destination of hazardous waste during its transportation. The manifest system's reliance on paper results in significant paperwork and cost burden to waste handlers and States who collect manifest information. The Agency intends to pursue an optional approach to redesign the manifest system so that it utilizes automated technologies to increase access to manifest related information, and to facilitate the manifest process, including the form's preparation, transmission, and recordkeeping, thereby lessening the total burden on waste handlers and States.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3147

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RIN: 2050–AE21

3495. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (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: 42 USC 6912(a) RCRA sec 2002(a); 42 USC 6924 RCRA sec 3004; 42 USC 6925 RCRA sec 3005; 42 USC 6926 RCRA sec 3006

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 280; 40 CFR 761

Legal Deadline: None

Abstract: The revised financial responsibility test is intended to improve the current test in 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	07/01/91	56 FR 30201
NPRM	10/12/94	59 FR 51523
Notice Notice of Data Availability	11/00/99	
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2647

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RIN: 2050–AC71

3496. MANAGEMENT OF CEMENT KILN DUST (CKD)

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 sec 2002(a); 42 USC 6921(a) RCRA sec 3001(a)

CFR Citation: 40 CFR 259; 40 CFR 261; 40 CFR 264; 40 CFR 266

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 limiting burden on the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3856

Agency Contact: William 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)

3497. RECYCLED USED OIL CONTAINING PCBS

Priority: Substantive, Nonsignificant

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 261; 40 CFR 279

Legal Deadline: None

Abstract: The direct final rule, published May 6, 1998, eliminates errors and clarifies ambiguities in the used oil management standards. Specifically, the rule clarifies (1) when used oil contaminated with polychlorinated biphenyls (PCBs) is regulated under the used oil management standards and when it is not, (2) that the requirements applicable to releases of used oil apply in States that are not authorized for the RCRA base program, (3) that mixtures of conditionally exempt small quantity generator (CESQG) wastes and used oil are subject to the used oil management standards irrespective of how that mixture is to be recycled, and (4) that the initial marketer of used oil that meets the used oil fuel specification need only keep a record of a shipment of used oil to the facility to which the initial marketer delivers the used oil. This rule also amends three incorrect references to the pre-1992 used oil specifications in the provisions which address hazardous waste fuel produced from, or oil reclaimed from, oil bearing hazardous wastes from petroleum refining operations.

EPA received relevant adverse comments on three of the amendments included in the May 6, 1998 direct final rule: the amendments to 40 CFR 261.5(j) (mixtures of conditionally exempt small quantity generator waste and used oil), 40 CFR 279.10(i) (applicability of the used oil management standards to used oil contaminated with polychlorinated biphenyls (PCBs)), and 40 CFR 279.74(b) (recordkeeping requirements for marketers of used oil that meets the used oil fuel specification). On July 14, 1998, the Agency removed these three amendments and reinstated the regulatory text that existed prior to the May 6, 1998 direct final rule. EPA will promulgate a final rule addressing the comments received and finalizing the three amendments, as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	05/06/98	63 FR 25006
Direct Final Rule	05/06/98	63 FR 24963
Removal of 3 Amendments	07/14/98	63 FR 37780
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4088

Agency Contact: Tom Rinehart, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-4309

RIN: 2050–AE47

3498. ● 180-DAY ACCUMULATION TIME UNDER RCRA FOR GENERATORS OF F006 WASTE WATER TREATMENT SLUDGES FROM THE METAL FINISHING INDUSTRY

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 6922

CFR Citation: 40 CFR 262

Legal Deadline: None

Abstract: EPA is proposing to allow generators of F006 waste (sludges from the treatment of electroplating wastewaters) up to 180 days (or up to 270 days, if applicable) to accumulate F006 waste without a RCRA permit or interim status, provided that F006 waste generators: 1) recycle the F006 waste by metals recovery, 2) accumulate no more than 16,000 kilograms of F006 waste at any one time, 3) have implemented pollution prevention practices that reduce the volume or toxicity of the F006 waste or that make it more amenable for metals recovery, and 4) comply with the applicable management standards. EPA believes that the 180-day accumulation time would minimize economic barriers to recycling of F006 waste through metals recovery, thus providing generators of F006 waste with an incentive to choose metals recovery over treatment and land disposal as their waste management option for F006 waste. The proposed rule is part of the Agency's efforts under the Common Sense Initiative (CSI) for the Metal Finishing Industry to identify and to implement cleaner, cheaper, and smarter opportunities for environmental protection.

Timetable:

Action	Date	FR Cite
NPRM	02/01/99	64 FR 4818
Final Action	02/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 4178

Agency Contact: Chip Vitarelli, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
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RIN: 2050–AE60

3499. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO UNDERGROUND STORAGE TANKS, CONTAMINATED MEDIA, AND DEBRIS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6921 RCRA sec 3001

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: In the final hazardous waste Toxicity Characteristic (TC) rule published in June 1990, EPA decided to temporarily defer application of the TC rule to petroleum-contaminated media and debris, such as soils and groundwater, that result from underground storage tank (UST) corrective actions. This rule is part of the Agency's commitment to make a final determination regarding the UST temporary deferral. The temporary deferral was, in part, based on the Agency's concern that without such a deferral, UST cleanup procedures would be adversely affected, resulting in delays in remedial action and increases in remediation costs. Since this action is deregulatory, there are no adverse effects on small businesses, or on State, local, or tribal governments.

EPA—RCRA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 3189

Agency Contact: Sammy Ng, Environmental Protection Agency, Solid Waste and Emergency Response, 5401G, Washington, DC 20460
Phone: 703 603-9900

RIN: 2050–AD69

3500. HAZARDOUS WASTE MANAGEMENT SYSTEM; MODIFICATION OF THE HAZARDOUS WASTE PROGRAM; HAZARDOUS WASTE LAMPS

Priority: Other Significant

Legal Authority: 42 USC 6905; 42 USC 6912; 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6930; 42 USC 6938

CFR Citation: 40 CFR 273

Legal Deadline: None

Abstract: This final rulemaking addresses the management of spent hazardous waste lamps. The rulemaking is based on data which indicate that these lamps may be safely managed outside of the full subtitle C requirements of the RCRA hazardous waste system, using a streamlined regulatory structure under RCRA. The rule would have positive impacts on small businesses and State, local and tribal governments interested in collecting and managing lamps.

Timetable:

Action	Date	FR Cite
NPRM	07/27/94	59 FR 38288
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3237

Agency Contact: Marilyn Goode, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
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RIN: 2050–AD93

3501. REVISED STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 6924 RCRA sec 3004; 42 USC 6925 RCRA sec 3005; 42 USC 7412 CAA sec 112; 42 USC 7414 CAA sec 114

CFR Citation: 40 CFR 60; 40 CFR 63; 40 CFR 260; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270

Legal Deadline:
Final, Judicial, February 28, 1999, Settlement agreement: industrial furnaces and incinerators.

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.

Timetable:

Action	Date	FR Cite
NPRM Cement Kilns & Lightweight Aggregate Kilns & Incinerators	04/19/96	61 FR 17358
Final Action MACT Fasttrack	06/19/98	63 FR 33782
Final Action Cement Kilns & LWAKs & Incinerators	07/00/99	
NPRM Boilers & Other Industrial Furnaces	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3333

Agency Contact: Larry Denyer, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460
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RIN: 2050–AE01

3502. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

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 6912(a) RCRA sec 6002(e)

CFR Citation: 40 CFR 247

Legal Deadline: None

Abstract: RCRA section 6002 and E.O. 13101 require EPA to issue guidelines in the Federal Register which designate items that are or can be made with recovered materials and to issue recommendations for government procurement of these items. Once designated, procuring agencies are required to purchase these items with the highest percentage of recovered materials practicable. Government procurement of EPA-designated items containing recovered materials fosters markets for recovered materials and, thereby, closes the recycling loop. To date, EPA has designated 36 items under two Comprehensive Procurement Guidelines (CPG1 and CPG2) and proposed to designate 19 more items under CPG3. EPA has also issued a Recovered Materials Advisory Notice (RMAN) with each CPG which provides recommendations on buying the designated items. The E.O. requires EPA to update the CPG every two years. The new actions would (1) finalize the designation of items and recommendations proposed in CPG3; (2) propose to designate new items in CPG4; and (3) issue final item designations in CPG4.

Timetable:

Action	Date	FR Cite
Notice -- Paper Products Recovered Materials Advisory Notice	06/08/98	63 FR 31214
Notice -- Recovered Materials Advisory Notice I Update	06/08/98	63 FR 31217
NPRM (CPG3)	08/26/98	63 FR 45558
Final Action (CPG3)	06/00/99	

EPA—RCRA **Final Rule Stage**

Action	Date	FR Cite
NPRM (CPG4)	07/00/99	
Final Action (CPG4)	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3545

Agency Contact: Terry Grist, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460
Phone: 703 308-7257

RIN: 2050–AE23

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions
Resource Conservation and Recovery Act (RCRA)

3503. ● SUSPENSION OF TEMPORARY TOXICITY CHARACTERISTIC RULE FOR SPECIFIC LEAD-BASED PAINT DEBRIS

Priority: Economically Significant

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

CFR Citation: 40 CFR 261

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 (OPPTS) and the Office of Solid Waste have proposed a joint rulemaking to address the disposal of these architectural components. (See also RIN 2070-AC72 .) The final rule being prepared by OPPTS would develop disposal and management 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 and management standards for LBP architectural components and identify recycling and incineration activities that would be controlled or prohibited. To minimize duplication of waste management requirements, EPA is developing a companion RCRA rule to suspend temporarily hazardous waste management regulations applicable to lead-based paint debris which will be subject to the new TSCA standards.

Timetable:

Action	Date	FR Cite
NPRM RCRA Temporary Suspension	12/18/98	63 FR 70233
Final Action RCRA Temporary Suspension	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 23321 Single Family Housing Construction; 23332 Commercial and Institutional Building Construction; 23322 Multifamily Housing Construction; 23521 Painting and Wall Covering Contractors

Additional Information: SAN No. 4263

Additional NAICS Codes affected: 23542 Drywall, Plastering, Acoustical, and Insulation Contractors; 23551 Carpentry Contractors; 23561 Roofing, Siding, and Sheet Metal Contractors; 23594 Wrecking and Demolition contractors; 23592 Glass and Glazing Contractors; 56291 Remediation Services; 23599 All other special trade contractors; 23511 plumbing, heating, and air conditioning contractors; 23531 electrical contractors; 23552 Floor Laying and Other Floor Contractors; 23311 Land Subdivision and Land Development; 562111 Hazardous Waste Treatment and Disposal; 562112 Hazardous Waste Collection; 562119 Other Waste Collection; 48411 General Freight Trucking Local; 48421 Used Household and Office Goods Moving; 48422 Specialized Freight (except Used Goods) Trucking, Local; 48412 General Freight Trucking, Long-Distance; 48423 Specialized Freight (except Used Goods) Trucking, Long-Distance; 56292 Materials Recovery Facilities; 56221 Waste Treatment and Disposal; and 54138 Testing Laboratories.

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RIN: 2050–AE68

3504. HAZARDOUS WASTE MANAGEMENT SYSTEM: SLAG RESIDUES DERIVED FROM HIGH TEMPERATURE METALS RECOVERY (HTMR) TREATMENT OF KO61, KO62 AND F0006 WASTES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6905 RCRA sec 2002; 42 USC 6921; 42 USC 6922; 42 USC 6924; 42 USC 6934; 42 USC 6938; 42 USC 6912(a) RCRA sec 2002(a); 42 USC 6922 RCRA sec 3002; 42 USC 6924 RCRA sec 3004

CFR Citation: 40 CFR 261; 40 CFR 266

Legal Deadline: None

Abstract: EPA assessed the potential risks to human health and the environment from the use of slag residues (slags) resulting from high temperature metals recovery (HTMR) treatment of specified hazardous wastes (i.e., electric arc furnace dust, steel finishing pickle liquor, and electroplating sludges). This assessment was used as a basis for the proposed rule to reclassify these slags as nonhazardous when they meet certain exclusion levels and are managed and used in a certain manner. EPA is presently reevaluating the proposed rule due to significant issues raised by public commenters. There is currently no deadline for final action on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	12/29/94	59 FR 67256
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3428

Agency Contact: Narendra Chaudhari, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0454

RIN: 2050–AE15

3505. HAZARDOUS WASTE IDENTIFICATION; RECYCLED USED OIL MANAGEMENT STANDARDS

Priority: Substantive, Nonsignificant

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: EPA is reviewing whether the provision of the used oil management standards which governs mixtures of recycled used oil and characteristic hazardous waste, 40 CFR 279.10(b)(2) (the used oil mixture rule), is consistent with the United States Court of Appeals for the District of Columbia Circuit's decision in Chemical Waste Management, Inc. v. EPA. The decision, which concerned a challenge to portions of EPA's land disposal restrictions, held that EPA could not authorize certain wastes exhibiting the hazardous characteristics of ignitability, reactivity, or corrosivity to be diluted to eliminate the characteristic and then be land-disposed unless the hazardous constituents in the waste were adequately treated to minimize threats 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. 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.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3668

Agency Contact: Mike Suizzevo, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0046

RIN: 2050–AE28

3506. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; INORGANIC CHEMICAL INDUSTRY WASTES; AND CERCLA HAZARDOUS SUBSTANCE DESIGNATION AND REPORTABLE QUANTITIES

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

Legal Authority: 42 USC 6901 to 6992(k)

CFR Citation: 40 CFR 261; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 271; 40 CFR 302

Legal Deadline:
NPRM, Judicial, June 30, 2000.
Final, Judicial, August 21, 2001.

Abstract: EPA, under an Environmental Defense Fund settlement agreement, will amend, if necessary, the regulations for hazardous waste management under the Resource Conservation and Recovery Act (RCRA) to reduce hazards to human health and the environment from inorganic chemical industry wastes. The wastes to be studied include: sodium dichromate production wastes, wastes from the dry process for manufacturing phosphoric acid, phosphorus trichloride production wastes, phosphorus pentasulfide production wastes, wastes from the production of sodium phosphate from wet process phosphoric acid, sodium chlorate production wastes, antimony oxide production wastes, cadmium pigments production wastes, barium carbonate production wastes, potassium dichromate production wastes, phenyl mercuric acetate production wastes, boric acid production wastes, inorganic hydrogen cyanide production wastes, and titanium dioxide production wastes (except for chloride process waste solids). This study is proposed under the authority of sections 3001(e)(2) of RCRA which directs EPA to make a hazardous waste listing determination for inorganic chemical wastes. After an extensive study of the waste streams of the above chemical industry processes, including characterization of the wastes generated and a risk assessment evaluating plausible mismanagement scenarios, EPA will propose which of the above wastes, if any, should be listed as a hazardous waste under 40 CFR part 261.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Sectors Affected: 32518 Other Basic Inorganic Chemical Manufacturing; 325131 Inorganic Dye and Pigment Manufacturing; 325312 Phosphatic Fertilizer Manufacturing; 31611 Leather and Hide Tanning and Finishing

Additional Information: SAN No. 4083

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
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RIN: 2050–AE49

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Resource Conservation and Recovery Act (RCRA)

3507. INTERIM EMERGENCY RULE REVISING LAND DISPOSAL RESTRICTION TREATMENT STANDARDS FOR ALUMINUM POTLINERS—K088 WASTE

Priority: Other Significant

CFR Citation: 40 CFR 268; 40 CFR 271

Completed:

Reason	Date	FR Cite
Final Action	09/24/98	63 FR 51253

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elaine Eby
Phone: 703 308-8449

RIN: 2050–AE59

3508. 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.

CFR Citation: 40 CFR 261; 40 CFR 266

Completed:

Reason	Date	FR Cite
NPRM-Withdrawn	02/17/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal, Federal

Agency Contact: Charlotte Mooney
Phone: 703 308-7025

RIN: 2050–AD18

3509. 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.

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 270

Completed:

Reason	Date	FR Cite
Final Action	10/22/98	63 FR 56710

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Foster
Phone: 703 308-7057

RIN: 2050–AD55

3510. SPENT SOLVENTS LISTING DETERMINATION

Priority: Other Significant

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

Completed:

Reason	Date	FR Cite
Final Action	11/19/98	63 FR 64371

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ron Josephson
Phone: 703 308-0442

RIN: 2050–AD84

3511. HAZARDOUS REMEDIATION WASTE MANAGEMENT REQUIREMENTS (COMMONLY REFERRED TO AS HAZARDOUS WASTE IDENTIFICATION RULE FOR CONTAMINATED MEDIA OR HWIR-MEDIA)

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 264; 40 CFR 265; 40 CFR 268; 40 CFR 270; 40 CFR 271

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	12/01/98	63 FR 66101

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Agency Contact: Mike Fitzpatrick
Phone: 703 308-8411

RIN: 2050–AE22

3512. ● LANDFILL LEACHATE AND PETROLEUM WASTE LISTINGS

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 sec 3001

CFR Citation: 40 CFR 261

Legal Deadline:
Other, Judicial, February 5, 1999, Administrator Signature Deadline.

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
Final Action	02/11/99	64 FR 6806

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4228

Agency Contact: Maximo Diaz, Jr., Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0439

RIN: 2050–AE61

EPA—RCRA — Completed Actions

3513. 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.

CFR Citation: 40 CFR 264; 40 CFR 270

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency Plans No Further Action.	02/17/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Agency Contact: Barbara Foster
Phone: 703 308-7057

RIN: 2050–AB80

3514. RCRA SUBTITLE D SOLID WASTE FACILITIES; STATE PERMIT PROGRAM—DETERMINATION OF ADEQUACY (STATE IMPLEMENTATION 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 239

Completed:

Reason	Date	FR Cite
Final Action	10/23/98	63 FR 57025

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Karen Rudek
Phone: 703 308-1682

RIN: 2050–AD03

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage
Oil Pollution Act (OPA)

3515. OIL POLLUTION PREVENTION REGULATION: REVISIONS

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 sec 311(j)(l)(C); 33 USC 2720

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), an 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 and on February 17, 1993, the Agency proposed further clarifications and technical changes to the spill prevention regulations. On December 2, 1997, EPA supplemented the 1991 and 1993 proposed revisions with a proposal to reduce burdens associated with the oil spill prevention program by reducing the recordkeeping provisions or exempting some facilities from some recordkeeping requirements. This rule will take final action on the 1991, 1993, and 1997 proposals.

Timetable:

Action	Date	FR Cite
NPRM	10/22/91	56 FR 54612
NPRM	02/17/93	58 FR 8824
Supplemental NPRM	12/02/97	62 FR 63812
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage
Comprehensive Environmental Response, Compensation and Liability Act

3516. ● CRITERIA FOR THE DESIGNATION OF HAZARDOUS SUBSTANCES UNDER CERCLA SECTION 102(A)

Priority: Other Significant

Legal Authority: 42 USC 9602

CFR Citation: 40 CFR 302.4

Legal Deadline: None

Abstract: This action will address the development of evaluation criteria for the designation of substances as hazardous under CERCLA. It is necessary to develop evaluation criteria because the Agency has the authority under CERCLA 102(a) to designate substances as hazardous; however, the Agency has never designated substances as hazardous under the CERCLA authority nor does it have criteria to do so. To date the only substances designated as CERCLA hazardous substances are as a result of their appearance on other Acts' lists defined under CERCLA 101(14). Using CERCLA designation criteria the Agency may establish CERCLA hazardous substances independently from other Acts, in the interest of public health and the environment.

The purpose of this action is to have well thought-out criteria for designating hazardous substances that may be applied to individual substances for evaluation and decision as to whether

or not the substance should be appropriately designated a CERCLA 102(a) hazardous substance. The Agency already has the authority to designate substances as hazardous; in this action, criteria will be developed to implement that authority.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 4201

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RIN: 2050–AE63

3517. ● FACILITY RESPONSE PLAN REGULATION FOR CERTAIN NON-TRANSPORTATION-RELATED FACILITIES THAT HANDLE, STORE, OR TRANSPORT VEGETABLE OILS AND ANIMAL FATS

Priority: Other Significant

Legal Authority: 33 USC 1321; 33 USC 1361; 33 USC 2720; EO 12777 (October 18 1991); PL 105-276

CFR Citation: 40 CFR 112 (Revision)

Legal Deadline:
Other, Statutory, September 30, 1999, EPA FY1999 Appropriation (P.L. 105-276).

Abstract: This regulation would modify the existing regulations as they apply to facilities that handle, store, or transport vegetable oils and animal fats. The Facility Response Plan (FRP) rule applies only to high-risk facilities that transfer large volumes of oil over water or store 1 million gallons or more of oil and meet additional criteria. Because worst-case discharges from these facilities could cause substantial harm to the environment, facility owners and operators are required to prepare and implement response plans. The rule applies to a small number of vegetable oil/animal fat facilities (an estimated 50 to 100, based on information provided by industry). The current rule already provides greater flexibility to vegetable oil/animal fat facilities in the development of these plans than what is required for petroleum facilities. The EPA FY1999 Appropriation (P.L. 105-276) directs the Agency to issue regulations amending 40 C.F.R. Part 112 (Oil Pollution Prevention) to comply with the requirements of the Edible Oil Regulatory Reform Act (EORRA). EORRA requires agencies to differentiate between vegetable oils and animal fats and other classes of oils, based on properties and effects, in issuing regulations. The notice will also contain a request for public comment as to what, if any, changes EPA should make in the Spill Prevention, Control and Countermeasures (SPCC) requirements for the various classes of oil listed in EORRA.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Sectors Affected: 311222 Soybean Processing; 311223 Other Oilseed Processing; 311225 Fats and Oils Refining and Blending; 311613 Rendering and Meat By-product Processing

Additional Information: SAN No. 4217

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RIN: 2050–AE64

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Comprehensive Environmental Response, Compensation and Liability Act

3518. 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 is considering a proposal 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 National Contingency Plan; and ensure proper accounting by requiring offsets for funds owed to the Agency by claimants.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3885

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RIN: 2050–AE38

3519. 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) Superfund (CERCLA) sec 117

CFR Citation: 40 CFR 35

Legal Deadline: None

Abstract: The proposed revisions to the Technical Assistance Grants (TAG) Rule are intended to simplify the application and administrative processes. The new 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. In addition, the new rule 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. The Agency is also proposing to eliminate the distinction between sole and multiple applicants under the rule, 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. This proposed rule also includes a new provision that allows communities to receive cash advances of up to $5,000.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3806

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RIN: 2050–AE33

3520. 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	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3423

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RIN: 2050–AE12

3521. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES: PROPOSED AND FINAL RULES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 9605 Superfund (CERCLA) sec 105

CFR Citation: 40 CFR 300.425

Legal Deadline: None

Abstract: This action will revise the sites included on the National Priorities List (NPL) of uncontrolled waste sites in the National Contingency Plan (NCP). CERCLA requires that the Agency revise the NPL at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substance releases and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR Cite
NPRM 24	03/06/98	63 FR 11340
Final Action 20	03/06/98	63 FR 11332
NPRM 25	07/28/98	63 FR 40247
Final Action 21	07/28/98	63 FR 40182
Final Action (Tex-Tin Corp)	09/18/98	63 FR 49855
NPRM 26	09/29/98	63 FR 51882
Final Action 22	09/29/98	63 FR 51848
NPRM 27	01/19/99	64 FR 2950
Final Action 23	01/19/99	64 FR 2942

EPA—CERCLA

Proposed Rule Stage

Action	Date	FR Cite
NPRM (Midnight Mine)	02/16/99	64 FR 7564
NPRM	04/00/99	
Final Action	04/00/99	
NPRM	07/00/99	
Final Action	07/00/99	
NPRM	10/00/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3439

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RIN: 2050–AD75

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Comprehensive Environmental Response, Compensation and Liability Act

3522. ● COOPERATIVE AGREEMENTS AND SUPERFUND STATE CONTRACTS FOR SUPERFUND RESPONSE ACTIONS; REVISION OF 40 CFR PART 35 SUBPART O

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 9601 to 9675

CFR Citation: 40 CFR 35 Subpart O

Legal Deadline: None

Abstract: 40 CFR Part 35 Subpart O is the Superfund Administrative Regulation that governs awarding of Superfund cooperative agreements (CAs) to States, Indian Tribes, and political subdivisions. Subpart O covers State-lead, site-specific cooperative agreements for non-time-critical removal, preremedial, remedial, and enforcement actions, and site-specific management assistance for federal-lead projects. Also covered by Subpart O are non-site-specific Core Program Cooperative Agreements to build state infrastructure. The requirements for Superfund State Contracts, financial administration, property, procurement, reporting, recordkeeping, and closeout are provided in Subpart O.

Subpart O was promulgated 6/5/1990, and became effective on 7/5/1990. Many changes in the administration of the Superfund program have occurred over the past eight years which could be better reflected in Subpart O. The six categories of CAs presently used in Subpart O could provide greater flexibility to accommodate the new types of CAs that have developed. For example, the number of Block Funding Reform pilots, begun in 1997, to consolidate several of the cooperative agreements offered in Subpart O, has grown to about 16 for Fiscal Year 1998, and has generated at least 60 approved deviation requests from Subpart O and 40 CFR Part 31 (Uniform Administrative Requirements for Grants and Cooperative Agreements promulgated shortly after the promulgation of Subpart O). These pilot projects offer considerable administrative relief to States, Tribes, and EPA by reducing reporting requirements, broadening scope changes without amendment, increasing the ability to move monies within and among CAs, and relaxing application requirements regarding site-specific identification of cooperative agreement funds to certain activities, while maintaining site-specific drawdown requirements needed for cost recovery and Superfund accounting. Subpart O also needs to be conformed with Part 31. Differences between these two companion regulations were not institutionalized at the time of promulgation.

EPA plans to examine the feasibility of grant authority, institutionalize the combining of CA types, create more flexible reporting requirements, permit greater scope changes without amendment, provide more flexible money movement within and among CAs, and other advances in State/Tribal/EPA interaction.

Timetable:

Action	Date	FR Cite
ANPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4177

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RIN: 2050–AE62

3523. REPORTING EXEMPTIONS FOR FEDERALLY PERMITTED RELEASES OF HAZARDOUS SUBSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1321; 33 USC 1361; 42 USC 9602

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 355

Legal Deadline: None

Abstract: This action would clarify the definition of federally permitted release under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Federally permitted releases of hazardous substances are exempt from CERCLA reporting and liability, and from reporting under section 304 of the Emergency Planning and Community Right-to-Know Act.

Timetable:

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27268
Supplemental Notice	07/11/89	54 FR 29306
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 2394

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EPA—CERCLA — Long-Term Actions

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RIN: 2050–AB82

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions

Comprehensive Environmental Response, Compensation and Liability Act

3524. REVOCATION OF CAPROLACTAM'S DESIGNATION AS A HAZARDOUS SUBSTANCE UNDER CERCLA

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 302.4

Completed:

Reason	Date	FR Cite
Direct Final Rule	12/15/98	63 FR 69165

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2050–AE48

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Prerule Stage

Clean Water Act (CWA)

3525. EFFLUENT GUIDELINES AND STANDARDS FOR THE ORE MINING AND DRESSING POINT SOURCE CATEGORY, GOLD PLACER MINE SUBCATEGORY (SECTION 610 REVIEW)

Priority: Info./Admin./Other

Legal Authority: 5 USC 610

CFR Citation: 40 CFR 440

Legal Deadline: None

Abstract: In 1988, EPA issued final effluent guidelines for the Gold Placer Mine Subcategory. In the promulgation notice, EPA noted that the effluent limitations were economically achievable for facilities of all sizes. Due to the large number of small entities covered by the final rule and EPA's concern about the economic impact on the small facilities, the final rule included a request for comments concerning the impact on small mines. After evaluating all of the comments and data submitted during this comment period, the Agency reaffirmed the conclusions regarding economic achievability. In January 1989, EPA published a notice of the Agency's response to the comments and the Agency's conclusion not to modify the final rule. This new action is a review of the final rule as required by section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the Placer Mine effluent guidelines should be continued without change, or should be amended or rescinded, to minimize economic impacts on small entities while still complying with the provisions of the Clean Water Act. EPA will consider the following factors: (1) the continued need for the rule; (2) the nature of complaints or comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates or conflicts with other Federal, State, or local government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. EPA invites public comment on the rule. EPA continues to view the effluent guidelines for the Gold Placer Mine Subcategory as a necessary component of the comprehensive program to restore and maintain the quality of our Nation's waters. Unless and until the Agency modifies the rule, the discharges described in 40 CFR 440.140 remain subject to the final rule.

Timetable:

Action	Date	FR Cite
Complete Review	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Sectors Affected: 212221 Gold Ore Mining

Additional Information: SAN No. 4133

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RIN: 2040–AD13

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Clean Water Act (CWA)

3526. EFFLUENT GUIDELINES AND STANDARDS FOR THE FEEDLOTS POINT SOURCE CATEGORY, SWINE AND POULTRY SUBCATEGORIES, AND NPDES REGULATION FOR CONCENTRATED ANIMAL FEEDING OPERATIONS

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

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 412; 40 CFR 122.23

Legal Deadline:
NPRM, Judicial, December 31, 1999, Effluent Guideline.
Final, Judicial, December 31, 2001, Effluent Guideline.

Abstract: Feedlot operations are covered by existing effluent guidelines at 40 CFR part 412 and concentrated animal feeding operations (CAFOs) are covered by regulations at 40 CFR part 122.23. This action will revise the existing regulations for two of the effluent guidelines subcategories to address swine and poultry operations and the NPDES regulation for concentrated animal feeding operations. The existing regulations, which require the largest confined animal feeding operations to achieve zero discharge of wastes to surface waters except for certain storm related discharges, have not been sufficient to resolve water quality impairment from feedlot operations. Swine and poultry operations have been identified as substantial contributors of nutrients in surface waters that have severe anoxia (low levels of dissolved oxygen) and problem algae blooms.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 11221 Hog and Pig Farming; 11232 Broilers and Other Meat Type Chicken Production; 11231 Chicken Egg Production; 112112 Cattle Feedlots

Additional Information: SAN No. 4153

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RIN: 2040–AD19

3527. TOTAL MAXIMUM DAILY LOAD (TMDL) PROGRAM REGULATIONS REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313

CFR Citation: 40 CFR 130.7

Legal Deadline: None

Abstract: The Office of Water will be proposing changes to the existing regulations for implementing the Total Maximum Daily Load (TMDL) program under the Clean Water Act. The TMDL program is a key component of watershed management. It requires States to identify water quality-limited segments still in need of TMDLs for these waters. EPA is required to approve or disapprove State lists and TMDLs, and to establish lists of waters and TMDLs when it disapproves the State action. In 1996, EPA convened a Federal Advisory Committee to provide comprehensive recommendations for improving the TMDL program, with a particular emphasis on the following issues: listing waters needing TMDLs; criteria for EPA approval of TMDLs; State and Federal program oversight; and science and tools for TMDL development. On July 28, 1998 the Committee submitted its recommendations to the EPA Administrator. EPA will carefully consider the Committee's recommendations and then propose changes to the existing TMDL program regulations. The ultimate purpose of these changes is to improve water quality by providing States with clear direction regarding listing of impaired waterbodies and the development of TMDLs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Rule	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 4145

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RIN: 2040–AD22

3528. REVISIONS TO EFFLUENT GUIDELINES AND STANDARDS FOR THE COAL MINING POINT SOURCE CATEGORY

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 434

Legal Deadline:
NPRM, Judicial, December 31, 1999.
Final, Judicial, December 31, 2001.

Abstract: Coal mining discharges are covered by existing effluent guidelines at 40 CFR part 434. This new regulatory action will revise the existing regulations to address two new subcategories: Coal Remining and Western Alkaline Coal Mining. The existing regulations do not cover remining operations, which, when appropriately planned and regulated, will improve effluent quality from abandoned mine lands while reclaiming them and prevent disturbance of unexploited lands. Advances in treatment technologies and Best Management Practices pertinent to coal mines in the arid West show promise of being more protective of water quality.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4168

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RIN: 2040–AD24

3529. 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 sec 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. The Federal water quality standards regulation at 40 CFR Part 131 governs the development, review and revision of water quality standards under section 303(c) of the Clean Water Act by States and Indian Tribes, and the review and approval of water quality standards by EPA. Based upon the Federal, State, Tribal and local experience gained in the program over the last 20 years, EPA's proposed revisions to 40 CFR 131 are intended to strengthen the water quality standards regulation thus enhancing water quality management on a watershed basis, and focusing Federal, State and Tribal resources on the areas of greatest concern. Program areas identified for revision include: establishing and refining designated uses, developing and implementing water quality criteria, antidegradation policies and procedures and mixing zone policies and procedures.

Timetable:

Action	Date	FR Cite
ANPRM	07/07/98	63 FR 36741
NPRM	09/00/99	
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3662

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RIN: 2040–AC56

3530. ● AMENDMENTS TO THE FINAL WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM TO REINSTATE THE MIXING ZONE ELIMINATION AND PHASE-OUT PROVISION

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1268 CWA 118

CFR Citation: 40 CFR 132

Legal Deadline: None

Abstract: EPA is proposing to amend the final Water Quality Guidance for the Great Lakes System (Guidance) to prohibit mixing zones for bioaccumulative chemicals of concern (BCCs) in the Great Lakes System, subject to a limited exception for existing discharges. For existing discharges, the regulation would prohibit mixing zones for BCCs after 10 years from the effective date of the final rule. For new discharges of BCCs, the mixing zone prohibition would apply immediately upon commencing discharge. EPA had promulgated this mixing zone provision on March 23, 1995, as part of the Water Quality Guidance for the Great Lakes System required by section 118(c)(2) of the Clean Water Act. The provision was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in the case of American Iron & Steel Institute v. EPA, 115 F.3d 979 (D.C. Cir. 1997), because the Court found that EPA failed to address that the provision was cost-justified, and remanded to the Agency for further consideration. This action reflects EPA's reconsideration of the factual record in response to that remand and proposes to amend the final Guidance to reinstate the mixing zone elimination and phase-out provision as it was promulgated on March 23, 1995.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 4235

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RIN: 2040–AD32

3531. ● EPA REVIEW AND APPROVAL OF STATE AND TRIBAL WATER QUALITY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq

CFR Citation: 40 CFR 131.21(c)

Legal Deadline:
Other, Judicial, July 1, 1999, See additional information.

Abstract: EPA's water quality standards (WQS) regulation at 40 CFR Part 131.21 currently provides that State and Tribal WQS are in effect once adopted by the State or authorized Tribe and remain in effect, even if EPA disapproves them, until the State or Tribe revises them or EPA promulgates a federal rule to supersede the State or Tribal WQS. EPA's regulation is based on its longstanding interpretation of the CWA. In July, 1997, the U.S. District Court for the Western District of Washington held that the clear meaning of section 303(c)(3) of the CWA was that State water quality standards do not go into effect under the CWA until approved by EPA (Alaska Clean Water Alliance v. Clark; No. C96-1762R). Because EPA's existing regulation remains in effect, and the court has issued no injunction against applying it, EPA's interim policy is to continue to follow our regulation (except in Alaska) until the regulation is changed. EPA's proposed rule would: 1) Delete

131.21(c) and replace it with new language which explains that standards do not become the applicable WQS for CWA purposes until approved by EPA, and that previously approved standards remain the CWA standards until EPA approves State or Tribal revisions or promulgates replacement WQS; and, 2) Provide that the new rule would only apply to WQS adopted after the effective date of the final rule. EPA's proposed rule will only address administrative aspects of the WQS approval process. This proposed rule will not speak to any of the substantive program issues currently being addressed in the WQS Advance Notice of Proposed Rulemaking (63 FR 36741). Likewise, this proposed rule will not overlap with any of the TMDL program issues being addressed in the TMDL rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 4234

Legal Deadline: Draft Settlement Agreement: July 1, 1999 Proposal; April 1, 2000 Final.

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RIN: 2040–AD33

3532. ● WATER QUALITY STANDARDS FOR ALABAMA—PHASE II

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313; CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: Under the CWA, States have primary authority in developing water quality standards for waters within their jurisdiction. EPA maintains oversight authority in that States must submit their water quality standards to EPA for review and approval or disapproval. If a State's water quality standards are not consistent with the requirements of the CWA and its supporting regulations, and are subsequently disapproved by EPA, the State must revise the disapproved water quality standards. If the State does not revise the disapproved water quality standards, the CWA authorizes the EPA Administrator to promulgate Federal water quality standards to supersede those disapproved provisions in the water quality standards. EPA is developing a proposed federal rulemaking to determine the appropriate use designations for five waterbodies in Alabama subject to outstanding EPA disapprovals. EPA expects to propose federal water quality standards in the Federal Register in November, 1999.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4264

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RIN: 2040–AD35

3533. TEST PROCEDURES FOR THE ANALYSIS OF CRYPTOSPORIDIUM AND GIARDIA UNDER THE SAFE DRINKING WATER AND CLEAN WATER ACTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq CWA 304 (h); 33 USC 1314(h) CWA 304(h); 33 USC 1361 SDWA 1401; 42 USC 300f SDWA 1412; 42 USC 300g-1 SDWA 1413; 42 USC 300g-2 SDWA 1414; 42 USC 300g-3 SDWA 1415; 42 USC 300g-4 SDWA 1416; 42 USC 300g-5 SDWA 1445; 42 USC 300j-4 SDWA 1450; 42 USC 300j-9

CFR Citation: 40 CFR 136; 40 CFR 141

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 and the analytical methods under 40 CFR part 141 to approve EPA Method 1622 for the detection of Cryptosporidium and Giardia in ambient waters and finished drinking water by filtration of a 10-L sample in laboratory, separation of target organisms from other debris using immunomagnetic separation, and detection of the organisms using immunofluorescence assay and differential interference contrast microscopy and confirmation examination of the organisms using vital dye stains. This method would be used by public water systems to collect occurrence and treatment data to characterize Cryptosporidium and Giardia in drinking water. EPA expects that EPA Method 1622 would increase recovery and would provide better precision than the method included in an earlier EPA rulemaking, thus providing for more reliable data.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4047

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RIN: 2040–AD08

3534. ● TEST PROCEDURES FOR THE ANALYSIS OF E. COLI AND ENTEROCOCCI 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 136.3

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 microbiological methods for monitoring ambient water. Ambient water contamination is determined by the presence of bacterial indicators. In 1986, EPA issued a revision to its bacteriological ambient water quality criteria recommendations to include new indicator bacteria, E.coli and enterococci. To support the ambient water quality criteria for bacteria, EPA is planning to promulgate several analytical methods for monitoring E.coli and enterococci in ambient water. This proposed regulation would approve test procedures to be available for use by testing laboratories. Test procedures in Part 136 must be used in implementing the NPDES program unless alternative test procedures are approved by the Regional Administrator.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4214

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RIN: 2040–AD34

3535. MINIMIZING ADVERSE ENVIRONMENTAL IMPACT FROM COOLING WATER INTAKE STRUCTURES UNDER SECTION 316(B) OF THE CLEAN WATER ACT

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

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1316 CWA sec 306; 33 USC 1326 CWA sec 316; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 125 (New); 40 CFR 401 (Revised)

Legal Deadline:
NPRM, Judicial, July 2, 1999.
Final, Judicial, August 31, 2001.

Abstract: EPA is currently developing regulations for proposal under section 316(b) of the Clean Water Act (CWA). This regulation will apply to the intake of water and not the discharge. Section 316(b) provides that any standard established pursuant to sections 301 or 306 of the Clean Water Act and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available (BTA) for minimizing adverse environmental impact. A primary purpose of section 316(b) is to minimize the impingement and entrainment of fish and other aquatic organisms by cooling water intake structures. Impingement refers to the trapping of fish and other aquatic life in cooling water intake screens. Entrainment occurs when aquatic organisms, eggs and larvae are sucked into the cooling system, through the heat exchanger, and then pumped back out.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3444

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RIN: 2040–AC34

3536. 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 sec 304; 33 USC 1317 CWA sec 307; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 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	05/00/99	
Final Action	03/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3663

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RIN: 2040–AC58

3537. REVISIONS TO NPDES REQUIREMENTS FOR COMPLIANCE REPORTING AND COLLECTION SYSTEM DISCHARGES

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

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501(a)

CFR Citation: 40 CFR 122.41

Legal Deadline: None

Abstract: EPA has proposed to publish an interim policy statement entitled ''National Pollutant Discharge Elimination System (NPDES) Permit Requirements for Municipal Sanitary Sewer Collection Systems.'' The interim policy would clarify how existing NPDES standard permit conditions apply to municipal sanitary sewer collection systems. The policy also would give NPDES permit writers guidance on how to clarify permit requirements during permit reissuance and provide additional permit provisions, such as study requirements and system specific operation, maintenance and remediation requirements, where appropriate.

EPA also proposes revisions to the NPDES regulations at 40 CFR 122.42 and 125. The Agency is proposing three standard permit conditions for inclusion in permits for publicly owned treatment works (POTWs) and municipal sanitary sewer collection systems. The three standard requirements address: reporting requirements for SSOs; operational, maintenance and remediation requirements for municipal sanitary sewer collection systems; and a prohibition on SSOs. In addition, the Agency is proposing to codify criteria for evaluating the peak flow capacity of sanitary sewer collection systems. These proposed revisions respond to recommendations made by members of a FACA Subcommittee (under 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 (SS0s) and sanitary sewer operation, management, and maintenance.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3999

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RIN: 2040–AD02

3538. ESTABLISHMENT OF ELECTRONIC REPORTING FOR NPDES PERMITTEES

Priority: Substantive, Nonsignificant

Legal Authority: CWA 301; CWA 304(i); CWA 308; CWA 402; CWA 501

CFR Citation: 40 CFR 122.22; 40 CFR 122.41(k); 40 CFR 122.41(j); 40 CFR 122.41(l); 40 CFR 122.63

Legal Deadline: None

Abstract: EPA is proposing changes to its NPDES regulations to allow reports and other information to be submitted electronically. When EPA promulgated the current NPDES regulations, the Agency did not anticipate the need or technologies for electronic reporting. Consequently, the current regulations do not specifically address use of electronic reporting technologies. The proposed rule would establish criteria for electronic reporting and a specific process and conditions for electronic reporting of discharge monitoring reports (DMR) to EPA that are intended to achieve reliable and secure electronic reporting in the NPDES program. The proposal addresses electronic signature, certification, and record keeping requirements that permittees would follow when submitting forms to EPA electronically.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4051

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RIN: 2040–AD11

3539. CLEAN WATER ACT DEFINITION OF THE WATERS OF THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1361; 33 USC 1362; CWA sec 501; CWA sec 502

CFR Citation: 40 CFR 232

Legal Deadline: None

Abstract: This action involves joint rulemaking by EPA and the Department of the Army to amend the regulatory definition of ''waters of the United States'' in two respects. First, the proposal would clarify the basis for asserting Clean Water Act (CWA) jurisdiction over isolated intra-state waters and wetlands. Second, the proposal would clarify what types of artificial waters excavated out of dry land are generally not considered to be subject to jurisdiction under the CWA. The existing regulations contain language asserting jurisdiction over isolated intra-state waters, but that regulatory provision has been the subject of litigation, and, within the confines of the Fourth Circuit, found to be invalid (US v. Wilson, 133 F.3d 251 (4th Cir., 1998)). Revision of the regulatory language is necessary to address that decision, improve

EPA—CWA **Proposed Rule Stage**

regulatory clarity, and provide more specificity regarding CWA jurisdiction over intra-state isolated waters and wetlands. With regard to artificial waters excavated out of dry land, preambles to past regulations have discussed what types of such waters would be considered to generally be non-jurisdictional for CWA purposes, and the proposed revision would amend the regulations in a manner consistent with those past statements of Agency policy. The rulemaking would apply to entities (e.g., industrial, commercial, governmental) that discharge pollutants, including dredged or fill material, to isolated intra-state surface waters or wetlands, or which have created artificial waters from dry land. Significant impacts on small entities or state/local/tribal governments are not anticipated, as the proposed regulatory revisions would be consistent with current Agency practice and policy in carrying out CWA mandates.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	
Final	05/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 2804

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RIN: 2040–AB74

3540. 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

Legal Authority: 33 USC 1361(a) CWA sec 501(a); 33 USC 1345 CWA sec 405

CFR Citation: 40 CFR 503

Legal Deadline:
NPRM, Judicial, December 15, 1999.
Final, Judicial, December 15, 2001, EPA must identify final pollutant list for Round II by 11/30/95.

Abstract: Section 405 of the Clean Water Act (CWA) requires EPA to develop and publish regulations providing guidelines for the use and disposal of sewage sludge. The rules, among other things, are to identify uses for sewage sludge, including disposal, and concentrations of pollutants which interfere with such use or disposal. The statute requires EPA to develop the regulations in two phases and periodically revise existing regulations. In November 1992, EPA promulgated regulations (58 FR 9247) for the first round of pollutants identified in sewage sludge. EPA is required by consent decree to propose and promulgate sewage sludge regulations for a second round of pollutants before the end of 2001. EPA currently is considering only dioxins, dibenzofuran and coplanar-PCBs for regulation in the second round regulations. These regulations will establish requirements for sewage sludge when the sewage sludge is applied to the land, placed on surface disposal sites, or fired in a sewage sludge incinerator. The regulation may impact Federal, State, and local governments. The impact on small entities, including small businesses, is undetermined at this time.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3488

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RIN: 2040–AC25

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Clean Water Act (CWA)

3541. 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 1318 CWA 308; 33 USC 1342 CWA 402; 33 USC 1361 CWA 501

CFR Citation: 40 CFR 437

Legal Deadline:
Final, Judicial, October 1999.

Abstract: Centralized Waste Treatment (CWT) facilities receive hazardous and non-hazardous waste from off-site for treatment or recovery operations (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 and Notice of Availability of New Information	01/27/95	60 FR 5464
Reproposal	01/13/99	64 FR 2279
Final	10/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2805

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RIN: 2040–AB78

3542. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL LAUNDRIES POINT SOURCE 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 sec 301; 33 USC 1317 CWA sec 307; 33 USC 1314 CWA sec 304; 33 USC 1361 CWA sec 501; 33 USC 1316 CWA sec 306; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402

CFR Citation: 40 CFR 441

Legal Deadline:
NPRM, Judicial, November 7, 1997.
Final, Judicial, June 30, 1999.

Abstract: EPA proposed pretreatment standards for industrial laundries (facilities that launder industrial textile items, such as shop and printer towels, mops, mats) in December 1997. Following public comment and analysis of new options, EPA will consider the need to establish final pretreatment standards.

Timetable:

Action	Date	FR Cite
NPRM	12/17/97	62 FR 66182
Notice of Data Availability	12/23/98	63 FR 71054
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3209

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RIN: 2040–AB97

3543. EFFLUENT GUIDELINES AND STANDARDS FOR LANDFILLS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 445

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

Abstract: EPA proposed effluent guidelines and standards for landfills regulated under Subtitle C or Subtitle D of the Resource Conservation and Recovery Act (RCRA) which discharge directly to surface waters, and landfills regulated under Subtitle C of RCRA which discharge indirectly to Publicly Owned Treatment Works (POTWS). The proposal did not apply to wastewater discharges of contaminated groundwater. The proposal also did not apply to discharges of wastewater associated with landfills operated in conjunction with other industrial or commercial operations which only receive waste from off-site facilities under the same corporate structure (intra-company facility) and/or receive waste generated on-site (captive facility) so long as the landfill wastewater is commingled for treatment with other process wastewaters. After reviewing public comments, EPA will revise the analysis and issue final standards. This rule was formerly titled Waste Treatment Industry, Phase II and Effluent Guidelines and Standards for Landfills and Incinerators.

Timetable:

Action	Date	FR Cite
NPRM	02/06/98	63 FR 6425
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3489

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RIN: 2040–AC23

3544. REFORMATTING OF EFFLUENT GUIDELINES AND STANDARDS IN 40 CFR PARTS 401 THROUGH 471

Priority: Info./Admin./Other

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

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1362 CWA sec 502

CFR Citation: 40 CFR 405 to 471 (Revision)

Legal Deadline: None

Abstract: This regulatory action will recodify the existing Effluent Limitations and Standards in 40 CFR parts 401 through 471, without making any changes in the requirements therein. The purpose of this action is to enable the Federal, State, and local regulators and the regulated community to more easily read, understand and implement the regulations.

Timetable:

Action	Date	FR Cite
Direct Final Rule	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 3767

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RIN: 2040–AC79

3545. EFFLUENT GUIDELINES AND STANDARDS FOR INDUSTRIAL WASTE COMBUSTORS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 444

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

Abstract: EPA proposed effluent guidelines and standards for commercial industrial waste combustion facilities in February 1998. Hazardous waste incinerators, boilers, industrial furnaces, and non-hazardous waste incinerators are all examples of facilities included in the scope of the project. The proposal applied only to commercial industrial waste combustors and not to sewage sludge incinerators, medical waste incinerators, municipal waste combustors or other solid waste combustors. Furthermore, EPA did not include within the scope of the proposal industrial waste ownership (intra-company wastes) or industrial waste combustors that only burn wastes generated on-site. After reviewing public comments, EPA will issue final standards. This rule was formerly titled Waste Treatment Industry, Phase II: Landfills and Incinerators.

Timetable:

Action	Date	FR Cite
NPRM	02/06/98	63 FR 6391
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4041

(Formerly part of SAN 3489, RIN 2040-AC23)

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RIN: 2040–AD03

3546. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY; INCENTIVES AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1361 CWA sec 501; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402

CFR Citation: 40 CFR 430

Legal Deadline: None

Abstract: This amendment would require those mills that choose to enroll in the Voluntary Advanced Technology Incentives Program (as established in the April 1998 final rule) to submit a plan (called a Milestone Plan) specifying research, construction, and other activities leading to achievement of the advanced technology effluent limits, with accompanying dates for achieving these milestones.

Timetable:

Action	Date	FR Cite
NPRM	04/15/98	63 FR 18795
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4039

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RIN: 2040–AD05

3547. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY; MONITORING AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1361 CWA sec 501; 33 USC 1318 CWA sec 308

CFR Citation: 40 CFR 430

Legal Deadline: None

Abstract: The Agency proposed to amend the Cluster Rules to provide for a certification in lieu of monitoring for one or more pollutants, including chloroform, for mills using certain processes. Basically, this amendment would apply to elemental chlorine-free mills, allowing them to submit a certification based on process changes and operational controls to demonstrate compliance with the existing limitations.

Timetable:

Action	Date	FR Cite
NPRM	04/15/98	63 FR 18796
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4192

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RIN: 2040–AD23

3548. 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:
Final, Statutory, November 3, 1997, EPA is required to promulgate 90 days after proposal.

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	08/05/97	62 FR 42160
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3504

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RIN: 2040–AC44

3549. WATER QUALITY STANDARDS FOR ALABAMA—PHASE I

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313; CWA 303

CFR Citation: 40 CFR 131

Legal Deadline:
Final, Statutory, June 3, 1998, EPA is required to promulgate the rule 90 days after proposal.

Abstract: Under the CWA, States have primary authority in developing water quality standards for waters within their jurisdiction. EPA maintains oversight authority in that States must submit their water quality standards to EPA for review and approval or disapproval. If a State's water quality standards are not consistent with the requirements of the CWA and its supporting regulations, and are subsequently disapproved by EPA, the State must revise the disapproved water quality standards. If the State does not revise the disapproved water quality standards, the CWA authorizes the EPA Administrator to promulgate Federal water quality standards to supersede those disapproved provisions in the water quality standards.

On March 5, 1998, EPA proposed water quality standards applicable to nine stream segments to replace those provisions in Alabama's water quality standards that were disapproved in 1986 and in 1991. Specifically, EPA proposed use designations consistent with those specified in section 101(a) of the CWA to replace the State's assigned Agricultural and Industrial Water Supply use. The effect of the proposed standards is to replace the State-adopted water quality criteria, which protect only for fish survival, with water quality criteria based on protection of propagation of fish, aquatic life, and wildlife.

Timetable:

Action	Date	FR Cite
NPRM	03/05/98	63 FR 10799
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4195

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RIN: 2040–AD25

3550. WATER QUALITY STANDARDS; ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS; STATES' COMPLIANCE—REVISION OF POLYCHLORINATED BIPHENYLS (PCBS) CRITERIA

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251

CFR Citation: 40 CFR 131

Legal Deadline:
Final, Judicial, September 30, 1999, Settlement Agreement for publication of final rule.

Abstract: EPA is revising the rule promulgated on December 22, 1992, (National Toxics Rule or NTR) that established water quality criteria for twelve States and the District of Columbia and Puerto Rico, that has not adopted sufficient chemical-specific numeric criteria for toxic pollutants necessary to comply with the Clean Water Act. Among the criteria promulgated in the NTR were human health criteria for polychlorinated biphenyls (PCBs). EPA has proposed and taken comments on revisions to the human health criteria for PCBs in the NTR, based on the Agency's reassessment of the cancer potency of PCBs.

Timetable:

Action	Date	FR Cite
NPRM	04/02/98	63 FR 16182
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 4193

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RIN: 2040–AD27

3551. GUIDELINES ESTABLISHING OIL AND GREASE TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS 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 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-trifluoroethane (CFC-113; Freon-113), which is used in current 40 CFR part 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.

Timetable:

Action	Date	FR Cite
NPRM	01/23/96	61 FR 1730
Notice of Data Availability	10/02/97	62 FR 51621
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3617

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RIN: 2040–AC63

3552. 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

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. ''Cyanides'' is a toxic pollutant as defined in the Clean Water Act section 307 and total cyanide is a priority pollutant listed at 40 CFR part 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. EPA Method 335.1, Cyanides Amenable to Chlorination (CATC), is currently approved for the measurement of free and weakly complexed forms of cyanides. EPA Methods 335.2 and 335.3 are currently approved for measurement of total cyanides. EPA Methods 335.1 and 335.3 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 cost of cyanide measurements, EPA proposed new test procedures for the determination of cyanides.

Timetable:

Action	Date	FR Cite
NPRM	07/07/98	63 FR 36809
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3701

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RIN: 2040–AC76

3553. PERFORMANCE BASED MEASUREMENT SYSTEM (PBMS) PROCEDURES AND GUIDANCE FOR CLEAN WATER ACT TEST PROCEDURES

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 will establish the use of performance-based measurement procedures and guidance 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 use of test methods. 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	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3713

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RIN: 2040–AC93

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

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 will amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR part 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 regulation will approve test procedures to be used in measuring this group of compounds under the NPDES Program unless the Regional Administrator approves an alternative procedure. EPA plans to segment the rulemaking into two phases to accommodate different amounts of data for the long list of compounds.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3155

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RIN: 2040–AC95

3555. TEST PROCEDURES FOR THE ANALYSIS OF MERCURY 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:
Final, Judicial, May 31, 1999.

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 1631 for the determination of mercury at EPA's recommended water quality criteria levels. This method is necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the Clean Water Act. 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. Because the methods currently approved under 40 CFR part 136 were designed primarily to support technology-based permitting needs, and because these technology-based levels are as much as two orders of magnitude higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

Timetable:

Action	Date	FR Cite
NPRM	05/26/98	63 FR 28868
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4048

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RIN: 2040–AD07

3556. UNIFORM NATIONAL DISCHARGE STANDARDS FOR ARMED FORCES VESSELS—PHASE I

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1322(n); CWA sec 312(n)

CFR Citation: 40 CFR 1700 (New)

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

Abstract: Section 312 of the CWA, as amended by the 1996 Defense Authorization Act, requires EPA and the Department of Defense, 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, and they preempt non-uniform State water quality 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 specify which discharges require regulation (i.e., the use of marine pollution control devices), as well as which will not require regulation. Marine pollution control devices may be a piece of equipment designed to control a particular waste stream, or a management practice that would reduce the impacts of a discharge. The Navy and EPA will determine the nature and environmental effects of vessel discharges, as well as the practicability of installing marine pollution control devices. This regulation applies only 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 preempting 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 submit a petition for review to EPA and DoD concerning any standard promulgated under this action.

Timetable:

Action	Date	FR Cite
NPRM	08/25/98	63 FR 45298
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3925

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RIN: 2040–AC96

3557. 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 1314 CWA sec 304; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1345 CWA sec 405; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 122.21(j); 40 CFR 122.21(q); 40 CFR 501.15(a); 40 CFR 124.8(b); 40 CFR 123.25(a); 40 CFR 123.43(b)

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 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	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2501

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RIN: 2040–AB39

3558. NPDES STREAMLINING RULE—ROUND II

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 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1312 CWA sec 302; 33 USC 1316 CWA sec 306; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 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 65268
Final	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3762

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RIN: 2040–AC70

3559. NPDES COMPREHENSIVE STORM WATER PHASE II REGULATIONS

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 122; 40 CFR 123

Legal Deadline:
Final, Statutory, October 1, 1993.
NPRM, Judicial, December 15, 1997.
Final, Judicial, October 29, 1999.

Abstract: EPA proposed changes to the storm water regulations for the remaining unregulated dischargers that require regulation. Also known as Phase II dischargers, these sources potentially could have included all storm water discharges from municipal separate storm sewer systems serving populations of less than 100,000 and construction activities resulting in the land disturbance of less than 5 acres. 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 storm water runoff is a real cause of water quality use impairment. EPA invited stakeholders to participate in the development of comprehensive Phase II rules under the Federal Advisory Committee Act (FACA). This FACA subcommittee has assisted in the development of the rule. Currently, all Phase II dischargers are required to have storm water permits by 2001. EPA proposed to limit the universe of designated Phase II sources and proposed an approach that would promote the use of general permits for most Phase II sources. The proposed changes would also provide regulatory relief by waiving Phase I facilities that have no exposure to storm water from otherwise applicable permit requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/09/98	63 FR 1535
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3785

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RIN: 2040–AC82

3560. COMPARISON OF DREDGED MATERIAL TO REFERENCE SEDIMENT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1344 CWA sec 404

CFR Citation: 40 CFR 230

Legal Deadline: None

EPA—CWA — Final Rule Stage

Abstract: This action would revise the testing provisions of the Clean Water Act section 404(b)(1) Guidelines to provide for comparisons between dredged material proposed for discharge and reference sediment. Reference sediment would be defined as sediment that reflects conditions at the disposal site had no dredged material disposal ever occurred there. Because the disposal site itself is currently used as the point of comparison, this action would make a technical improvement in assessing cumulative impacts and help make dredged material testing under section 404 more consistent with that conducted for ocean disposal, which currently employs a reference sediment approach. This action is not expected to have a significant impact on state, local, or tribal governments or small business, as the action will be limited to Corps projects and permit applications for which dredged material testing is necessary, and because the effect of the action will be limited to changing the location of an otherwise collected sample.

Timetable:

Action	Date	FR Cite
NPRM	01/04/95	60 FR 419
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 3288

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RIN: 2040–AC14

3561. 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 1361 CWA sec 501(a); 33 USC 1345 CWA sec 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 publication errors, and make 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	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3497

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RIN: 2040–AC29

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Clean Water Act (CWA)

3562. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASES 1 AND 2

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 sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 438

Legal Deadline:
NPRM, Judicial, October 31, 2000.
Final, Judicial, December 31, 2002.

Abstract: EPA is developing effluent limitations guidelines for facilities that generate wastewater while processing metal parts; metal products; and machinery, including manufacture, assembly, rebuilding, repair, and maintenance. A proposed rule in 1995 covered seven industrial groups: aircraft, aerospace, hardware, ordnance, stationary industrial equipment, mobile industrial equipment, and electronic equipment. EPA has consolidated this rulemaking with a second phase, and coverage will include an additional nine industrial groups: bus and truck, household equipment, instruments, motor vehicles, office machines, precious metals and jewelry, railroads, job shops and printed circuit boards, and ships and boats. The deadlines and timetable apply to the consolidated Phase 1 and 2 rulemaking.

Timetable:

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

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2806

Merged with RIN 2040-AC30, SAN 3496.

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RIN: 2040–AB79

3563. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY

Priority: Other Significant

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

CFR Citation: 40 CFR 442

Legal Deadline:
NPRM, Judicial, May 15, 1998.
Final, Judicial, June 30, 2000.

Abstract: EPA is developing effluent limitation guidelines and pretreatment standards for transportation equipment cleaning facilities, which clean the interiors of tank trucks, rail tank cars, intermodal tank containers, ocean/sea tankers, tank barges, closed-top hopper trucks, closed-top hopper rail cars, and closed-top hopper barges.

Timetable:

Action	Date	FR Cite
NPRM	06/25/98	63 FR 34685
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3204

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RIN: 2040–AB98

3564. 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

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1362 CWA sec 502; 33 USC 1342 CWA sec 402

CFR Citation: 40 CFR 420

Legal Deadline:
NPRM, Judicial, October 31, 2000.
Final, Judicial, April 30, 2002.

Abstract: EPA will propose amendments to the effluent limitations guidelines for the Iron and Steel Manufacturing Point Source Category to reflect significant industry changes related to consolidation and modernization within the U.S. steelmaking industry as well as advances in manufacturing technologies, in process pollution prevention, water conservation practices, and end-of-pipe wastewater treatment.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final	04/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3833

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RIN: 2040–AC90

3565. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY, PHASE II

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

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311 CWA 301; 33 USC 1314 CWA 304; 33 USC 1316 CWA 306; 33 USC 1317 CWA 307; 33 USC 1318 CWA 308; 33 USC 1361 CWA 501

CFR Citation: 40 CFR 430

Legal Deadline: None

Abstract: EPA will consider revising existing Best Practicable Technology (BPT), Best Conventional Pollutant Control Technology (BCT), Best Available Technology (BAT), New Source Performance Standards (NSPS), and Pretreatment Standards for Existing and New Sources (PSES and PSNS) for 8 of the 12 subcategories for this industrial category: Unbleached Kraft; Semi-Chemical; Mechanical Pulp; Non-Wood Chemical Pulp; Secondary Fiber Deink; Secondary Fiber Non-Deink; Fine and Lightweight Papers from Purchased Pulp; and Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp. EPA proposed guidelines and standards for these eight ''Phase II'' subcategories as part of the Pulp and Paper Rules (also known as the Cluster Rules) in December 1993. The Agency intends to develop these revised effluent limitations in close coordination with the Office of Air Quality Planning and Standards.

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4050

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RIN: 2040–AD10

3566. REVISIONS TO EFFLUENT GUIDELINES AND STANDARDS FOR SYNTHETIC-BASED DRILLING FLUIDS IN THE OIL AND GAS EXTRACTION POINT SOURCE CATEGORY

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 435

Legal Deadline:
NPRM, Judicial, December 31, 1998.
Final, Judicial, December 31, 2000.

Abstract: This regulatory action will establish effluent limitations for the use of synthetic-based drilling fluids (SBF). Although oil and gas extraction is covered by existing effluent guidelines, the SBFs are a new technology not addressed in the guidelines, and

applying the existing regulations which were developed for water-based and oil-based drilling fluids is not appropriate. The use of SBFs presents an opportunity for environmental gain. On a drilling performance basis, SBFs replace oil-based drilling fluids, but unlike oil-based drilling fluids, SBFs are free of aromatic hydrocarbon priority pollutants, exhibit greatly reduced toxicity, biodegrade relatively rapidly, and do not bioaccumulate. Compared to water-based drilling fluids, SBFs have reduced aquatic toxicity and lower discharge volumes resulting in lower toxic metals discharge. To realize the potential environmental gain, new guidelines specific to the SBFs are necessary to minimize the wastestream volume and control potential contaminants, toxicity, biodegradation, and bioaccumulation.

Timetable:

Action	Date	FR Cite
NPRM	02/03/99	64 FR 5487
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 4086

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RIN: 2040–AD14

3567. EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE FEEDLOTS POINT SOURCE CATEGORY, DAIRY AND BEEF CATTLE SUBCATEGORIES

Priority: Other Significant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 412

Legal Deadline:
NPRM, Judicial, December 31, 2000.
Final, Judicial, December 31, 2002.

Abstract: Feedlot operations are covered by existing effluent guidelines at 40 CFR part 412. This new regulatory action will revise the existing regulations for two of the subcategories--dairy and beef cattle operations. The existing regulations, which require the largest confined animal feeding operations to achieve zero discharge of wastes to surface waters except for certain storm related discharges, have not been sufficient to resolve water quality impairment from feedlot operations. Beef and dairy cattle operations represent a large segment of the feedlot industry and have been identified as substantial contributors of nutrients in surface waters that have severe anoxia (low levels of dissolved oxygen) and affect drinking water sources in the western and central regions of the country.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 4167

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RIN: 2040–AD21

3568. 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 sec 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 May 1995, EPA amended the materials criteria to reflect EPA's new policy to use dissolved metals criteria because they more accurately reflect the bioavailable fraction of waterborne metals for aquatic life. The interim final rule was deregulatory in nature, but is not expected to impact the health of aquatic life in the water column. EPA expects the rule to result in less stringent permit limits and therefore a potential cost savings in wastewater treatment for dischargers of metals in the covered States. This action makes the interim final rule final and is also deregulatory in nature.

Timetable:

Action	Date	FR Cite
Interim Final	05/04/95	60 FR 22229
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Additional Information: SAN No. 3661

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RIN: 2040–AC55

3569. SELENIUM CRITERION MAXIMUM CONCENTRATION FOR WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1268 CWA sec 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. This effort is on hold until a larger effort to amend the national water quality criteria guidance for selenium is complete. Once that effort is completed EPA will reevaluate the need for this action to amend the final Water Quality Guidance for the Great Lakes System and take appropriate action.

Timetable:

Action	Date	FR Cite
NPRM	11/14/96	61 FR 58444
NPRM	12/16/96	61 FR 66007
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3921

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RIN: 2040–AC97

3570. GUIDELINES ESTABLISHING WHOLE EFFLUENT TOXICITY WEST COAST TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

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

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1313 CWA 303; 33 USC 1314(h) CWA 304(h); 33 USC 1314(a)(8) CWA 304(a)(8); 33 USC 1361 CWA 501

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This rule would amend 40 CFR part 136, by adding test procedures to measure chronic whole effluent toxicity using species indigenous to West Coast marine waters for the analysis of pollutants under the Clean Water Act. State, local and tribal governments and small businesses on the West Coast are already using variations of these methods in NPDES permits.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3618

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RIN: 2040–AC54

3571. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF TRACE METALS UNDER THE CLEAN WATER ACT

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 136

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. Because the methods currently approved under 40 CFR part 136 were designed to support primarily technology-based permitting needs, and because 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.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3702

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RIN: 2040–AC75

3572. INCREASED METHOD FLEXIBILITY FOR TEST PROCEDURES APPROVED FOR CLEAN WATER ACT COMPLIANCE MONITORING

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 highlight the flexibility already contained in the 600 and 1600 series of EPA 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, the Agency has found that many NPDES and pretreatment 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 EPA's position regarding its application. This action will also extend this flexibility to other methods currently approved under 40 CFR part 136. The purpose of extending this flexibility to other 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
Direct Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3714

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RIN: 2040–AC92

3573. TEST PROCEDURES FOR THE ANALYSIS OF CO-PLANAR AND MONO-ORTHO-SUBSTITUTED POLYCHLORINATED BIPHENYLS (PCBS) UNDER THE CLEAN WATER ACT

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 136; 40 CFR 503

Legal Deadline: None

Abstract: This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR parts 136 and 503 to approve EPA Method 1668 for the congener-specific determination of co-planar and mono-ortho-substituted polychlorinated biphenyls (PCBs) in effluent ambient water and sludge. This method is necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the Clean Water Act. 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. At present there is no EPA analytical method for determination of these PCBs, therefore, approval of a new EPA test procedure is necessary.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4049

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RIN: 2040–AD09

3574. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT, PHASE TWO

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

Unfunded Mandates: Undetermined

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 will amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 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 regulation will approve test procedures to be used in measuring this group of compounds under the NPDES unless the Regional Administrator approves an alternative procedure. This rulemaking will constitute the second of two segments of rulemaking initially proposed as one action.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4089

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RIN: 2040–AD12

3575. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C—WASTEWATER DISCHARGE INFORMATION

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

Unfunded Mandates: Undetermined

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

Legal Authority: 33 USC 1342 CWA sec 402

CFR Citation: 40 CFR 122.21(g)

Legal Deadline: None

Abstract: All existing manufacturing, commercial, mining, and silvicultural operations requiring a National Pollutant Discharge Elimination System (NPDES) permit must submit an

application in order to obtain a permit. The existing industrial application form has not been revised since 1984 and needs to be updated to reflect statutory and regulatory changes in the NPDES program, advances in analytical methods and an increased emphasis on toxic control. The purpose of this action is to revise and consolidate existing application forms and requirements for industries, and to streamline the permit application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency 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	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3234

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RIN: 2040–AC26

3576. NPDES STREAMLINING RULE—ROUND III

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 1311 CWA sec 301; 33 USC 1312 CWA sec 302; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 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, tribal and local governments. Most of these effects are expected to be deregulatory or streamlining in nature. This rulemaking is in the very early stages.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3786

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RIN: 2040–AC84

3577. 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 1361(a) CWA sec 501(a); 33 USC 1345 CWA sec 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 and small governmental jurisdictions. EPA expects that these changes will increase flexibility and thus reduce the regulatory burden.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4207

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RIN: 2040–AC53

3578. STREAMLINING 301(H) WAIVER RENEWAL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1361(a) CWA sec 501(a)

CFR Citation: 40 CFR 125(g)

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 would specify 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 and continued predicted 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	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3804

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RIN: 2040–AC89

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Safe Drinking Water Act (SDWA)

3579. ● USE OF SCREENING PROCEDURES FOR COMPLIANCE MONITORING OF DRINKING WATER CONTAMINANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f SDWA sec 1401; 42 USC 300g-1 SDWA sec 1412; 42 USC 300j-4 SDWA sec 1445

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

Abstract: The 1996 SDWA Amendments require EPA to review new analytical methods that may be used for regulated contaminants screening or analysis, including screening methods. After this review, EPA may approve such methods that are deemed more accurate or cost-effective than established reference methods for use in compliance monitoring (SDWA, sec 1445(I)) or the monitoring of unregulated contaminants. In this regulatory effort, EPA proposes to integrate the use of screening methods in the overall scheme of drinking water compliance monitoring. Efforts will be made to keep the proposal consistent with the Office of Water plan for Performance Based Methods (PBMS). EPA will identify regulated contaminates, types of monitoring and specific areas within each monitoring framework which are amenable to the use of screening methods. A logical application of screening procedures will be in a tiered monitoring mode where ''Tier 1'' (screening phase) would identify the principal problem areas while ''Tier 2'' would use sampling and analysis to more carefully identify and quantify specific contaminants. EPA will identify specific screening methods which are available for use based on their performance characteristics, tolerance to sample interferences, validation for drinking water analysis and correlation of results with traditional instrumental methods. The use of screening methods is expected to make drinking water compliance monitoring cheaper and faster, and provide flexibility to the Public Water Systems in the choice of analytical methods. Laboratory acceptance limits and other method performance requirements that were specified under previous rules will not be changed in this rule making. This proposal will only add new analytical methods and/or analytical approaches and will not withdraw or modify previously approved methods.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4212

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RIN: 2040–AD31

3580. 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.

Legal Authority: 42 USC 300f SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:
Other, Statutory, February 6, 1999, Publish radon health risk reduction and cost analysis.
NPRM, Statutory, August 6, 1999.
Final, Statutory, August 6, 2000.

Abstract: Radon in drinking water increases risk to public health, both from inhalation of radon discharged through normal household water use, such as showering, and from ingestion of water. In 1991, EPA estimated that radon in public drinking water supplies causes about 192 avoidable cancer cases each year. EPA does not currently regulate radon in drinking water. On July 18, 1991, EPA proposed a Maximum Contaminant Level (MCL) for radon in drinking water at 300 pCi/L, to address radon in public water

supplies (systems serving over 25 individuals or with greater than 15 service connections). EPA withdrew the proposed radon regulation on August 6, 1997 (62 FR 42221). This rule will impact small entities, including small public water supplies and municipalities. Tribal governments will be affected if they provide water through systems meeting the definition of public water supply. States with primacy will implement the final regulation, and will be asked to assist EPA in developing guidelines for multi-media mitigation programs.

The 1996 Amendments to the Safe Drinking Water Act add new radon requirements. Congress directed EPA to: (1) Withdraw the 1991 proposed rule; (2) Work with the National Academy of Sciences (NAS) to conduct a risk assessment for radon in drinking water and an assessment of the health risk reduction benefits associated with various mitigation methods of reducing radon in indoor air; (3) Publish a radon health risk reduction and cost analysis for possible radon MCLs for public comment, by February 1999; (4) Propose MCL Goal and National Primary Drinking Water Regulation (NPDWR) for radon by August 1999; and (5) Publish MCL Goal and Final NPDWR for radon, by August 2000.

Pursuant to 1412 (b)(13) of SDWA, EPA promulgates an MCL more stringent than necessary to reduce the contribution to radon in indoor air from drinking water to a concentration that is equivalent to the national average concentration of radon in outdoor air, the Agency must establish an alternative MCL. The level of the alternative MCL is linked to average outdoor radon levels. If an alternative MCL is established, EPA must publish guidelines for States to develop multimedia radon mitigation programs. If EPA approves a State multimedia mitigation program, public water supply systems within the State may comply with the alternative MCL. EPA shall evaluate multimedia radon mitigation programs every 5 years.

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Notice	02/26/99	64 FR 9560
Reproposal	08/00/99	
Final Action	08/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2281

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RIN: 2040–AA94

3581. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUND WATER RULE

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

Legal Authority: 42 USC 300f SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:
Final, Statutory, May 31, 2002, After August 6 1999 but before May 31 2002.

Abstract: The Safe Drinking Water Act as amended in 1996 directs EPA to promulgate regulations requiring disinfection as necessary for ground water systems. The intention is to develop a protective public health approach which assures a baseline of protection for all consumers of ground water and sets in place an increasingly targeted strategy to identify high risk or high priority systems that require greater scrutiny or further action. Development and implementation of the rule will involve local, tribal, State and Federal governments. The structure of the rule is a series of barriers to microbial contamination. The multiple-barrier approach relies upon four major components: 1) periodic onsite inspections of ground water systems requiring the evaluation of eight key areas and the identification of significant deficiencies; 2) source water monitoring for systems drawing from vulnerable aquifers without treatment or with other indications of risk; 3) a requirement for correction of significant deficiencies; and 4) a requirement for treatment where contamination or significant deficiencies are not or cannot be corrected, and alternative sources of drinking water are not available. EPA believes that the combination of these elements strikes an appropriate regulatory balance which tailors the intensity or burden of protective measures and follow-up action to the risk being addressed.

Timetable:

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

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2340

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RIN: 2040–AA97

3582. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 300f SDWA sec 1412

CFR Citation: 40 CFR 141(Revision); 40 CFR 142 (Revision)

Legal Deadline:
Other, Statutory, February 2, 1997, Arsenic Study Plan.
NPRM, Statutory, January 1, 2000.
Final, Statutory, January 1, 2001.

Abstract: The Safe Drinking Water Act (SDWA) Amendments of 1996 require EPA to develop and carry out a study plan to reduce the uncertainty in assessing health risks of low levels of arsenic. Currently the National Primary Drinking Water Regulation (NPDWR) for arsenic is 50 ppb, or 50 ug/L. However, the existing risk assessment projects the risk of skin cancer at 1 in ten-thousand for 2 ppb arsenic. Arsenic ingestion is also associated with internal cancer, but the risk of internal cancer has not been quantified. EPA is to propose a revised NPDWR for arsenic by January 1, 2000, and promulgate the NPDWR by January 1, 2001.

The SDWA directs EPA to establish a maximum contaminant level (MCL) as

close to the maximum contaminant level goal (MCLG) as feasible, considering treatment efficacy and costs. EPA must list affordable technologies or treatment techniques that achieve compliance with the MCL for three categories of small systems considering the quality of the source water. Furthermore, alternatives to central treatment, such as point-of-use and point-of-entry devices, can be considered for small systems that maintain control over operation and maintenance. At the time of proposal, EPA must seek comment on its analyses of costs of compliance and health risk reduction benefits likely to occur as the result of treatment to comply with the proposed MCL and any alternatives being considered.

Timetable:

Action	Date	FR Cite
Arsenic Study Plan	12/24/96	61 FR 67800
NPRM	01/00/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 2807

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RIN: 2040–AB75

3583. FILTER BACKWASH RECYCLING REGULATION

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: 42 USC 300f SDWA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:
Final, Statutory, August 31, 2000.

Abstract: The regulation will control the recycle, or reintroduction, of filter backwash and other waste water streams into the influent (untreated source waters entering the treatment plant) of public utilities. The regulation is required by the 1996 amendments to the Safe Drinking Water Act. The regulation is necessary to protect against outbreaks of waterborne microbial disease that can occur during normal treatment plant operation, operational upsets, or times of poor source water quality. The regulation will provide another barrier to prevent occurrence of microbial pathogens in finished drinking water supplies.

Systems of all sizes will be covered by the regulation. Conventional, direct, and in-line filtration plants, as well as absorption clarification plants, will be addressed by the final rule.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	08/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4146

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RIN: 2040–AD17

3584. LONG TERM 1 ENHANCED SURFACE WATER TREATMENT RULE

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: 42 USC 300f SDWA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

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

Abstract: The 1996 amendments to the Safe Drinking Water Act (SDWA) require the Environmental Protection Agency (EPA) to establish National Primary Drinking Water Regulations for contaminants that may have an adverse public health effect and that present a meaningful opportunity for health risk reduction. The Agency's goal in the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) is to reduce the risk from microbial contaminants in public surface water systems that serve 10,000 people or less. In order to accomplish this, the rule will focus on turbidity reduction through filtration performance improvement, and continued microbial protection through the disinfection benchmark (i.e. a measurement of current Giardia inactivation). In November 1998, EPA promulgated Interim Enhanced Surface Water Treatment Rule (IESWTR) , which focuses on these same public health goals and is applicable to public surface water systems serving greater than 10,000 people. Like the IESWTR, the LT1ESWTR will reflect the fundamental principle that new standards for control of disinfection byproducts (i.e. compliance with the Stage 1 DBP rule) must not result in significant increases in microbial risk. To develop the LT1ESWTR, EPA will use the template of the Interim Enhanced Surface Water Treatment Rule (IESWTR) as a starting point. EPA will then evaluate if the principles for reduction in turbidity used to develop the IESWTR will be appropriate for the LT1ESWTR.

Timetable:

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

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4147

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RIN: 2040–AD18

3585. PUBLIC WATER SYSTEM PUBLIC NOTIFICATION 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: 42 USC 300f et seq

CFR Citation: 40 CFR 141.32; 40 CFR 142.14; 40 CFR 142.15; 40 CFR 142.16

Legal Deadline: None

Abstract: This action revises an existing regulation to incorporate the new public notification provisions in section 1414(c) of the Safe Drinking Water Act. The basic requirement for public water systems with violations of drinking water standards to give public notification is not changed by the 1996 SDWA amendments. A Public Water System is required under section 1414(c) of the SDWA to provide notification to its customers whenever: (1) a violation of certain drinking water regulations occurs (including MCL, treatment technique, and monitoring/reporting requirements); (2) a variance or exemption to those regulations is in place or the conditions of the variance or exemption are violated; or (3) results from unregulated contaminant monitoring required under section 1445 of the SDWA are received. The Administrator is required under this statute to prescribe by regulation the manner, frequency, form, and content for giving notice. The existing regulation is in 40 CFR section 141.32. States are required to adopt this rule to retain primacy under 40 CFR section 142.10.

The 1996 amendments significantly revise the public notification requirements. The amendments: (1) require notice within 24 hours for violations posing a serious public health risk from short term exposure and give EPA discretion to set the timing of the notification for all other violations; (2) give EPA discretion to set the method of delivery of the notices as long as the public notice reaches all persons served; (3) establish a specific requirement for EPA consultation with the States in issuing revised regulations; (4) allow the primary States to prescribe alternative notification requirements by rule with respect to the form and content of the notice. One other new requirement -- for public water systems to prepare an annual consumer confidence report -- is being implemented under a separate regulatory action.

The benefits of the revised public notification regulations will be to streamline the existing requirements, provide quicker and more effective notification of violations that have a serious adverse effect, and better inform the customers of public water systems of the quality of their drinking water and the risk to their health.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4009

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RIN: 2040–AD06

3586. DRINKING WATER UNREGULATED CONTAMINANT MONITORING PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 300(f) et seq

CFR Citation: 40 CFR 141.35(a) to (d); 40 CFR 141.40(a) to (n)

Legal Deadline:
NPRM, Statutory, See additional information.
Final, Statutory, August 6, 1999.

Abstract: The Unregulated Contaminant Regulation is required by the Safe Drinking Water Act as amended in 1996. Under these amendments EPA is required to publish a list of not more than 30 unregulated contaminants which public water supply systems must monitor to determine, on a national basis, the location, concentration and related information regarding the occurrence of these contaminants and their potential for migrating to sources of public drinking water. EPA is to issue regulations which establish criteria for listing contaminants and for carrying out the Unregulated Contaminant Monitoring Program. The monitoring results are to be used by the Agency in determining which contaminants pose the greatest risks to human health and, if necessary, in setting priorities for their regulation. Conversely, contaminants that potentially pose risk to human health but are not found in drinking water supplies may be removed from consideration for regulation. The requirement to monitor for unregulated contaminants was first established by the 1986 Amendments to the Safe Drinking Water Act, requiring as many as 48 contaminants to be monitored. Additionally, only public water systems serving 500 persons or fewer were exempt from monitoring provided that they made their facilities available for the States to monitor. Repeat monitoring was required every 5 years. The 1996 Amendments reduce the burden upon public water systems in several ways. The Amendments limit the number of contaminants that can be on the unregulated contaminant monitoring list to 30 or fewer. Instead of requiring all systems to monitor for unregulated contaminants, the amendments require that only a representative sample of systems serving 10,000 or fewer persons monitor. The SDWA Amendments authorize States to develop representative sample monitoring plans. Finally, the SDWA Amendments authorize EPA to pay for the reasonable cost of testing for the small public water systems if funds are appropriated.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Rule	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4131

Legal Deadline: Statutory deadline for list of 30 or fewer unregulated contaminants to be issued.

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RIN: 2040–AD15

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Safe Drinking Water Act (SDWA)

3587. NATIONAL PRIMARY AND SECONDARY DRINKING WATER REGULATIONS: ANALYTICAL METHODS FOR CERTAIN PESTICIDES AND MICROBIAL CONTAMINANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f SDWA sec 1401; 42 USC 300g-1 SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

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

In this regulatory effort, EPA plans to approve the use of a new membrane filter medium for the simultaneous detection of total coliform and Escherichia coli (E. coli) and three revised chemical analytical methods for compliance determinations of acid herbicides and diquat in drinking water. EPA will withdraw approval of one EPA Method for acid herbicides due to a significant number of complaints concerning problems with the method. The cost of the new method which will replace it is about the same as the old method. The Agency is also amending and clarifying laboratory certification requirements to make the current storage and transit temperature-holding recommendation a requirement (i.e., all source water samples collected for the analysis of total coliforms or fecal coliforms under the Surface Water Treatment Rule (SWTR) and water samples collected for the analysis of heterotrophic bacteria in any distribution system be held at a temperature below 10 degrees C during storage and transit).

Timetable:

Action	Date	FR Cite
NPRM	07/31/98	63 FR 41133
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4044

This regulation was split from RIN 2040-AC77, SAN 3726.

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RIN: 2040–AD04

3588. ● NATIONAL PRIMARY AND SECONDARY DRINKING WATER REGULATIONS: ANALYTIC METHODS FOR ORGANIC, INORGANIC AND MICROBIOLOGICAL CONTAMINANTS AND PESTICIDES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f SDWA sec 1401; 42 USC 300g(1) SDWA sec 1412

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 newer versions of existing methods for organic, inorganic and microbiological contaminants. At the same time, the Agency will withdraw approval of selected outdated methods.

Timetable:

Action	Date	FR Cite
NPRM	09/03/98	63 FR 47115
Direct Final Rule	09/03/98	63 FR 47097
Direct Final Rule Withdrawn	12/31/98	63 FR 72200
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4257

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RIN: 2040–AD29

3589. ● NATIONAL PRIMARY DRINKING WATER REGULATIONS: ANALYTICAL METHODS FOR MICROBIAL, LEAD AND MAGNESIUM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f SDWA sec 1401; 42 USC 300g-1 SDWA sec 1412

CFR Citation: 40 CFR 141.21; 40 CFR 141.23

Legal Deadline: None

Abstract: Under the Safe Drinking Water Act, EPA is required to approve analytical methods to be used in

compliance monitoring of drinking water. Periodically, the Agency amends the regulations to approve additional methods, or modifications to approved methods, or withdraws methods that become obsolete or amends other requirements (such as laboratory certification requirements) associated with approved methods.

This regulatory action would approve two new microbiological methods, one lead method, and six magnesium methods. Specifically, EPA is proposing to approve the E*Colite test and ColiBlue24 test that simultaneously determine the presence of total coliforms and E. coli in drinking water. These organisms must be monitored under the Total Coliform Rule (40 CFR 141.21). The Agency is also proposing to approve differential pulse aniodic stripping voltammetry for measuring the level of lead in drinking water under the Lead and Copper Rule. If approved, systems may either use one of these tests or any other approved test for total coliforms/E. coli or lead in drinking water. Finally, the Agency is proposing to approve six methods for measuring the level of magnesium in source and finished water. The magnesium methods would allow certain surface water systems that are unable to achieve the specified level of total organic carbon removal required by the Stage 1 Disinfection Byproduct Rule (DBPR) to meet instead one of several alternative performance criteria allowed by the DBPR, including the removal of 10 mg/L magnesium hardness from source water.

Timetable:

Action	Date	FR Cite
NPRM	01/14/99	64 FR 2538
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4221

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RIN: 2040–AD30

3590. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR LEAD AND COPPER

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/12/96	61 FR 16348
NOA	04/22/98	63 FR 20038
NOA	08/18/98	63 FR 44214
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3440

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RIN: 2040–AC27

3591. 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 300f SDWA sec 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 Rule	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3563

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RIN: 2040–AC41

3592. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADIUM, URANIUM, ALPHA, BETA AND PHOTON EMITTERS

Priority: Other Significant

Legal Authority: 42 USC 300f SDWA sec 1412

EPA—SDWA

Final Rule Stage

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:
Final, Judicial, November 18, 2000, Uranium.
Other, Judicial, November 30, 2000, See Additional Information.

Abstract: Standards for radium, alpha, and beta and photon emitters were promulgated in 1976. They were included in the list of 83 contaminants for regulation (because they had MCLs but not MCLGs), along with uranium and radon, in the 1986 Safe Drinking Water Act (SDWA) Amendments. Regulations for uranium, radium 226, radium 228, and gross alpha and beta particles were proposed on July 18, 1991. The 1991 proposal was to raise the standard for radium 226/228 from combined level of 5 pCi/l to a separate standard of 20 pCi/l, and proposed uranium at 20 ug/l pursuant to court order. EPA will take final action on proposed uranium regulations by November, 2000, and final action on radium, alpha, beta, and photon emitters or state reasons for not taking final action by November, 2000.

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
NODA	04/00/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3992

Judicial Deadline Description: Final or stated rationale for not taking final action on Radium, Alpha, Beta and Photon emitters.

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RIN: 2040–AC98

3593. REVISIONS TO THE UNDERGROUND INJECTION CONTROL REGULATIONS FOR CLASS V INJECTION WELLS

Priority: Other Significant

Legal Authority: 42 USC 300h SDWA 1421 to 1425

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

Legal Deadline:
NPRM, Judicial, July 18, 1998.
Final, Judicial, August 29, 1999, Unopposed motion for extension is pending.

Abstract: This rule is formerly known as Management of Class V Injection Wells under Part C of the Safe Drinking Water Act. The EPA proposed changes to the Class V Underground Injection Control (UIC) regulations that would add new requirements for three categories of Class V wells that pose a high risk when located in ground water-based source water protection areas being delineated by States under the 1996 Amendments to the Safe Drinking Water Act (SDWA). EPA proposed these new requirements to address three categories of wells that it has identified as posing a high risk of ground water contamination based on available information. Class V wells that would be impacted by the proposed regulation include motor vehicle waste disposal wells, industrial waste disposal wells, and large-capacity cesspools in ground water-based source water protection areas. Targeting the requirements to those wells will achieve substantial protection of underground sources of drinking water.

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44652
Reproposal	07/29/98	63 FR 40585
Final	11/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 2778

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RIN: 2040–AB83

3594. DRINKING WATER STATE REVOLVING FUND REGULATIONS

Priority: Other Significant

Legal Authority: 42 USC 300 et seq SDWA 1452 (g)(3)

CFR Citation: 40 CFR 35 (New)

Legal Deadline: None

Abstract: The Safe Drinking Water Act (SDWA) Amendments of 1996 (Pub. L. 104-182) authorize a Drinking Water State Revolving Fund (DWSRF) to assist public water systems in financing the costs of infrastructure needed to achieve or maintain compliance with SDWA requirements and to further the public health objectives of the Act. Section 1452(a)(1) authorizes the Administrator of the U.S. Environmental Protection Agency (EPA) to award capitalization grants to States, which in turn provide low cost loans and other types of assistance to eligible systems. A State determines the portion of the funds from the capitalization grant to conduct set-aside activities and the remaining grant monies are deposited into the project Fund to finance infrastructure projects. Each State has considerable flexibility, with minimum Federal requirements imposed, to determine the design of its DWSRF program and to direct funding toward its most pressing compliance and public health needs. This regulation is intended to codify the DWSRF Final Guidelines published in February, 1997 which explain: what States must do to receive a DWSRF capitalization grant; what States may do with Federal capitalization grant funds; what States may do with funds the law intends for activities other than project construction (set-asides); and the roles of both the States and EPA in managing and administering the program. The DWSRF program helps to ensure that the Nation's drinking water supplies remain safe and affordable, that drinking water systems that receive funding are properly operated and maintained, and that permanent institutions exist in each State to provide financial support for drinking water needs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/99	
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: No

EPA—SDWA **Final Rule Stage**

Government Levels Affected: State, Local

Additional Information: SAN No. 4152

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RIN: 2040–AD20

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Safe Drinking Water Act (SDWA)

3595. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE

Priority: Other Significant

Legal Authority: 42 USC 300f SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline:
Other, Statutory, August 6, 2001, Decision whether or not to regulate.

Abstract: Sulfate is on the list of 83 contaminants required to be regulated under SDWA of 1986. The contaminant was deferred from the Phase V regulation in order to allow the Agency time to focus on implementation issues arising from the proposal concerning the risk of sulfate in drinking water to specific subpopulations. Sulfate can cause diarrhea in infants and in adults not acclimated to high sulfate-containing water, such as travelers. Persons who are acclimated to high sulfate-containing water suffer no adverse effects from its consumption. Sulfate occurs naturally in soil and is also found in surface water as a result of acid rain. Sulfate is also used as a reagent in steel and copper industries and in the manufacture of copper sulfate, a fungicide/algicide. An estimated 2,000 systems--serving a population of 200,000 residents, 1 million travelers, and 30,000 infants--are likely to be affected by this regulation. Most of the affected systems serve populations of less than 3,000 and are transient systems not in service year-round. Known treatment technologies include reverse osmosis, ion exchange, and electrodialysis. EPA proposed several options for compliance which would be an alternative to central treatment and less costly. The alternatives would include public education, public notification, and provision of alternative water to affected populations. The 1996 amendments to the SDWA call for a definitive study to resolve remaining health risk questions to be completed by February 1999. Thereafter, EPA is to make a determination by August 6, 2001, of whether or not to regulate sulfate. If EPA determines to regulate sulfate, the SDWA provides for a proposal within 24 months of this decision and final promulgation 18 months thereafter. EPA and the Centers for Disease Control have conducted the health risk study for sulfate. The results of the study will serve as input for EPA's contaminant identification and selection protocol, which would be the basis for the Agency's determination on whether to regulate sulfate. In addition, the Agency will need to make a determination on the adequacy of existing occurrence data for sulfate and, if inadequate, consider approaches for filling data gaps (if a decision is made to develop a regulation).

Timetable:

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65578
Notice of Sulfate Study	02/11/99	64 FR 7028
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3176

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RIN: 2040–AC07

3596. NATIONAL PRIMARY DRINKING WATER STANDARDS FOR ALDICARB

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 300f SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: EPA promulgated MCLs for aldicarb, aldicarb sulfoxide, and aldicarb sulfone in the Phase II rulemaking in 1991 at levels of 7 ug/l each. In response to an administrative petition from the manufacture Rhone-Poulenc, the Agency issued an administrative stay of the effective date. EPA will reexamine risk assessment and occurrence data on aldicarb. EPA will then make a determination of what further action may be appropriate.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3238

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RIN: 2040–AC13

3597. 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 300f-4 SDWA sec 1445

CFR Citation: 40 CFR 141.2; 40 CFR 141.23; 40 CFR 142.14; 40 CFR 142.16; 40 CFR 142.18

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

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. The Agency issued a Federal Register Notice on July 30, 1998 indicating that the monitoring requirements had been reviewed and that no changes were being made at the time. The Agency, however, is evaluating additional data to determine whether any changes may be necessary in the future and looking at other options to streamline the regulations.

Timetable:

Action	Date	FR Cite
ANPRM	07/03/97	62 FR 36099
Notice of Review	07/30/98	63 FR 40709
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3761

(Combining with SAN 3565 and RIN 2040-AC52)

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RIN: 2040–AC73

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Completed Actions
Safe Drinking Water Act (SDWA)

3598. 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

Completed:

Reason	Date	FR Cite
Final Action	12/16/98	63 FR 69389

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Thomas Grubbs
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RIN: 2040–AB82

3599. 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

Completed:

Reason	Date	FR Cite
Final Action	12/16/98	63 FR 69477

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Elizabeth Corr
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RIN: 2040–AC91

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions
Marine Protection Research and Sanctuary Act (MPRSA)

3600. 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.

Legal Authority: 33 USC 1401 et seq MPRSA

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

Legal Deadline: None

Abstract: This rulemaking would revise the regulations applicable to the ocean dumping of dredged material. Issuance of these regulations would respond to the decision in National Wildlife Federation v. Costle, 629 F. 2d. 118 (DC

EPA—MPRSA **Long-Term Actions**

Cir.1980) and incorporate program experience gained since the issuance of the current regulations in 1977. The revisions will make necessary technical changes and will improve the clarity of the regulations, with supporting technical guidance on disposal site selection, site management, and site monitoring. These revisions will clarify issues that have caused delays in the evaluation of permit applications. The regulations will improve environmental assessments of permit applications, and improve the protection of benthic communities in the vicinity of a dump site. The regulations will affect local governments if they are responsible for maintenance of navigable waters by dredging and request a permit for disposal of dredged material in the ocean.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local, Federal

Additional Information: SAN No. 2737

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RIN: 2040–AB62

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Shore Protection Act (SPA)

3601. SHORE PROTECTION ACT, SECTION 4103(B) REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2601 Shore Protection Act of 1988; PL 100-688 sec 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. 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	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Additional Information: SAN No. 2820

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RIN: 2040–AB85

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