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EPA

Environmental Protection Agency

Regulatory Plan And Semiannual Agenda Of Regulatory And Deregulatory Actions

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Statement of Regulatory Priorities

An Era of Opportunity

During the past 25 years, 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 problems remaining are more complex than those of the past and they require more sophisticated, tailor-made remedies. EPA has begun a wholesale effort to rethink 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.

Building a Better System

EPA's efforts to develop a system that works better and costs less are focused on four areas: Reducing regulatory and paperwork burdens, improving environmental compliance, regulating for greater results, and increasing community participation and partnerships. We are pursuing this through every possible venue, 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 industries. These are innovative alternatives that are less costly but that still meet environmental and public health protection goals.

Externally, EPA is bringing together stakeholders from businesses, State and local governments, and labor and public interest groups so that all interested parties can participate in the design of innovative, less costly approaches to environmental and public health protection. This stakeholder involvement increases flexibility, promotes local stewardship, and helps establish and strengthen partnerships between the public and private sectors—all without sacrificing environmental or public health protection.

Also, as EPA develops this new regulatory system, it will increase its focus on protecting the health of children, taking into account their unique characteristics and vulnerabilities. By April 24, 1998, EPA will develop guidance to implement the new Executive order on protecting children's health from environmental risks. This guidance will assist the Agency in preparing a "Children's Impact Statement" for economically significant regulations. In addition, following an inclusive public process, EPA will identify and then reevaluate five existing environmental or public health standards to ensure that they sufficiently protect children's health.

Eliminating Unnecessary Regulations

The Agency continues to examine existing environmental regulations and paperwork in order to simplify and streamline compliance for the regulated community. This is consistent with the President's announcement in February 1995 that all Federal agencies must conduct a line-by-line review of their regulations and eliminate those that are obsolete or redundant. EPA has already made changes to more than 70 percent of its regulations and eliminated approximately 1,400 pages of obsolete rules from the Code of Federal Regulations (CFR), some 10 percent of EPA's total CFR regulations. In March 1995, EPA set a goal of reducing by 25 percent the paperwork burden associated with requirements in effect as of January 1, 1995. By January 1997, EPA had removed 15.6 million hours of paperwork burden, a reduction of about 15 percent, and had targeted an additional 8.3 million hours for future removal. In a more recent analysis prepared in April 1997 for the Agency's Information Streamlining Plan, EPA projects that by October 1, 1998, reductions will exceed the Agency's goal by more than 2 million hours.

EPA is creating several opportunities for regulatory and paperwork streamlining. For example, in partnership with the States, the Agency is developing a "one-stop" environmental reporting system that will allow facilities to submit required environmental permitting and compliance data on-line. This can save businesses and other regulated facilities time and money, help bring about quicker decisions on permitting and compliance actions, improve data accuracy, and enhance public access to environmental information.

In the area of clean water regulation, an innovative streamlining policy allows facilities to significantly reduce discharge monitoring and reporting, as long as they have good historical compliance records and are discharging higher quality water than required by their permit. In pesticide regulation, a new streamlining procedure allows pesticide registrants to make limited changes to their registration with a simple notification to the agency rather than with the usual burdensome amendment application.

Improving Environmental Compliance

Once EPA establishes public health and environmental protection rules, the Agency must ensure that businesses and others can understand and comply with them. This is particularly important for small businesses and communities that have limited staff and resources. To help these small entities, EPA is taking several steps. First, the Agency is establishing compliance assistance centers to serve as direct, readily available sources of information on the latest regulatory requirements for small businesses. EPA is also offering to reduce or eliminate penalties for violations if small businesses establish programs to detect, publicly disclose, and fix problems—as long as the violation does not involve criminal activity or a serious risk to public health or the environment. Besides making life easier for businesses and other regulated facilities, these steps can help prevent pollution and lessen the burden and expense of cleanup.

Increasing Community Participation and Partnerships

EPA recognizes that a new and improved system of environmental protection must include stronger partnerships between the public and private sectors and between the States and the Federal Government. It would also include a greater role for citizens in local, community-based decisionmaking. The Agency has taken several steps to improve these relationships and involve citizens. For example, the Agency offers Brownfields grants and Sustainable Development Challenge grants that give communities the resources necessary to clean up contamination, especially from abandoned industrial sites, and to restore environmental quality and provide environmentally sound economic opportunities. EPA also is providing better public access to environmental data, including information specific to individual communities. In fact, the public

retrieves more than 3.5 million EPA electronic documents every month, information that citizens can use to make a difference in their communities.

EPA and the States are reinventing their working relationship to strengthen management of the Nation's environmental programs. Under the National Environmental Performance Partnership System (NEPPS), EPA has negotiated agreements with 30 States to give strong State programs more leeway to set environmental priorities, design new strategies, and manage their own programs, while concentrating EPA oversight and technical assistance on weaker programs. Also, the recent agreement between EPA and the States on Core Performance Measures is another major step forward. These measures emphasize outcomes over activities and should strengthen EPA's ability to measure environmental progress over the long term.

To stregthen the relationship between the private and public sectors, EPA now is consulting with regulated industries earlier in its rule development processes. EPA sometimes employs formal consensus-based rulemaking, such as regulatory negotiations. More frequently, however, the Agency depends on informal outreach to potentially affected parties. The Agency has paid particular attention to its relationship with small businesses and, in fact, EPA has long been prominent among Federal agencies in its outreach to these small entities. The Agency not only rigorously implements the Small Business and Regulatory Enforcement Fairness Act of 1996 (SBREFA) and the Regulatory Flexibility Act (RFA), but it also uses its Small Business Ombudsman and its Office of State and Local Relationships to reach out to small entities.

Highligts of EPA's Regulatory Plan for 1997

EPA's regulatory plan for 1997 reflects the Agency's continuing commitment to create new environmental protection strategies that better protect public health and the environment at lower cost. Here are some highlights from each program office:

Office of Air and Radiation

EPA is committed to taking advantage of the flexibility granted by the Clean Air Act that enables companies, States, and communities to meet clean air goals with innovative, low-cost approaches. The Office of Air and Radiation will make nearly 200 changes in existing rules and regulations and is drafting future rules to reflect the common-sense principles of the reinvention effort. Here are a few examples:

- EPA recently established more stringent air quality standards for ozone and particulate matter based on new scientific and technical information. While the new standards offer tough protection for public health and the environment, EPA is also developing an implementation strategy that gives States and industry flexibility with which they can meet these air quality goals. The implementation strategy: (a) Respects agreements already reached by communities and businesses and does not disrupt current progress toward improving air quality; (b) recognizes the need to take regional approaches toward addressing air pollution and finds that the most cost-effective mechanism for doing so is an emissions trading plan for utilities that was recommended by 37 States; (c) gives areas that use these regional measures a "transitional" status and allows EPA to devise an approach that eliminates unnecessarily burdensome planning and pollution reduction requirements; and (d) provides sufficient time for developing cost-effective control plans and for compliance.
- EPA, building on successful State programs, has been working with stakeholders to develop a more streamlined way that facilities can get operating permit updates from State or local agencies. Depending on the environmental significance of the change, States would have greater flexibility to decide the appropriate amount of EPA and public review for most permit revisions.
- EPA will issue a final policy for open-market trading of ozone/smog precursors (volatile organic compounds and oxides of nitrogen) that will allow companies to trade emission credits without prior State or Federal approval. EPA believes this flexibility will help areas meet or maintain EPA's ozone standard at far less cost and provide greater incentive for companies to develop innovative emission reduction technologies.
- EPA will issue a final rule requiring additional emission reductions of nitrogen oxides, hydrocarbons, and particulate matter from mobile heavy-duty engines such as those used in trucks and buses. The Agency brought together potentially affected industries, States, regional air management organizations, and public health and environmental interest groups to participate in the rule's development.
- The Agency has proposed changes to simplify and streamline the New Source Review Program, which requires newly built facilities or those undergoing major modification to obtain a permit to ensure that emissions will not cause or contribute to air pollution problems.
- EPA will issue a final rulemaking to complete the framework for the national low-emission vehicle (NLEV) program. The program, developed in conjunction with States, automakers, and others will help States meet national air quality standards by providing cleaner cars nationwide.
- Reflecting a new emphasis on multi-media environmental protection, EPA will soon issue a final integrated rule for the pulp and paper industry that controls the release of pollutants to both water and air. The regulations are being developed jointly to provide greater protection to human health and the environment, promote pollution prevention, and enable the industry to comply more effectively.
- Because the ozone/smog problem in the cities cannot be solved by emissions reductions from cars and factories alone, the Clean Air Act calls for reducing emissions from smaller sources of smog-causing volatile organic compounds (VOCs). EPA is developing final rules to require such reductions from consumer products and architectural coatings. EPA is soliciting extensive input from the regulated industries, especially small businesses, and is designing the rules to maximize their cost-effectiveness and sensitivity to small business concerns.
- EPA has worked with major stakeholders to design a final rule assuring that air emissions control equipment is properly monitored and maintained. This underscores EPA's commitment to preventing pollution rather than imposing additional command-and-control regulations.
- From discussions with affected industries, EPA has learned that many companies find it difficult to know what is expected of them given the growing complexity of the regulatory system during the last 25 years. In many cases, regulations may be duplicative, overlapping, or inconsistent, especially in the areas of monitoring, recordkeeping, and reporting. In response to these problems, early next year, EPA will propose a rule intended to consolidate and synchronize all Federal air regulations that apply to the synthetic

organic chemical manufacturing industry. If this pilot program proves successful, it will be expanded to cover air rules for other industries and also possibly to water and waste requirements.

- EPA will also carry out its statutory responsibility to certify whether the Department of Energy's Waste Isolation Pilot Plant (WIPP) in New Mexico complies with regulations governing the disposal of radioactive waste. In addition, the Agency will establish health and safety standards for the high-level nuclear waste repository planned for Yucca Mountain in Nevada and will set safety standards for cleanup of radioactively contaminated sites.

Office of Water

- On August 6, 1996, President Clinton signed the Safe Drinking Water Act Amendments of 1996. The amendments will bring about substantial changes to the national drinking water program for EPA, States, and water utilities and provide greater protection and information for the 240 million Americans served by public water systems. To implement the new law, EPA will be involving diverse stakeholders in developing a new program to protect water sources; developing guidelines for consumer confidence reports that water suppliers will provide to their customers; increasing research and cost-benefit analysis; gathering data that will be used to develop a list of potential drinking water contaminants; and helping the States implement a billion-dollar drinking water State revolving fund.
- To provide more regulatory flexibility, EPA is streamling five of its water-related programs: The National Pollutant Discharge Elimination System (NPDES) program, the pretreatment program, the national primary drinking water program, the sewage sludge program, and the water quality planning and management program.
- In the NPDES program, EPA is removing outdated requirements, removing and streamlining unnecessary procedures, streamlining permit application and modification procedures, and reducing monitoring and reporting requirements. For example, EPA will consolidate and revise industrial and municipal permit application forms and streamline the application process.
- EPA is proposing to streamline the 301(h) regulations, which allow POTWs the opportunity to obtain a modification of secondary treatment requirements under certain conditions. This action would streamline the renewal process for POTWs with 301(h) modified NPDES permits.
- EPA is revising NPDES pretreatment program regulations to simplify program operation and streamline requirements. The Agency is currently considering a number of simplifying changes that would reduce the current burden to publicly owned treatment works (POTWs) and industrial users discharging to POTWs. The changes under consideration include exclusions from various requirements for small facilities that contribute insignificant amounts of pollution and reduced and/or more flexible reporting, inspection, and sampling requirements.
- The Agency is reformatting existing drinking water and effluent guideline standards to make them easier for Federal, State, and local governments and the regulated community to read and understand.
- The Agency is also streamlining the drinking water monitoring requirements to provide greater latitude for State discretion in customizing the timing and sampling frequencies for monitoring to local circumstances.
- EPA is modifying the Round I Sewage Sludge Use or Disposal Regulations to make the requirements for sewage sludge incinerators self-implementing and to provide the regulated community flexibility in meeting other sludge requirements. These changes will increase flexibility and reduce regulatory burden.
- The Agency is also streamlining the State Sewage Sludge Management Regulations to make it easier for States with well-run sewage sludge management programs to be eligible for program authorization without having to make unnecessary administrative changes to their programs.
- EPA is revising requirements for water quality planning and management to reduce the burden associated with the program and to make it more efficient. EPA is also working with a FACA Committee to identify ways to improve the efficiency, effectiveness, and pace of EPA, State, and tribal total maximum daily load programs. FACA recommendations may include changes to the water quality planning and management regulations.
- Finally, the Agency will be pursuing innovative, less-costly, nonregulatory water protection strategies, such as effluent trading within watersheds.

Office of Prevention, Pesticides, and Toxic Substances

- The new Food Quality Protection Act (FQPA), signed into law on August 3, 1996, overhauls U.S. pesticide laws to regulate pesticides on foods and better protect children. During the next 2 years, EPA will be engaged in an intensive implementation effort, including developing new regulations, guidance, and programs. As specific regulatory and program changes are identified, the Agency will enter them into the regulatory agenda.
- EPA will continue to improve the public's right to know about toxic chemicals in their community through the Toxic Release Inventory (TRI) program of the Emergency Planning and Community Right-to-Know Act (EPCRA). The TRI is a data base that provides communities with information on releases to air, water, and land for approximately 600 toxic chemicals. Armed with this information, communities can better understand the nature of toxic releases at the local level, assess risk, and make informed decisions about local priorities.
- For chemicals that are highly toxic at very low dose levels, persist for extended periods in the environment, and/or bioaccumulate through the food chain, EPA is evaluating under TRI whether to lower the reporting threshold amount—the amount of chemical a facility uses, manufactures, or processes before it must report releases. In addition, EPA is working with stakeholders to simplify the chemical reporting forms and the Agency's annual reports to make them easier to understand.
- By the end of 1997 or early 1998, EPA plans to issue a final rule that will streamline the Toxic Substances Control Act's (TSCA) PCB management program. This rule is the first comprehensive review of the PCB regulations in 17 years. The modification will allow currently prohibited activities that do not pose an unreasonable risk to health and the environment and is expected to result in significant cost savings for the regulated community.
- Currently, chemical manufacturers are required to report the names of the chemicals they produce, the quantity produced, and the locations of manufacturing facilities. EPA plans to propose expanding this to include information on potential exposure to

the chemical and how the chemicals are used (e.g., in manufacturing processes). This allows EPA and others to identify the chemicals of highest concern so that the Agency can set goals for chemical assessment, risk management, and prevention programs. The action will also encourage pollution prevention by identifying safer chemical substitutes.

- EPA intends to issue the remaining regulations mandated by the Residential Lead-Based Hazard Reduction Act of 1992, which requires EPA to establish standards for lead-based paint, lead-contaminated soil, and lead-contaminated dust. EPA will issue final regulations that require renovators to provide a lead-hazard information brochure (developed by EPA) to clients before beginning work. EPA will also propose regulations identifying what lead levels in paint, dust, and soil and what lead-paint conditions (e.g., flaking, peeling) pose a health hazard.

Office of Solid Waste and Emergency Response

- The Office of Solid Waste and Emergency Response (OSWER) is planning to propose a number of actions to streamline and simplify compliance under the Resource Conservation and Recovery Act (RCRA), the Federal law governing hazardous waste management. As part of its effort to refocus hazardous waste regulations on high-risk wastes, EPA is undertaking a number of actions to tailor standards to the nature or degree of risk posed by particular wastes. One example of this is the development of management standards for cement kiln dust. The proposed standards for this large volume waste will be tailored to protect public health and the environment while imposing minimal burden on the regulated community.
- EPA is streamlining the regulation of materials that contain substances listed as hazardous waste. Certain regulations are overly broad in that they apply regardless of the concentrations of the listed wastes or the mobility of the toxicant in the waste. As a result, they regulate certain low-risk wastes (in particular, treatment residuals) as if they posed high risk. EPA's common-sense approach would exempt these low-risk wastes from the full management requirements designed for high-risk hazardous wastes.
- On May 1, 1996, EPA published an advance notice of proposed rulemaking to solicit comment on alternative approaches to contamination cleanup at hazardous waste management facilities. EPA believes final regulations are needed to promote national consistency, clarify cleanup requirements, and reduce the number of site-specific negotiations and costly litigation.
- EPA is developing a regulation which will address the problems posed by contaminated media found at hazardous waste management facility cleanups. The Agency plans to make targetted fixes which will promote ongoing and future cleanups, as well as provide significant regulatory relief in several areas.
- EPA also plans to establish new emissions standards for hazardous waste combustors under joint Clean Air Act and RCRA authority. These revised standards will avoid duplicative Agency effort and piecemeal regulation of the hazardous waste management industry while protecting public health and the environment from chlorinated dioxins and furans.
- Finally, EPA is in the process of developing new streamlined rules governing the definition of solid waste. These rules will make it easier for companies to determine what wastes/processes are subject to RCRA jurisdiction. In addition, EPA is streamlining the requirements for managing recycled hazardous waste to provide more clarity and to remove disincentives to safe recycling.

Summary

In developing all of these actions, EPA is committed to flexible, common-sense, cost-effective regulatory programs that protect public health and the environment.

EPA

PRERULE STAGE

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

Priority:

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

Legal Authority:

PL 99-499

CFR Citation:

40 CFR 372

Legal Deadline:

None

Abstract:

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

Statement of Need:

TRI is the most complete and accessible source of information for the public on toxic chemical releases in communities across the United States. The intention of Congress was for TRI, and indeed all of EPCRA, to provide information to local communities. Communities need this information to better understand the nature of the releases at the local level. The intent of TRI has been to share information on releases with local communities to help in their assessments of the risks. This basic local empowerment is the cornerstone of the right-to-know program.

Yet because of the current reporting thresholds, TRI does not collect release and transfer data on small quantities of chemicals that may persist and bioaccumulate in the environment. Even small releases of such chemicals can have significant impacts on human health and the environment. Congress gave EPA the authority to adjust

reporting thresholds, because it recognized that this might be necessary in order to address the American publics right to know what is happening to the environment near their homes, schools, and businesses.

Summary of the Legal Basis:

42 USC 11013; 42 USC 11023; 42 USC 11048; 42 USC 11076; EPCRA S313

Alternatives:

EPA recognizes the reporting burden inherent in TRI, and is continuing to take every reasonable opportunity to minimize this burden while ensuring the public's right-to-know. As such, all available alternatives will be identified and evaluated.

Anticipated Costs and Benefits:

The anticipated costs related to this action are unknown at present. At this point the Agency is still unsure how low to set reporting thresholds or for what specific list of chemicals the lower reporting thresholds should apply. The information reported in TRI increases the knowledge levels of pollutants released to the environment and pathways to exposure, improving scientific understanding of the health and environmental risks of toxic chemicals; allows the public to make informed decisions on where to work and live; enhances the ability of corporate lenders and purchasers to more accurately gauge a facility's potential liability; and assists Federal, State, and local authorities in making better decisions on acceptable levels of toxics in communities.

Risks:

Currently communities do not have access to TRI data on chemicals that, although released in relatively small quantities, pose a potential risk to human health and the environment because they persist and bioaccumulate. By lowering the reporting thresholds for such chemicals the public will be able to determine if such chemicals are being released into their communities and whether any action should be taken to reduce potential risks.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

Federal

Sectors Affected:

495 Sanitary Services; 516 Chemicals and Allied Products; 517 Petroleum and Petroleum Products; 738 Miscellaneous Business Services

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3880.

OTHER 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).

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RIN: 2070–AD09

EPA

PROPOSED RULE STAGE

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108. • TOXICS RELEASE INVENTORY (TRI): REVIEW OF CHEMICALS ON 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.

Statement of Need:

When chemicals on the original TRI list have been subjects of petitions for delisting, thorough reviews have been carried out of toxicity and environmental data for the chemicals to determine whether the chemicals should be retained on TRI or should be delisted. Although petitions for delisting have resulted in reviews of a substantial number of chemicals on the original TRI list, this action is the first systematic review of toxicity and environmental data for all the chemicals on the original list. This action is needed to ensure that TRI lists chemicals for which data on toxicity and environmental harm meet the statutory criteria, therefore justifying the burden placed on entities required to report for the TRI program.

Summary of the Legal Basis:

Section 313(d) of EPCRA authorizes EPA to add or delete chemicals from the TRI list, and sets forth criteria for these actions.

Alternatives:

EPA recognizes the reporting burden inherent in compliance with TRI, and takes all reasonable opportunities to minimize the burden while ensuring that the public receives information necessary for protection of health and the environment. Reporting burdens would be reduced if chemicals are taken off the TRI list as a result of the data review. The possibility that chemicals will be delisted as a result of the data review is an alternative to retaining chemicals on the TRI list.

Anticipated Costs and Benefits:

The anticipated costs to industry related to this action are unknown at present. Costs to industry would be reduced if chemicals are removed from the TRI list. Benefits would result from any reduction in reporting burden as a result of the delisting of a chemical.

Risks:

TRI provides information to industry, governments and the public on chemicals that can cause harm to health or the environment. The review of toxicology and environmental data for all chemicals on the original TRI list will ensure that the list focuses only on those chemicals that pose meaningful possibilities of risks to human health or the environment, increasing the effectiveness of the TRI.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Action	12/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Federal

Sectors Affected:

495 Sanitary Services; 516 Chemicals and Allied Products; 517 Petroleum and Petroleum Products; 738 Miscellaneous Business Services

Additional Information:

SAN No. 4015.

OTHER AFFECTED SECTORS: Identify the affected industry(ies) and provide the SIC code(s): 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).

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RIN: 2070–AD18

EPA

109. TRI CHEMICAL EXPANSION; FINALIZATION OF DEFERRED CHEMICALS

Priority:

Other Significant

Legal Authority:

42 USC 11013; 42 USC 11023; 42 USC 11048; 42 USC 11076; Emergency Planning and Community Right-To-Know Act sec 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 the 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 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 addition of the 286 chemicals and chemical categories.

Statement of Need:

The original Toxic Release Inventory (TRI) chemical list consisted of 320 chemicals and chemical categories. In an effort to provide the public with a broader picture of chemicals in their communities, EPA, in accordance with EPCRA section 313(d), is expanding the original toxic chemical list. By providing the public with information on these chemicals they can participate in informed environmental decisionmaking to reduce risks to human health and the environment. On January 12, 1994 (59 FR 1788), EPA published a proposed rule to add 313 chemicals and chemical categories to the TRI chemical list. Of the 313 chemicals and chemical categories proposed, there are approximately 160 pesticide active ingredients. The chemicals being proposed were selected from numerous other regulatory lists and meet the criteria for human health and environmental toxicity in EPCRA section 313(d)(2). In addition, the chemicals passed a production volume screen to ensure that reports would be received if they are added to the TRI list. Part of this activity included the review of 17 chemicals, previously described in RIN 2070-AC40/SAN 3007. Sixteen of these chemicals are from a list of hazardous air pollutants subject to requirements of the Clean Air Act Amendments of 1990, and one was considered for addition due to its extreme aquatic toxicity. Of these 17 chemicals nine were included in the proposed rule.

Summary of the Legal Basis:

EPCRA section 313(d) authorizes EPA to add or delete chemicals from the TRI list and sets forth the criteria for these actions.

Alternatives:

EPA recognizes the reporting burden inherent in TRI, and is continuing to take every reasonable opportunity to minimize this burden while ensuring the public's right-to-know. As such, all alternatives will be identified and evaluated.

Anticipated Costs and Benefits:

The final total costs are not yet known, since the final listing decisions have not yet been made. However, estimates of the potential costs were provided as part of the economic analysis that was prepared for the proposed action. Undoubtedly, the addition of any of these chemicals or the chemical category will result in additional costs to the reporting community. The additional information reported in TRI increases the public's knowledge regarding the levels of pollutants released to the environment and pathways of exposure, improving scientific understanding of the health and environmental risks of toxic chemicals. It allows the public to make informed decisions on where to work and live; enhances the ability of corporate lenders and purchasers to more accurately gauge a facility's potential liabilities; and assists Federal, State, and local authorities in making better decisions on acceptable levels of toxics in communities.

Risks:

With more information, communities will be empowered to determine whether they need to take action to reduce risks potentially associated with

the chemicals being released in their communities. Without such information, local communities would not be aware of potential risks to the environment and human health that may result from the chemical releases of local facilities. The public can also use this data to evaluate potential risks from these chemicals and to determine how to avoid these risks.

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	04/00/98	
Final Deferred Chemicals	12/00/98	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Federal

Sectors Affected:

20 Food and Kindred Products; 21 Tobacco Products; 22 Textile Mill Products; 23 Apparel and Other Finished Products Made from Fabrics and Similar Materials

Additional Information:

SAN No. 3007.

Includes SIC codes 10 (except 1011, 1081, 1094); 12 (except 1241); 20-39, 4911; 4931; 4939; 4953; 5169; 5171; and 7389

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RIN: 2070–AC47

EPA

110. TSCA INVENTORY UPDATE RULE AMENDMENTS

Priority:

Other Significant

Legal Authority:

15 USC 2607(a)

CFR Citation:

40 CFR 710

Legal Deadline:

None

Abstract:

This action would amend the current Toxic Substances Control Act (TSCA) Inventory Update Rule (IUR) to require chemical manufacturers to report to EPA data on exposures and the industrial and consumer end uses of chemicals they produce. Currently, EPA requires chemical manufacturers to report the names of the chemicals they produce, as well as the locations of manufacturing facilities and the quantities produced. About 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 and then screen the chemicals now in commerce and identify those of highest concern; establish priorities and goals for their chemical assessment, risk management and prevention programs and monitor their progress; encourage pollution prevention by identifying potentially safer substitute chemicals for uses of potential concern; and enhance the effectiveness of chemical risk communication efforts. EPA has held meetings with representatives of the chemical industry, environmental groups, environmental justice leaders, labor groups, State governments and other Federal agencies to insure public involvement in the TSCA Inventory Update Rule Amendments Project.

Statement of Need:

There are approximately 70,000 chemicals in commerce and listed on the updated TSCA Inventory. EPA faces the challenge of sorting through these chemicals to identify the ones of most concern and then taking action to mitigate unreasonable risks. The current IUR collects some of the key data, such as production volumes, that help to identify chemicals of concern; however, information on how chemicals are used commercially, which is essential to determining possible exposure routes and scenarios and potential safer substitute chemicals, is not covered by IUR. This action will propose to modify the inventory update process so that data essential to an effective TSCA Inventory screening program are available to EPA.

In addition to the specifics of the kind and format of the desired end use data reporting, EPA will consider reforms of the IUR: How to include inorganic chemicals, which have been exempted from reporting in the past, so that risks from these chemicals can be better assessed and managed; How to ease the linkage of amended IUR data to other environmental data sources like the Toxic Release Inventory to enhance the data's usefulness; and How to change IUR reporting so that the frequency of submitter confidentiality claims is reduced so that the public can have better access to relevant data on toxics.

A national report will make data collected via the amended IUR publicly available. This report will not contain any information claimed to be confidential.

Alternatives:

Although data on the use of specific chemicals can be found in varying sources, there is no national, comprehensive, current searchable database providing consistent information on a wide variety of chemicals. EPA has examined alternate sources of the information including state information, Federal databases and privately collected information. EPA can find no information comparable to the data anticipated to be collected through amendments to the IUR.

Anticipated Costs and Benefits:

EPA anticipates costs of this action to be well under $100 million for the first year of reporting. Total costs of this action depend on the amendments to IUR that are contained in a proposed rule. The amended IUR will assist EPA in screening chemicals in commerce and identify those of highest concern; establishing priorities and goals for its chemical assessment, risk management and prevention programs and monitor their progress; identifying potentially safer substitute chemicals for uses of potential concern; and enhancing the effectiveness of chemical risk communication efforts.

Risks:

This action will secure data on describing how chemicals in commerce are used; this data is essential to determine possible exposure routes and scenarios. Using these exposure estimates, EPA's toxics program will be able to better focus on chemical risks of most concern.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected:

Businesses

Government Levels Affected:

Federal

Additional Information:

SAN No. 3301.

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RIN: 2070–AC61

EPA

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

Priority:

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

Legal Authority:

42 USC 11013; Emergency Planning and Community Right-To-Know Act sec 313; 42 USC 11023; 42 USC 11048; 42 USC 11076

CFR Citation:

40 CFR 372

Legal Deadline:

None

Abstract:

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

Statement of Need:

TRI is the most complete and accessible source of information for the public on toxic chemical releases in communities across the United States. The intention of Congress was for TRI, and indeed all of EPCRA, to provide information to local communities. Communities need this information to better understand the nature of the releases at the local level. The intent of TRI has been to share information on releases with local communities to help in their assessments of the risks. This basic local empowerment is the cornerstone of the right-to-know program.

Yet TRI would be enhanced by collecting chemical use/ materials accounting data. This additional data would provide the public with the information to measure source reduction progress, better participate in pollution prevention planning, identify source reduction opportunities and follow the flow of toxic chemicals into the community, through the manufacturing process and leaving the plant not only as transfers and releases, but also in products. Materials accounting information also allows a method of checking data reported to TRI, provides a better picture for regulatory integration and can be used for others objectives such as research and priority-setting. Congress gave EPA the authority to expand TRI, both in terms of the data reported and the facilities required to report, because it recognized that the American public has a right to know what is happening to the environment near their homes, schools, and businesses.

Summary of the Legal Basis:

42 USC 11013; 42 USC 11023; 42 USC 11048; 42 USC 11076; EPCRA Sec. 313

Alternatives:

EPA recognizes the reporting burden inherent in TRI, and is continuing to take every reasonable opportunity to minimize this burden while ensuring the public's right-to-know. As such, all available alternatives will be identified and evaluated.

Anticipated Costs and Benefits:

The anticipated costs related to this action are unknown at present. At this point the Agency is still unsure about what data elements need to be added to TRI, whether this data will even need to be collect or is already available and therefore is unable to estimate any costs. The information reported in TRI increases the knowledge levels of pollutants released to the environment and pathways to exposure, improving scientific understanding of the health and environmental risks of toxic chemicals; allows the public to make informed decisions on where to work and live; enhances the ability of corporate lenders and purchasers to more accurately gauge a facility's potential liability; and assists Federal, State, and local authorities in making better decisions on acceptable levels of toxics in communities.

Risks:

Currently communities do not have access to chemical use/ materials accounting data on the TRI. By adding such data to the TRI the public will have a more complete picture of the use and distribution of toxic chemicals in their communities as well as potential risks that might result from such use. The public will also be able to better assess how pollution prevention activities may be reducing potential risks in their communities.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/96	61 FR 51322
NPRM	08/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

Federal

Sectors Affected:

495 Sanitary Services; 516 Chemicals and Allied Products; 517 Petroleum and Petroleum Products; 738 Miscellaneous Business Services

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3877.

OTHER 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).

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RIN: 2070–AD08

EPA

112. • TRI; ADDITION OF OIL AND GAS EXPLORATION AND PRODUCTION TO THE TOXIC RELEASE INVENTORY

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 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 manufacturing facilities only. 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 is beginning 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.

Statement of Need:

The Emergency Planning and Community Right-To-Know Act (EPCRA) was passed to better plan for and prevent chemical accidents and emergencies and to provide the public with access to information regarding the release and disposition of toxic chemicals in their communities. The public access requirements of EPCRA originally covered facilities operating within the manufacturing sector. It has come to EPA's attention that industry groups not classified within the manufacturing sector also manage toxic chemicals and that information concerning their management practices is limited and not publicly available. EPA believes that activities conducted by oil and gas exploration and production facilities involve toxic chemicals and may be associated with wastes that are managed for which limited information is publicly available. EPA believes that information related to the management of wastes associated with oil and gas exploration and production activities may significantly contribute to the public's knowledge of the release and disposition of toxic chemicals in the environment.

Summary of the Legal Basis:

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 statute as originally passed required reporting from facilities in Standard Industrial Classification (SIC) codes 20-39 only. The Environmental Protection Agency (EPA) has recently expanded this original list of covered industries.

Alternatives:

Based on currently available information, existing sources of information are incomplete and do not satisfy the need of making publicly available information on the release and disposition of toxic chemicals in communities.

Anticipated Costs and Benefits:

Based on the current status of the project, anticipated costs are unknown. Estimated costs for compliance with EPCRA section 313 reporting requirements are available, but until further evaluation is completed no estimates are available for the impact of the resulting requirements. Equally true, until further evaluations are performed, estimated benefits cannot be accurately calculated. Generally, anticipated benefits will be in the form of making available more complete information regarding the release and disposition of toxic chemicals in the environment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final	08/00/99	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Federal

Sectors Affected:

13 Oil and Gas Extraction

Analysis:

Regulatory Flexibility Analysis

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

EPA

113. 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 8 of EPA's 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 Form R. EPA intends to issue a supplemental proposal to amend certain aspects of the 1991 proposed rule, as well as seek comment on a few new proposals.

Statement of Need:

TRI is the most complete and accessible source of information for the public on toxic chemical releases in communities across the United States. The intention of Congress was for TRI, and indeed all of EPCRA, to provide information to local communities. Communities need this information to better understand the nature of the releases at the local level. The intent of TRI has been to share information on toxic chemical releases with local communities to help in their assessments of the potential risks associated with such releases. This basic local empowerment is the cornerstone of the right-to-know program.

Beginning with the 1991 reporting year, the PPA has mandated the collection of source reduction and recycling information on the Form R. Without complete instructions and definitions for the terms used, facilities across the nation have been reporting this information inconsistently. These inconsistencies severely compromise the data quality of the information reported. This action will improve the understanding, awareness, and decision-making related to the collection, provision, and distribution of these required data elements.

Summary of the Legal Basis:

Section 6607 of the Pollution Prevention Act of 1990 requires the reporting of pollution prevention data under the TRI program established by section 313 of EPCRA. In order to collect data of good quality, EPA must provide instructions and definitions to ensure consistency in the interpretation of the various words and phrases used by the PPA.

Alternatives:

EPA recognizes the reporting burden inherent in TRI and the PPA, and is continuing to take every reasonable opportunity to minimize related burdens, while ensuring the public's right-to-know. Providing guidance to facilities on how to properly report the PPA data will reduce their overall reporting burden.

Anticipated Costs and Benefits:

EPA estimates that industry currently incurs a cost of $61.3 million annually to report PPA data on the Form R. This estimate does not include the costs related to the seven industries newly subject to EPCRA 313. The cost to EPA to process source reduction and waste management data equals $2.7 million each year. This action is not expected to add to these existing costs, and may actually result in a reduction to the overall industry burden and costs .

Risks:

Because of the inconsistencies in the PPA data currently reported on the Form R, communities are unable to accurately compare the risks related to release and recycling activities between different facilities. By providing covered facilities with clear guidance for reporting this information, the public will be better equipped to determine and compare the risks associated with toxic chemicals being released and managed in their community.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48475
Supplemental NPRM	04/00/98	
Final	12/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Federal

Sectors Affected:

516 Chemicals and Allied Products; 517 Petroleum and Petroleum Products; 738 Miscellaneous Business Services

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 2847.

Affected Sectors Include: SIC 10 (except 1011, 1081,1094); 12 (except 1241); 20-39; 4911; 4931; 4939; 4953;

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RIN: 2070–AC24

EPA

114. SELECTED RULEMAKINGS FOR ABATING LEAD HAZARDS

Priority:

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

Unfunded Mandates:

Undetermined

Legal Authority:

15 USC 2683; PL 102-550

CFR Citation:

40 CFR 745

Legal Deadline:

Final, Statutory, April 28, 1994, (Sections 402(a) - 403 - 404).

Other, Statutory, October 28, 1994, See additional information.

Abstract:

The Residential Lead-Based Hazard Reduction Act of 1992 requires EPA to promulgate a number of regulations intended to address lead poisoning in the U.S. EPA is to promulgate regulations to (a) identify the paint conditions and lead levels in dust and soil that would result in adverse human health effects (Section 403) (on July 14, 1994, EPA issued guidance to provide preliminary information while a proposal is being developed); (b) promulgate regulations (section 402(a)) governing lead-based paint activities to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that contractors engaged in such activities are certified (in addition, EPA must promulgate a Model State program (section 404) which may be adopted by any State which seeks to administer and enforce a State Program); (c) promulgate regulations (section 406) requiring renovators to provide a lead hazard information brochure (developed separately by EPA) to clients before beginning work; (d) promulgate, with HUD, regulations (section 1018) that require the following before the sale or lease of pre-1978 housing: disclosure of lead-based paint hazards, provisions of a lead-paint information brochure to the prospective buyer or renter, and for buyers, and the opportunity to conduct a lead risk assessment or inspection; and (e) promulgate regulations (section 402(c)(3)) addressing lead risks from renovation and remodeling activities or state why no regulation is necessary.

Statement of Need:

Childhood lead poisoning is a pervasive problem in the United States, with almost a million young children having more than 10 ug/dl of lead in their blood, Center for Disease Control's level of concern. Elevated blood-lead levels can lead to reduced intelligence and neurobehavioral problems in young children, as well as causing other adverse health effects in children and adults. Although there have been dramatic declines in blood-lead levels due to reductions of lead in paint, gasoline, and food sources, remaining paint in older houses remains the significant source of childhood lead poisoning. These rules are designed to reduce exposure to that source in a targeted and sensible manner.

Alternatives:

Alternatives to each of the mandated activities will be analyzed. However, in many cases (particularly regulations written under Sections 406 and 1018) the statute is very prescriptive.

Anticipated Costs and Benefits:

For rules promulgated under section 406 cost estimates have been provided with the proposed rule, and will be available with the final rule. For sections 402, 404 and 1018, the costs have been provided in the final economic impact analysis that was prepared in conjunction with the final rules. For section 403, costs will still need to be estimated in a draft economic impact analysis that will be prepared for the proposed rule. Since benefits depend on private sector implementation of certain lead hazard abatement activities which are not mandated by any of these rules, benefits will be difficult to quantify.

Risks:

These rules are aimed at reducing the prevalence and severity of lead poisoning, particularly in children.

Timetable:

Action	Date	FR Cite
NPRM Section 406(b)	03/02/94	59 FR 11108
NPRM Sections 402(a) and 404 (Residential)	09/02/94	59 FR 45872
NPRM Section 1018	11/02/94	59 FR 54984
Final Section 1018	03/06/96	61 FR 9064
Final Sections 402(a) and 404 (Residential)	08/29/96	61 FR 45778
Final Section 406(b)	12/00/97	
NPRM Section 403	02/00/98	
NPRM Section 402(a) (Debris)	03/00/98	
NPRM Sections 402(a)(3)/404(h)	08/00/98	
NPRM Section 402(a) (Public/Commercial)	12/00/98	
NPRM Section 402(c)	12/00/98	
Final Section 402(a) (Debris)	12/00/98	
Final Section 402(a) (Public/Commercial)	12/00/99	
Final Section 402(c)	12/00/99	
Final Section 403	12/00/99	
Final Sections 402(a)(3)/404(h)	02/00/00	

Small Entities Affected:

Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected:

State, Local, Tribal, Federal

Additional Information:

SAN No. 3243.

Lead Hazard Standards (section 403)(RIN 2070-AC63)

SAN 3244 - Lead-Based Paint Activities Rules: Training, Accreditation and Certification Rule and Model State Plan Rule (Sections 402 and 404(RIN: 2070-AC64).

SAN 3242 - Lead-Based Paint Disclosure Requirements at Renovation of Target Housing (section 406)(RIN: 2070-AC65).

SAN 3499 - Lead-Based Paint Hazard Information Requirements at the Transfer of Target Housing: Joint with HUD (Section 1018)(RIN: 2070-AC75) Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling (section 402(c)(3))(RIN: 2070-AC83).

Legal Deadlines: Statutory: (sections 403; 402; 404) Final: Statutory April 28, 1994 (sections 403; 402; 404), Other Statutory: (sections 406; 1018) Final; Statutory; October 28, 1994 (sections 406; 1018); Final Statutory; October 28, 1996 (Section 402(c)(3)).

Additional Legal dateline information: Fin. Stat. (Sec. 1018; 406(b)); Fin. Stat.: 10/28/96 (Sec. 402(c)); Fin. Stat.: 08/30/98 (Sec. 404(h); 402(a)(3)).

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EPA

115. 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; Clean Water Act sec 301; 33 USC 1312; Clean Water Act sec 302;

33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306; 33 USC 1318; Clean Water Act sec 308; 33 USC 1342; Clean Water Act sec 402; 33 USC 1361; Clean Water Act 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 EPAs 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.

Statement of Need:

This is in response to the President's directive.

Summary of the Legal Basis:

This action is not being taken as a result of a court order and is not required by law.

Alternatives:

Rulemaking is in too early a stage for there to be alternatives. However, alternatives will be considered later on.

Anticipated Costs and Benefits:

Rulemaking is expected to provide benefits in costs and labor to regulated entities and permitting authorities. Rule is not expected to impose substantial costs.

Risks:

Risk is expected to be minimal.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final	09/00/99	

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

EPA

116. 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; Clean Water Act sec 304; 33 USC 1317; Clean Water Act sec 307; 33 USC 402(b)(8); Clean Water Act sec 402(b)(8); 33 USC 1361; Clean Water Act 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.

Statement of Need:

Many POTWs and smaller industrial users have identified problems with the effectiveness of some requirements of the Pretreatment Program. Reducing the administrative and monitoring costs for these entities will provide greater flexibility in the use of program resources to achieve environmental protection.

Summary of the Legal Basis:

This action is not required by law or court order.

Alternatives:

None known.

Anticipated Costs and Benefits:

Undetermined as of this date; a very preliminary estimate of the burden reduction is 10-20% of the total annual burden (a net reduction of 176,000 - 350,000 hours).

Risks:

None known.

Timetable:

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

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Local, Tribal, Federal

Additional Information:

SAN No. 3663.

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RIN: 2040–AC58

EPA

117. 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; Clean Water Act 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.

Statement of Need:

Section 402(a) of the CWA, as amended, authorizes the EPA to issue permits under the National Pollutant Discharge Elimination System (NPDES) permits program for the discharge of any pollutants or combination of pollutants. Form 2C is the NPDES permit application for discharges from manufacturing, commercial, mining and silviculture operations. Form 2C has not been revised since 1984 despite many amendments to the CWA and to the regulations under the Act which have significantly changed the permitting strategy of the NPDES program. The proposed rule will finalize changes to the regulations at 122.21(d) and 122.21(g) and to Form 2C that will make a number of improvements to the Form 2C permitting process. The proposed rule will consolidate application requirements and clarify the process for permit applicants, therefore, reducing redundant reporting and reduce permitting burden on facilities. It will effectively provide permit writers with the information necessary to develop appropriate NPDES permits consistent with requirements of the CWA. Additionally, the proposed rule will meet the updated NPDES requirements, scientific advancements, and current socioeconomical concerns.

Summary of the Legal Basis:

Not required by law or court order.

Alternatives:

The Form 2C workgroup identified several key issues to be addressed and revised. For each key issue several options were suggested and consensus was reached on these options during an April, 1996 initial Form 2C workgroup closure meeting. The proposed rule reflects the options selected.

Anticipated Costs and Benefits:

It is anticipated that the rule will reduce permitting application burden to facilities and improve the permit writers ability to evaluate discharges because of improvements made to information and data submission requirements. Generally, it is anticipated that the rule will clarify the permitting application requirements. As a whole, such changes to the rule and Form 2C will enable it to serve its regulatory purpose more efficiently, thereby, benefitting the environment and human health.

Risks:

The application form rule will allow permit writers to better evaluate industrial discharges, and the better a permit writer can evaluate the discharge the better he or she can protect the environment and human health.

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	
Final	03/00/99	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Local, Tribal, Federal

Additional Information:

SAN No. 3234.

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RIN: 2040–AC26

EPA

118. COMPREHENSIVE NPDES STORMWATER PHASE II REGULATIONS

Priority:

Economically Significant. Major under 5 USC 801.

Legal Authority:

33 USC 1311; Clean Water Act sec 301; 33 USC 1342; Clean Water Act sec 402; 33 USC 1361; Clean Water Act sec 501

CFR Citation:

40 CFR 122; 40 CFR 123

Legal Deadline:

NPRM, Judicial, November 25, 1997.

Final, Judicial, March 1, 1999.

Abstract:

EPA will be proposing changes to the stormwater regulations for the remaining unregulated dischargers that require regulation. Also known as Phase II dischargers, these sources potentially could include all stormwater discharges from 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 stormwater runoff is a real cause of water quality use impairment. EPA has invited stakeholders to participate in the development of comprehensive Phase II

rules under the Federal Advisory Committee Act (FACA). This FACA subcommittee is assisting in the development of the rule. Currently, all Phase II dischargers are required to have stormwater permits by 2001. EPA is planning to limit the universe of designated Phase II sources and is planning to recommend an approach that would promote the use of general permits for most Phase II sources. The proposed changes would also provide regulatory relief by waiving Phase I facilities that have no exposure to stormwater from applicable requirements.

Statement of Need:

Data collected under sections 305(b) and 402(p)(5) of the CWA indicate that uncontrolled stormwater discharges from municipalities serving populations less than 100,000 and construction sites that result in the disturbance of less than 5 acres of land cause water quality use impairment. The proposed changes to the NPDES stormwater regulations would address these currently unregulated stormwater discharges. The proposed changes would also provide needed regulatory relief to Phase I facilities that have no exposure to stormwater and do not cause water quality use impairment.

Summary of the Legal Basis:

CWA section 402(p)(6) requires EPA, in consultation with States and local officials, to issue regulations for the designation of the remaining unregulated discharges to be regulated to protect water quality. The United States Court of Appeals for the Ninth Circuit remanded EPA's de minimis exemption of construction sites below 5 acres and the no exposure exemption for category (XI) industrial facilities under the Phase I rule (NRDC v. EPA, 966 F.2d 1292 (9th Cir. 1992)). This remand requires EPA to examine construction sites below 5 acres for possible designation. EPA is also currently subject to a court order to propose supplemental rules under CWA section 402(p)(6) by November 25, 1997, and finalize these rules by March 1, 1999 (NRDC v. Browner, Civ. No. 95-634 PLF (D.D.C., April 6, 1995)).

Alternatives:

The proposed changes to the NPDES stormwater regulations are being developed with significant input from the FACA subcommittee. Alternative options, as well as successive drafts of the proposed changes, were distributed to FACA members for comment. The language of the proposed changes are the result of extensive stakeholder input. The Agency plans to solicit comments on alternative approaches in the preamble to the proposed rule.

Anticipated Costs and Benefits:

Undetermined as of this date. However, the no exposure waiver would reduce administrative and compliance costs for those Phase I facilities that have no exposure to stormwater.

Risks:

The proposed changes to the NPDES stormwater regulations will reduce adverse water quality impacts from stormwater thereby reducing risks to aquatic habitat and public health.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final	03/00/99	

Small Entities Affected:

Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3785.

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RIN: 2040–AC82

EPA

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

Priority:

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

Unfunded Mandates:

Undetermined

Legal Authority:

42 USC 300h; Safe Drinking Water Act sec 1421 to 1425

CFR Citation:

40 CFR 144; 40 CFR 145; 40 CFR 146

Legal Deadline:

NPRM, Judicial, June 18, 1998.

Final, Judicial, July 31, 1999.

Abstract:

In the Safe Drinking Water Act (SDWA) of 1987, Congress required that EPA protect current and future underground sources of drinking water (USDWs) from endangerment. The 1987 Report to Congress: Class V Injection Wells determined that certain types of high risk Class V wells may be contaminating, or have the potential to contaminate, USDWs. Through this regulatory action, EPA intends to propose additional requirements addressing the environmental and health threats posed by the highest risk Class V wells. Class V wells likely to be impacted by this regulation include industrial and commercial disposal wells and large capacity cesspools.

Statement of Need:

Class V wells vary from simple dry wells to complex geothermal wells; injected fluids range from storm water runoff to industrial process wastewater. Likewise, the potential risk posed by the different types of Class V wells varies. A well's potential to endanger Underground Sources of Drinking Water depends largely on its injection fluid quality and volumes, its proximity to the USDW, and its construction and operation. Class V wells that are used to dispose of industrial and commercial wastes present the greatest danger to USDWs. In most cases, industrial and commercial wastes are disposed of in shallow drywells and "misused" septic systems that release fluids in strata above USDWs. Cesspools, which inject untreated sanitary wastes, also have a high potential to endanger USDWs.

Class V wells currently are subject to only two major requirements. First, owners or operators of Class V injection wells are prohibited from allowing the movement of fluid that contains any contaminant into USDWs if the presence of that contaminant may cause a violation of any primary drinking water standards. Second, the owner or operator must submit inventory information. While all Class V wells are subject to these general provisions of non-endangerment, instances of ground water contamination from high risk Class V wells have occurred across the country pointing to the need for more specific requirements.

Summary of the Legal Basis:

This action is required by Consent Order (Civil Action No.93-2644 NHJ) filed with the U.S. District Court on January 28, 1997.

Alternatives:

The Agency is considering proposing a geographically targeted Class V rule where the additional requirements would apply only to wells within Source Water Protection Areas around drinking water supply wells. Additionally, the Agency is considering a variety of management control measures to impose on the highest risk Class V wells. These measures could include best management practices, treatment options, and in some instances, bans on certain injection practices.

Anticipated Costs and Benefits:

Because the proposed rule has not completed final Agency review, cost and benefit information have not been completed and are therefore unavailable.

Risks:

Risks posed by Class V wells relate directly to other risks within the Agency's jurisdiction. Many Superfund sites with significant ground-water contamination are a result of uncontrolled discharges from certain Class V wells. Placing these wells under adequate regulatory controls by effective State UIC programs will serve to prevent future Superfund sites. Additionally the control of these wells directly affects other programs under the Safe Drinking Water Act such as the Source Water Protection Program.

Timetable:

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

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Local, Tribal, Federal

Additional Information:

SAN No. 2778.

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RIN: 2040–AB83

EPA

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

Priority:

Other Significant

Reinventing Government:

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

Legal Authority:

42 USC 6905; Resource Conservation Recovery Act sec 1004; 42 USC 6921 to 6928; Resource Conservation Recovery Act sec 3001 to 3008

CFR Citation:

40 CFR 261; 40 CFR 266

Legal Deadline:

None

Abstract:

Recycling of hazardous waste is governed by the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. The portion of these regulations known as the Definition of Solid Waste (DSW) specifies whether hazardous materials that are recycled are subject to RCRA regulatory jurisdiction or not. Other parts of the regulations set forth requirements for managing recycled hazardous waste. This regulatory action will revise the hazardous waste recycling regulations to respond to concerns that they are overly complex, difficult to understand, and that they pose a barrier to safe hazardous waste recycling.

Statement of Need:

Revisions are needed to improve EPA's regulations for hazardous waste recycling by: (a) eliminating disincentives for the safe recycling of hazardous waste; and (b) developing simpler definitions and regulations.

Summary of the Legal Basis:

This action is not mandated by statute or court order. However, the Agency intends to address several court decisions by clarifying which recyclable materials are excluded from RCRA hazardous waste management requirements.

Alternatives:

The Agency has been developing two options to co-propose for regulating hazardous waste recycling, known as the Transfer-Based option and the In-Commerce option. The Agency presented the general outlines of these options to interested stakeholders and the public at a public meeting in November of 1996 (61 FR 55252). Generally, the Transfer-Based option would regulate those materials that are recycled or managed in certain identified ways (e.g., burned for energy recovery or managed on the land) and materials that are transferred to an off-site entity other than the generator for recycling. This option includes changes to the RCRA hazardous waste management regulations, particularly permitting, to streamline and simplify compliance for those materials that are regulated only because they are transferred to another off-site entity for recycling. The In-Commerce option would regulate only those materials that are recycled in certain identified ways (e.g., burned for energy recovery or managed on the land). These materials would be subject to the existing RCRA regulations for those activities. Based on preliminary analyses of the impacts of these two options and initial reactions from stakeholders, the Agency is at this time assessing potential revisions it may make to the options prior to publishing the proposal.

Anticipated Costs and Benefits:

Analysis of costs and benefits will be conducted as part of the economic analysis for this rule as required under Executive Order 12866.

Risks:

This action aims at more effective risk management by streamlining and tailoring management requirements for low-risk recyclers (including eliminating requirements that are redundant with other statutes). This will allow regulatory resources to be concentrated on those recyclers who engage in activities posing a greater threat to human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	

Small Entities Affected:

Undetermined

Government Levels Affected:

State, Tribal, Federal

Additional Information:

SAN No. 2872.

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RIN: 2050–AD18

EPA

121. MANAGEMENT OF CEMENT KILN DUST (CKD)

Priority:

Other Significant

Unfunded Mandates:

Undetermined

Reinventing Government:

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

Legal Authority:

42 USC 6903(5)(b); Resource Conservation Recovery Act sec 1004(5)(B); 42 USC 6912(a); Resource Conservation Recovery Act sec 2002(a); 42 USC 6921(a); Resource Conservation Recovery Act sec 3001(a); Resource Conservation Recovery Act sec 3001(b)(3); 42 USC 6924(x); Resource Conservation Recovery Act sec 3004(x)

CFR Citation:

Not yet determined

Legal Deadline:

None

Abstract:

CKD is a high volume material by-product of the cement manufacturing process. While it contains potentially hazardous constituents such as lead, cadmium and chromium, it has been exempted since November 1980 from hazardous waste regulation under RCRA Subtitle C by the Bevill Amendment, which modified Section 3001 of RCRA to exempt certain special wastes until further studies could be completed and any applicable regulations were promulgated. In December 1993, EPA submitted a Report to Congress with its findings on the nature and management practices associated with CKD. This was followed in January 1995 by an EPA regulatory determination published in the Federal Register (60 FR 7366, 2/7/95), which concluded that additional control of CKD is warranted. In the regulatory determination EPA committed to develop additional tailored regulations under RCRA Subtitle C and, if necessary, the Clean Air Act. As part of its regulatory development effort, the Office of Solid Waste within EPA's Office of Solid Waste and Emergency Response has initiated further studies and has held informal discussions with stakeholders interested in regulations under RCRA Subtitle C for the management of CKD. The proposed regulations will be tailored to protect human health and the environment while limiting burden on the regulated community.

Statement of Need:

This action follows EPA's RCRA mandated regulatory determination on CKD, published in the Federal Register (60 FR 7366, 2/7/95), which concluded that additional control of CKD is warranted in order to protect human health, and to prevent environmental damage associated with current disposal practices for this waste.

Alternatives:

EPA will develop a range of landfill management standards for sensitive and non-sensitive environments, each involving protections for groundwater and air pathways. It is anticipated that the base standards would be performance based, and form the basis for a conditional exclusion from Subtitle C regulation. If an owner/operator complied with the base performance standards, his CKD waste would not be subject to Subtitle C regulation. Alternatively, an owner/operator could comply with default technical requirements under Subtitle C.

It is anticipated that the conditions for exclusion and the default technical requirements would be similar and would include: fugitive dust controls, provisions and restrictions for landfills located in sensitive environments, groundwater monitoring requirements, performance standards for liners and caps, metals limits for CKD used as agricultural lime, and corrective action for currently active units. The Agency hopes to afford States considerable flexibility in setting and tailoring requirements in their own programs.

Anticipated Costs and Benefits:

Analysis of costs and benefits will be conducted as part of the economic analysis for this rule as required under Executive Order 12866.

Risks:

As explained in the regulatory determination for CKD, EPA believes that subjecting CKD waste to the full RCRA Subtitle C program would be prohibitively burdensome on the cement industry. EPA believes it is appropriate to apply only those components of Subtitle C that are necessary, based on our current knowledge of the cement industry and the human health and environmental concerns associated with CKD, thereby achieving a common sense result with respect to the hazards posed by CKD on a site-specific basis. EPA anticipates that any such standards would be designed to be protective, yet minimally burdensome, and may not necessarily apply to all facilities, or may not apply to all facilities in the same manner or to the same extent.

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	

Small Entities Affected:

Undetermined

Government Levels Affected:

Undetermined

Additional Information:

SAN No. 3856.

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RIN: 2050–AE34

EPA

122. WASTE ISOLATION PILOT PLANT (WIPP) COMPLIANCE CERTIFICATION RULEMAKING

Priority:

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

Unfunded Mandates:

Undetermined

Legal Authority:

PL 102-579 (as amended by PL 104-201)

CFR Citation:

40 CFR 194

Legal Deadline:

Other, Statutory, October 31, 1997, Statutory.

Abstract:

The Waste Isolation Pilot Plant (WIPP) Land Withdrawal Act (Act), was signed by the President on October 30, 1992. The Act gives the EPA the authority to certify WIPP's compliance with standards developed by EPA for disposal of radioactive waste. This Act supplements EPA's authority, under the Atomic Energy Act and Reorganization Plan No. 3 of 1970, to establish environmental standards that protect the public and the environment from radioactive materials. The Act prescribed the framework for EPA's regulatory oversight of the WIPP disposal system.

The Department of Energy (DOE) is developing the WIPP which is a potential geologic disposal facility for transuranic radioactive waste generated as by-products from nuclear weapons production. If the WIPP opens, waste will be stored approximately 2,100 feet underground in excavated, natural salt formations near Carlsbad, New Mexico.

Before DOE can dispose of waste at the WIPP, it must demonstrate that the WIPP complies with EPA's radioactive waste disposal standards at subparts B and C of 40 CFR 191. DOE submitted its compliance certification application (CCA) to EPA on October 29, 1996, showing how the WIPP facility will meet the standards. The compliance criteria at 40 CFR 194, which are specific to the WIPP, will be used by EPA to implement the radioactive waste disposal standards. The purpose of this rulemaking is to certify, through the use of the compliance criteria, whether the WIPP complies with the disposal standards before waste disposal can begin.

Upon receipt of the CCA in October 1996, EPA began reviewing the CCA for both completeness and technical adequacy. On November 15, 1996 the Agency published in the Federal Register, 61 FR 58499, and Advance Notice of Proposed Rulemaking (ANPR) announcing that the CCA had been received and announcing the Agency's intent to conduct a rulemaking to certify whether the WIPP facility will comply with the disposal regulations. The notice also announced a public comment period and EPA's intent to hold public hearings in New Mexico. In its preliminary review, EPA identified additional information necessary for the CCA to constitute a complete application. EPA requested additional information in a letter transmitted to DOE on December 19, 1996. DOE submitted the requested information in letters to EPA in January and February of 1997. On May 16, 1997, the Administrator informed the Secretary of DOE that the CCA was complete. The completeness determination was announced in the Federal Register on May 22, 1997, 62 FR 27996. EPA is required under the WIPP LWA S8(d)(1)(B) to certify compliance within one year after receipt of the Department of Energy's compliance certification application.

Statement of Need:

The DOE is developing the WIPP near Carlsbad in southeastern New Mexico as a potential deep geologic repository for the disposal of defense transuranic (TRU) radioactive waste currently being stored on Federal reservations in 10 states, including Washington, Ohio, Idaho, New Mexico, Tennessee, South Carolina, Nevada, and Colorado. TRU waste consists of materials containing one or more elements having atomic numbers greater than 92, in concentrations greater than 100 nanocuries of alpha-emitting TRU isotopes per gram of waste, with half-lives greater than twenty years. Most TRU waste consists of items that have become contaminated (e.g., rags, equipment, tools, and organic and inorganic sludges) as a result of activities associated with the production of nuclear weapons. TRU waste is often mixed with hazardous chemical constituents. Before beginning disposal of radioactive waste at the WIPP, DOE must demonstrate that the WIPP complies with the EPA's radioactive waste disposal standards at subparts B and C of 40 CFR 191.

The WIPP LWA specifies that underground emplacement of transuranic wastes for disposal at the WIPP may not commence unless and until EPA makes a positive compliance certification decision. If the Agency certifies compliance, the WIPP LWA requires EPA to subsequently conduct periodic re-certifications of continued compliance throughout waste disposal operations (estimated to last about 30 years) at the WIPP. EPA published the final compliance criteria at 40 CFR 194 on February 1, 1996. DOE submitted its compliance certification application to EPA on October 29, 1996. The Agency is reviewing DOE's application and will make a decision as to WIPP's compliance with the disposal regulations. The WIPP compliance certification rule will be limited to consideration of the WIPP's compliance with the disposal regulations found in subparts B and C of 40 CFR 191 (which include containment requirements, assurance requirements, individual protection requirements, and groundwater protection requirements).

Summary of the Legal Basis:

Under the authority of the Atomic Energy Act, as amended, of 1954, EPA has the responsibility to protect people and the environment from the harmful effects of ionizing radiation. In addition, Reorganization Plan No. 3 of 1970 provides EPA with the authority to establish standards for the protection of people and the environment from the effects of all radioactive materials. Finally, the WIPP Land Withdrawal Act, as amended, of 1992 requires that EPA issue criteria to implement the Agency's radioactive waste disposal regulations specifically at the WIPP, and then certify, through use of such criteria, whether or not the WIPP complies with the regulations and should be allowed to open.

Alternatives:

The compliance certification rule is intended to determine whether or not the WIPP should be allowed to open. The Agency recognizes the uncertainty inherent in projections of the WIPP's performance during the 10,000-year regulatory period. Accordingly, the Agency requires a demonstration of a reasonable expectation that compliance will be achieved. This demonstration will be based on consideration of the entire application for certification submitted by DOE. The criteria against which the WIPP's compliance will be evaluated contain four subparts, consisting of:

(1) subpart A, which specifies general administrative requirements with which DOE must comply during the compliance application and subsequent rulemaking processes. Requirements are specified which contain format and protocols for the submission of applications plus any subsequent suspension, revocation or modification of compliance status.

(2) subpart B, which outlines the information necessary for inclusion with compliance applications. The criteria require DOE to analyze the performance of WIPP and predict release of waste, doses received by individuals and doses received through ground water. The criteria list the information needs for such assessments. Subsequent applications for determinations must note any changes in such information that might have occurred since initial certification.

(3) subpart C, which implements the specific containment, assurance, individual and groundwater protection

requirements of the disposal standards of 40 CFR 191. To account for the likelihood of human activity and human intrusion into the repository during the 10,000- year regulatory period, the criteria specify how the frequency and consequences of such events shall be determined. The results of compliance assessments of individual and groundwater protection shall be expressed to show the likelihood of a given exposure or greater occurring. To increase confidence in performance and compliance assessments, the criteria specify requirements on quality assurance methodologies and characterization of radioactive waste proposed for emplacement in the repository.

Anticipated Costs and Benefits:

The party primarily affected under this action is the DOE, owner and operator of the WIPP. The Agency prepared an Economic Impact Analysis (EIA) for the WIPP compliance criteria (40 CFR 194). This EIA estimated those costs imposed on the WIPP project in excess of those being incurred presently due to other applicable regulations or program requirements. While the total cost may have appeared sizeable, it did not appear to be so sizeable that it would have been significant as defined under the provisions of Executive Order No. 12866, i.e., more than $100 million per year. The portion of the criteria concerning human intrusion into the WIPP was the only potential contributor to significant increases in cost (i.e., as much as $20 million or less than one percent of the total cost; the total cost of the WIPP project is over $8 billion to date). Additional costs could be incurred if compliance could only be achieved through redesign of the repository or treatment of waste in order to reduce the likelihood and consequences of human intrusion.

Risks:

Because this regulation is not setting standards, but implementing an existing standard (40 CFR 191) and making a compliance decision, no analysis of risk has been performed.

Timetable:

Action	Date	FR Cite
ANPRM	11/15/96	61 FR 58499
NPRM	10/00/97	
Final	05/00/98	

Small Entities Affected:

None

Government Levels Affected:

Federal

Additional Information:

SAN No. 3873.

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RIN: 2060–AG85

EPA

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

Priority:

Economically Significant. Major under 5 USC 801.

Unfunded Mandates:

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

Legal Authority:

Clean Air Act of 1990, title 1, subpart 1

CFR Citation:

40 CFR 51; 40 CFR 81

Legal Deadline:

None

Abstract:

EPA recently issued updated, new air quality standards for ozone (62 FR 38856) and particulate matter (PM) (62 FR 38652). Pursuant to President Clinton's directive as outlined in a memorandum to EPA Administrator Carol Browner, EPA is developing a plan for sensibly and cost-effectively meeting the new standards. This plan is being developed with significant stakeholder involvement provided through a committee established in September 1995 under the Federal Advisory Committee Act. Consistent with the schedule outlined in a memorandum from President Clinton dated July 16, 1997, EPA will publish a combination of guidance and rules by the end of 1998 designed to give States, local governments and business the flexibility they'll need to meet protective public health standards in a reasonable, cost-effective manner.

For ozone, the implementation plan will emphasize a regional, State-sponsored approach that addresses the long-distance transport of ozone. On October 10, 1997, EPA issued a proposal (sometimes referred to as the "OTAG SIP call") to require broad regional emissions reductions of nitrogen oxides (NOx) gases which contribute to the formation of ozone (which will appear shortly in the Federal Register). EPA will work with the affected States to develop a regional NOx emissions cap-and-trade program modeled after the program used to achieve sulfur dioxide reductions in the acid rain program.

In order to help areas covered by EPA's regional plan avoid burdensome measures associated with non-compliance, EPA will create a new "transitional" classification. Areas that attain the 1-hour ozone standard but not the new 8-hour standard as of the time the EPA promulgates designations for the 8-hour standard could obtain this 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 those reductions that will be achieved through the regional control strategy, and will come into attainment earlier than otherwise required, the EPA will exercise its discretion under the law to eliminate unnecessary local planning requirements for such areas. The 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.

In late October, EPA plans to identify areas that have air quality meeting the 1-hour air ozone standard, and revoke that standard for those areas.

For PM2.5 (fine particles), the implementation approach will give businesses ample time to find the most cost-effective pollution controls. Another full scientific review of the health effects of fine particulates will be completed before any "non-attainment" designations are made or local controls mandated. EPA will allow five years to gather and analyze necessary data, and then use its discretion under the Clean Air Act to allow another three years for areas that are not in compliance to submit air quality plans on how they will meet the new standard. Following another year and a half for review of the plans, it will be several more years before many areas will actually have to

comply with the new standard for PM2.5. In the fall of 1997, EPA will publish a schedule for reviewing the PM2.5 standard.

For PM10, the EPA is revising the current set of standards. 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 current PM10 NAAQS (and which provides benefits for PM2.5) and protection of public health. To ensure that this goal is met, the existing PM10 NAAQS will continue to apply until certain critical actions by the 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 standards remain in effect until the EPA has completed a section 172(e) rulemaking to prevent backsliding. The EPA will propose this rulemaking in the fall of 1997. For areas attaining the existing PM10 NAAQS, the EPA will retain the existing PM10 NAAQS until the State submits and the 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, the EPA will take action so the standard no longer applies. In addition, the 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. The public comment period on this proposal closes on December 5, 1997. EPA plans to promulgate the regional haze rulemaking in the spring of 1998.

Statement of Need:

Development of programs for ozone and PM are necessary to implement the revised NAAQS under title 1 of the Clean Air Act.

Anticipated Costs and Benefits:

EPA's Regulatory Impact Analyses (RIA) for the ozone and PM2.5 NAAQS and the proposed regional haze rulemaking were released on July 17, 1997. This benefit-cost comparison was intended to generally inform the public about the potential costs and benefits that may result when revisions to the ozone and PM2.5 NAAQS are implemented by the States. Costs and benefits of the proposed regional haze rule were included. Monetized benefit-cost comparisons were presented. Significant nonmonetized benefits are also expected. In considering these estimates, it should be stressed that these estimates contain significant uncertainties as discussed in the RIA.

Estimated partial attainment benefits of the PM2.5 standard far outweigh estimated partial attainment costs. Estimated quantifiable partial attainment net benefits (benefits minus costs) of the PM2.5 standard range from positive $10 billion to positive $96 billion. Estimated quantifiable full attainment net benefits range from negative $17 billion to positive $73 billion. Estimated partial attainment quantified and monetized net benefits of the ozone standard range from negative $0.7 billion to positive $1.0 billion. Full attainment benefit estimates are smaller than full attainment cost estimates. Quantifiable net benefits for full attainment of the ozone standard are estimated to range from negative $8.1 billion to negative $1.1 billion.

Estimated quantifiable net benefits from the proposed regional haze program range from $0 to positive $3.0 billion.

Risks:

On July 16, 1997, EPA issued updated air quality standards for ozone and particulate matter. The updated standards, when implemented, will provide cleaner air for 125 million people, including 35 million children. Benefits from the new, updated standards include reductions in premature mortality, aggravated asthma and cases of decreased lung function in children from exposure to these air pollutants.

Timetable:

Action	Date	FR Cite
ANPRM	12/13/96	61 FR 65764
Notice of Proposed Policy	12/13/96	61 FR 65752
Regional Haze Rule (Proposal)	07/31/97	62 FR 41138
Notice Identifying Areas That Have Air Quality Meeting the 1-hour Ozone Standard	10/00/97	
NOx Regional Strategy SIP Call (Proposal)	10/00/97	
Review Schedule for PM2.5 Standard	10/00/97	
Final Guidance on Implementing Pre-existing NAAQS	12/00/97	
Conformity Rule for Transitional Areas (Proposal)	06/00/98	
NSR Rule for Transitional Areas (Proposal)	06/00/98	
Regional Haze Rule (Final)	06/00/98	
Antibacksliding Rule Under Section 172(e) for Existing PM10 Standard (Final)	09/00/98	
NOx Regional Strategy SIP Call (Final)	09/00/98	
Conformity Rule for Transitional Areas (Final)	12/00/98	
Final Implementation Guidance	12/00/98	
NSR Rule for Transitional Areas (Final)	12/00/98	
Antibacksliding Rule Under Section 172(e) for Existing PM10 Standard (Proposal)	00/00/00	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3553.

SAN No. 3552 for Regional Haze

By Presidential Memorandum dated 07/16/97, EPA was directed to complete these rules by 12/31/98.

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RIN: 2060–AF34

EPA

124. 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, record keeping 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. Moreover, as the Agency continues to issue new air toxics rules, as mandated by the CAA, the problem is compounded.

All existing Federal air rules applicable to an industry sector will be reviewed to determine whether there provisions can be consolidated into a single new rule. Affected industries, state agencies, and other stakeholders will be consulted to identify duplicative and conflicting provisions and to provide assistance in drafting the single rule. The chemical industry and state representatives have agreed to work on a pilot project with EPA's air programs to explore this approach. If the approach is successful with the chemical industry, it will be expanded to air rules for other industry sectors. EPA will then consider extending this program to water and waste requirements.

Statement of Need:

Both industry and regulatory agencies have expressed a great desire to streamline and simplify rules. This rule streamlines and simplifies by consolidating and collapsing the numerous federal rules that apply to the chemical industry, with resulting improved compliances.

Alternatives:

The main alternative is to do nothing and let the many rules with their many provisions remain the only compliance mechanism.

Anticipated Costs and Benefits:

This rule will result in considerable savings to the affected industry. There is significant burden reduction associated with recordkeeping and reporting. The rule will be easier to follow and understand. There will be no change in applicability of the rules being consolidated.

Risks:

This rulemaking deals with consolidated reporting to simplify existing rules. The risks addressed by each of these existing rules were addressed in those individual rulemakings.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	

Small Entities Affected:

None

Government Levels Affected:

State, Federal

Sectors Affected:

286 Industrial Organic Chemicals

Additional Information:

SAN No. 3748.

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RIN: 2060–AG28

EPA

125. 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:

Final, Statutory, August 1, 1996.

Abstract:

This rulemaking is in response to section 801 of the Energy Policy Act of 1992 which directs the Administrator to promulgate public health and safety standards for protection of the public from releases from radioactive materials stored or disposed of in the repository at the Yucca Mountain site. The only regulated entity is the U.S. Department of Energy.

Statement of Need:

In 1985, the Agency issued generic standards for the management and disposal of spent nuclear fuel and high-level radioactive waste. The Nuclear Waste Policy Amendments Act of 1987 mandated the study of Yucca Mountain, Nevada to determine its suitability to be a repository for spent nuclear fuel and high-level radioactive waste. The Waste Isolation Pilot Plant Land Withdrawal Act of 1992 exempted Yucca Mountain from coverage under the 1985 generic standards. Concurrently, the Energy Policy Act of 1992 gave EPA the responsibility of setting site-specific, radiation-protection standards for Yucca Mountain.

Summary of the Legal Basis:

The legal authority is derived from the Energy Policy Act of 1992.

Alternatives:

Since this action is legally mandated, there are no alternatives.

Anticipated Costs and Benefits:

Since the potential cost is dependent upon several factors whose determination has not yet been made, a precise assessment of the economic impact of the rulemaking is not possible at this time. Likewise, the benefits, i.e., the adverse effects averted (which are required to complete a cost-benefit analysis), cannot be determined

in a meaningful manner at this time since the effect of these standards is to avert potential adverse health effects that may occur during very long periods into the future and are, therefore, quantifiable only with a high degree of uncertainty.

Risks:

The potential risks which would be allowed under these standards is dependent upon the level of protection and the regulatory time frame which is selected. Since the standards have not yet been proposed, it is not possible to estimate the potential risks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	01/00/98	

Small Entities Affected:

None

Government Levels Affected:

Federal

Additional Information:

SAN No. 3568.

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RIN: 2060–AG14

EPA

126. INTEGRATED NESHAP AND EFFLUENT GUIDELINES: PULP AND PAPER

Priority:

Economically Significant. Major under 5 USC 801.

Legal Authority:

42 USC 7412; 42 USC 7414; 42 USC 7601; Clean Air Act Amendments of 1990 sec 112; Clean Air Act Amendments of 1990 sec 114; Clean Air Act Amendments of 1990 sec 301; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1361; Clean Water Act sec 301; Clean Water Act sec 304; Clean Water Act sec 306 to 308; Clean Water Act sec 501

CFR Citation:

40 CFR 63; 40 CFR 430

Legal Deadline:

Final, Statutory, November 15, 1997.

Abstract:

The Clean Air Act (CAA) Amendments of 1990 direct the Environmental Protection Agency (EPA) to set National Emission Standards for Hazardous Air Pollutants (NESHAP) for new and existing sources under section 112 and to base these standards on maximum achievable control technology (MACT). The Clean Water Act (CWA) directs EPA to develop effluent guidelines for certain categories and classes of point sources. These guidelines are used for setting discharge limits for specific facilities that discharge to surface waters or municipal sewage treatment systems. For the pulp and paper industry, EPA is developing an integrated regulation that includes both effluent guidelines and air emission standards to control the release of pollutants to both the water and the air. The regulations are being developed jointly to provide greater protection to human health and the environment, to promote the concept of pollution prevention, and to enable the industry to more effectively plan compliance via a multimedia approach.

This Regulatory Plan entry also includes RIN 2040-AB53, Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category, reported in full in part III of this issue of the Federal Register.

Statement of Need:

This action will limit surface water discharges of toxic, conventional, and nonconventional pollutants and emissions of hazardous air pollutants (HAPs) from pulp and paper mills. The NESHAP will limit the release of HAPs such as chloroform, formaldehyde, acetaldehyde, and methanol. The effluent guidelines will limit the discharge of dioxin, furan, and other toxic and conventional pollutants to rivers and other surface waters. The Statutory authorities and deadlines are cited above. Additionally, EPA is required to promulgate these effluent guidelines to satisfy a provision in a Consent Decree entered in settlement of Environmental Defense Fund and National Wildlife Federation v. Thomas, Civ. No. 85-0973 (D.D.C.).

Alternatives:

Both the CAA and the CWA specify that these regulations be established on a technology basis. The CAA specifies that MACT for existing sources can be no less stringent than the average emission limitations achieved by the best-performing similar source. The CWA specifies that effluent limitations guidelines and standards be based on specific technology levels, such as the best available technology economically achievable. For the integration of air and water standards, EPA developed regulatory alternatives from combinations of process changes and pollution control technologies. The Agency considered the combined costs and impacts of these alternatives while remaining responsive to the statutory requirements under both laws.

Anticipated Costs and Benefits:

The proposed integrated air and water rules comprise effluent guidelines for all pulp and paper mills and MACT standards for the noncombustion sources at all Kraft, soda, sulfite, and semi-chemical pulp and paper mills. The Agency plans to propose MACT standards for the chemical recovery combustion sources at these mills at the same time the Agency promulgates the integrated air and water rules. For the rulemaking components that have been proposed, the Agency estimated total annualized costs of $600 million (1992 dollars).

The types of benefits associated with the proposed integrated rule include improvements to air and water quality and reduced human health risks. The estimated reductions in HAP emissions exceed 120,000 tons per year. An estimated reduction in volatile organic compound emissions of 700,000 tons per year and a reduction in total reduced sulfur emissions of 300,000 tons per year are also projected to occur as a result of the proposed integrated rule. Projected reductions in specific toxic pollutant effluent discharges are approximately 2,800 tons per year; conventional pollutant reductions of over 200,000 tons per year are projected. Some categories of the benefits can be expressed in monetary terms; they are in the range of $160 million to $980 million.

The Agency has received extensive public comments and new data since proposal and is in the process of revising these cost and pollutant reduction estimates.

Risks:

Two types of pollutants found in pulp and paper wastestreams, dioxin and furan, are of particular concern due to their carcinogenic risk and their toxicity to aquatic life. Reducing the discharge and emission of these and other toxic pollutants reduces the exposure risks to human health and the environment.

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	10/00/97	
Final NESHAP Phases I and III and Effluent Guidelines Phase I	10/00/97	
Final All NESHAP Phases	09/00/98	
Final NESHAP Phase II - Combustion Sources	09/00/98	
Final Effluent Guidelines Phase III - Dissolving Grade	03/00/99	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Local, Federal

Additional Information:

SAN No. 3105 (Air) and SAN No. 2712 (Water).

ADDITIONAL AGENCY CONTACT: Jeff Teleander (Combustion Sources)

ADDITIONAL AGENCY CONTACT: Elain Manning (Nonchemical and other Pulp and Paper Mills)

SAN No. 2712 (Water) was formerly listed under RIN 2040-AB53.

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RIN: 2060–AD03

EPA

FINAL RULE STAGE

127. PESTICIDES; SELF-CERTIFICATION

Priority:

Other Significant

Reinventing Government:

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

Legal Authority:

7 USC 136 to 136y

CFR Citation:

40 CFR 152

Legal Deadline:

None

Abstract:

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

Statement of Need:

EPA registers pesticides for sale and use in the United States under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). EPA has issued rules, notices, and guidance which specify how applicants may obtain approval for registration of pesticide products. Against a backdrop of declining resources and a continuous workload of pesticide applications, EPA is examining many possible ways of reinventing the registration process to handle applications faster, more efficiently, and with fewer resources. One of these approaches is self-certification, a concept in which a registrant may certify that a registration application (or part of it) complies with Agency requirements and may then obtain EPA approval for the registration after an abbreviated review or no review at all. EPA has several projects that are exploring the possible use of self-certification in different ways. First, EPA has reinvented the process by which registrants may accomplish amendment of products by notification or nonnotification. The revised process allows a registrant to certify that an application for amendment meets EPA's criteria as a low-risk amendment. This revised process is described in PR Notice 95-2 (May 31, 1995). To formally implement this type of self-certification, EPA has also revised existing rules (40 CFR 152.44 and 152.46) on notifications and nonnotifications.

Second, self-certification of product chemistry data is being considered as a means of reducing the number of studies reviewed by EPA in connection with registration applications. This voluntary program would allow registrants to submit a brief summary of the physical chemical properties of a product, rather than submitting the data. A draft PR Notice was made available for public comment on February 4, 1997 (62 FR 5228), and a final PR Notice is expected to be issued in the Fall of 1997.

Alternatives:

Various alternatives to self-certification are being actively pursued by EPA for reinventing or improving the registration process, including, but not limited to, reviews with the California Department of Pesticide Regulation, issuing guidance for acceptable acute toxicity data, exempting certain active ingredients from registration, developing computer software to standardize precautionary labeling, publishing a manual describing all labeling requirements, automating certain documents, piloting electronic labeling, making labeling policy documents publicly available, and developing internal guidance on how to process "fast track" registrations.

Anticipated Costs and Benefits:

EPA does not intend to perform cost analyses on self-certification per se, but will qualitatively evaluate the potential costs and benefits of different kinds of self-certification.

Risks:

EPA will determine whether self-certification will help or hinder protection of human health and the environment. EPA will not adopt any self-certification measure which does the latter.

Timetable:

Action	Date	FR Cite
Final Notification Rule	06/26/96	61 FR 33039
Draft PR Notice Self-Certification of Product Chemistry Data	02/04/97	62 FR 5228

Action	Date	FR Cite
Final PR Notice Self-Certification of Product Chemistry Data	12/00/97	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Federal

Additional Information:

SAN No. 3932.

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RIN: 2070–AD00

EPA

128. PESTICIDES AND GROUND WATER STATE MANAGEMENT PLAN REGULATION

Priority:

Economically Significant. Major under 5 USC 801.

Unfunded Mandates:

This action may affect State, local or tribal governments.

Legal Authority:

7 USC 136a; Federal Insecticide, Fungicide, and Rodenticide Act sec 3

CFR Citation:

40 CFR 152.170

Legal Deadline:

None

Abstract:

This regulation would establish State Management Plans (SMPs) as a new regulatory requirement for certain pesticides. Absent an EPA-approved SMP specifying risk-reduction measures, use of the chemical would be prohibited. The rule would also specify procedures and deadlines for development, approval and implementation of SMPs.

Statement of Need:

EPA is proposing regulations to make specific pesticides subject to the provisions of EPA-approved State Management Plans (SMPs) because of their strong ground-water contamination potential. The rule will also establish SMPs as an "other regulatory restriction" and defines the minimum requirements and procedures for developing, approving and managing SMPs. Upon promulgation of this rule, the labels of the designated pesticides will be changed to require use in conformance with EPA-approved SMPs, and to prohibit sale and use in States without such approved Plans (after a period allowed for development and EPA review of these Plans).

An SMP is a State's commitment to EPA and the public to manage the use of a certain pesticide in such a way as to avoid unreasonable risks to ground water that would otherwise warrant cancellation of the use. An approved plan will embody a combination of educational, scientific, and regulatory tools to fulfill the State's ground-water protection goals, developed through a process of public participation. A plan will include a process for disseminating this information to pesticide users and marketers, and for monitoring the effectiveness of the plan through the development of appropriate indicators of environmental improvement and/or protection.

Summary of the Legal Basis:

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) generally requires EPA to regulate pesticide use in such a manner as to prevent unreasonable risks to human health and the environment. Specifically, 7 USC 136a authorizes EPA to prescribe by regulation "other regulatory restrictions" for pesticides that may generally cause unreasonable risks to the environment (such as those that are associated with ground-water contamination potential) without those restrictions.

Alternatives:

This Rule is a direct outgrowth of the Pesticides and Ground Water Strategy, published in October 1991 (after extensive consultation with States, localities, and other affected stakeholders). In publishing the Strategy EPA conducted an analysis of three different alternatives to the regulation of pesticides' ground-water risks. One option was to rely exclusively on orthodox national-level pesticide regulatory tools (tantamount to a "baseline"), which would entail tolerating or remediating a certain level of ground-water contamination. At the other extreme, outright cancellation of candidate pesticides with significant ground-water contamination potential was considered to provide full assurance that no further ground water contamination would occur (taking into account the high economic losses due to the removal of the pesticide from the market). The analysis concluded that a "partnership" approach, providing a mechanism for more tailored management of pesticide use (i.e., taking into account the prevailing influence of highly variable hydrologic "sensitivity" factors), would be simultaneously a more effective and least costly alternative.

Anticipated Costs and Benefits:

EPA anticipates four categories of costs entailed in requiring SMPs. Federal Program Costs are those of administering ground-water protection activities, such as the review of State proposals. State Program Costs entail both capital and annual costs. Registrant and Pesticide-user Impacts are the economic losses ascribed to the reduced use of the classified pesticides, as well as the costs (to the registrants) of complying with Federal and State provisions. Benefits accrue from the reduced levels of pesticide residues in ground water, and a corresponding reduction in: 1) human and ecological risk (see below); and 2) threats to the economic and intrinsic values of the ground-water resource. Enormous uncertainties attend the quantification of these benefits, however.

Risks:

The pesticides under consideration are those most frequently detected (and frequently detected at concentrations exceeding health-based reference points) of currently-registered pesticides, and display physical and chemical characteristics associated with a ground-water contamination potential. The level of potential contamination (and related risk to both human health and the environment) represent a potential unreasonable risk to the environment in the absence of local management measures. State management measures are expected to avert these risks substantially.

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33259
Final	06/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3222.

Effective Date will be 3 years after promulgation.

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RIN: 2070–AC46

EPA

129. POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL AMENDMENTS (SECTION 610 REVIEW)

Priority:

Other Significant

Reinventing Government:

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

Legal Authority:

15 USC 2605(e); Toxic Substances Control Act sec 6(e)

CFR Citation:

40 CFR 761

Legal Deadline:

None

Abstract:

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

Statement of Need:

This rulemaking is the first comprehensive review of the PCB regulations in the 19-year history of the program. The Agency has become aware of a number of instances where the existing regulations do not allow for activities which do not pose an unreasonable risk of injury to health and the environment or where they require unreasonable, unrealistic, or non-cost-effective solutions to PCB problems.

Summary of the Legal Basis:

TSCA section 6(e) bans the manufacture, processing, distribution in commerce and use (except in a totally enclosed manner) of PCBs. It also directs EPA to establish standards for disposal and marking of PCBs. However, section 6(e) allows the EPA to modify these bans, through rulemaking, where it finds no unreasonable risk of injury to health and the environment.

Alternatives:

On December 6, 1994, EPA proposed a number of alternatives to the existing statutory bans in section 6(e). The proposal also included new options and standards for disposal (including remediation) of PCBs.

Anticipated Costs and Benefits:

The EPA projects significant cost savings from authorizations for existing uses and the disposal of large-volume wastes such PCB-contaminated environmental media. In addition, the relaxation of certain administrative requirements should increase the speed of remediation of contaminated sites and accelerate the removal from use of PCBs. EPA projects minimal implementation costs and is reviewing comments which highlight areas for additional cost savings over the proposal.

Risks:

The EPA estimates that millions of tons of PCB-contaminated environmental media will be remediated under this rule, thus preventing large quantities of this long-lived, bioaccumulating chemical from entering the food chain.

Timetable:

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

Small Entities Affected:

Businesses

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 2878.

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RIN: 2070–AD04

EPA

130. STREAMLINING THE STATE SEWAGE SLUDGE MANAGEMENT REGULATIONS

Priority:

Other Significant

Legal Authority:

33 USC 1345(f); Clean Water Act sec 405(f)

CFR Citation:

40 CFR 123; 40 CFR 501

Legal Deadline:

None

Abstract:

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

Statement of Need:

EPA wants States with well-run biosolids management programs to be able to become authorized without having to make unnecessary administrative changes to their programs. This rule will streamline the current regulations to ease the authorization process for States.

Summary of the Legal Basis:

This action is not required by law or court order.

Alternatives:

Several drafts were distributed for wide-spread comment. These drafts ranged from minimum changes to very extensive revisions. The proposed alternative was a compromise based on comments.

Anticipated Costs and Benefits:

There are no anticipated costs to this rule. It provides States with additional flexibility in complying with pre-existing rules. The anticipated benefits are that more States will become authorized to manage the Federal biosolids program.

Risks:

This rule should not have any effect on risks to public health, safety, or the environment since it is a rule to streamline program management requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/11/97	62 FR 11270
Final	12/00/97	

Small Entities Affected:

None

Government Levels Affected:

State, Local, Tribal, Federal

Additional Information:

SAN No. 3788.

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RIN: 2040–AC87

EPA

131. 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; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1312; Clean Water Act sec 302; 33 USC 1316; Clean Water Act sec 306; 33 USC 1318; Clean Water Act sec 308; 33 USC 1342; Clean Water Act sec 402; 33 USC 1361; Clean Water Act 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.

Statement of Need:

This rule is in response to the President's directive.

Summary of the Legal Basis:

This action is not being taken as a result of a court order and is not required by law.

Alternatives:

Alternatives are being considered as part of the proposed rule's comment review.

Anticipated Costs and Benefits:

The proposed rule is expected to provide savings for the regulated entities and permit issuing authorities in respect to costs and labor. It is not expected to result in any increased costs to those entities.

Risks:

Risks to the environment are expected to be minimal.

Timetable:

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

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

EPA

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

Priority:

Other Significant

Reinventing Government:

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

Legal Authority:

33 USC 1342; Clean Water Act sec 402; 33 USC 1314; Clean water Act sec 304; 33 USC 1318; Clean Water Act sec 308; 33 USC 1345; Clean Water Act sec 405; 33 USC 1361; Clean Water Act sec 501

CFR Citation:

40 CFR 122.21(j); 40 CFR 122.21(g)

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.

Statement of Need:

Section 402(a) of the CWA, as amended, authorizes the EPA to issue permits for the discharge of any pollutant or combination of pollutants. The content of the application forms 2A/2S is derived from the requirements in proposed 122.21(j) and 122.21(q). Currently POTWs submit standard form A or short form A (based on size) for wastewater discharges and the interim sewage sludge application form for sludge discharges. EPA has not revised the wastewater forms since 1973, despite many amendments to the CWA and to the regulations under the Act which have significantly changed the permitting strategy of the NPDES program. Increased wastewater treatment required by the CWA has resulted in increased generation of sewage sludge. The interim sludge application form was developed in 1993 in response to regulatory changes to the part 503 sewage sludge regulations.

This rule will finalize changes to the regulations at 122.21(j) and (q) and forms 2A and 2S to provide permit writers with sufficient data to develop appropriate permit limitations that will be effective in ensuring that permittees meet the requirements of the regulations.

Summary of the Legal Basis:

This action is not required by law or court order.

Alternatives:

In preparation of the proposed rulemaking several scenarios for data collection were evaluated for both 2A and 2S. EPA looked at several options for the collection in 2A including all POTWs reporting the maximum data elements. In the end the proposal required two levels of data collection for Form 2A.

Proposed form 2S also evaluated various levels of data collection. In the proposed rule Class 1 facilities complete the most information and the sludge only facilities complete the least.

Anticipated Costs and Benefits:

This rule is a streamlining rule. It is anticipated that overall the final rule will decrease burden on facilities from the existing application burden. The burden reduction will come from streamlined application procedures which will decrease the number of 308 letters necessary.

The costs of the final rule will be decreased from the proposal. The proposed rule costs included a lot of testing which has been eliminated in the final.

Risks:

The application forms rule will allow permit writers to better evaluate discharges from POTWs and other TWTDS. The better the permit writer can evaluate the discharge the better he can protect the environment and public health with appropriate limits and necessary conditions in the permits.

Timetable:

Action	Date	FR Cite
NPRM	12/06/95	60 FR 62545
Final	02/00/98	

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

EPA

133. NATIONAL PRIMARY DRINKING WATER REGULATIONS: STAGE I DISINFECTANT/DISINFECTION BYPRODUCTS RULE

Priority:

Economically Significant. Major under 5 USC 801.

Unfunded Mandates:

This action may affect State, local or tribal governments.

Legal Authority:

42 USC 300; Safe Drinking Water Act sec 1412

CFR Citation:

40 CFR 141; 40 CFR 142

Legal Deadline:

Final, Statutory, November 1998.

Abstract:

The 1996 SDWA amendments require EPA to promulgate an Interim Enhanced Surface Water Treatment Rule (IESWTR) and a Stage 1 Disinfectants/Disinfection Byproducts (DBP) Rule by November 1998. EPA proposed both rules in 1994 as a result of formal regulatory negotiations. The regulations, along with a long-term ESWTR and Stage 2 DBP Rule that will be promulgated later, are intended to expand existing public health protections and address concerns about risk trade-offs between pathogens and disinfection byproducts.

EPA is working under an expedited schedule to meet the November 1998 deadline for the final IESWTR and Stage 1 Rule. The Agency plans to issue a Notice of Data Availability (NODA) for public comment in the fall of 1997 as part of this schedule. The M/DBP Advisory Committee (established under the Federal Advisory Committee Act (FACA)) met from March through July 1997 to discuss, evaluate and provide advice on data, analysis and approaches to the NODA and develop consensus recommendations on a number of key elements in the rule.

Anticipated Costs and Benefits:

Cost-benefit data is under development and will be available as part of the Fall 1997 NODA.

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38668
Notice of Data Availability	11/00/97	
Final	11/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 2772.

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RIN: 2040–AB82

EPA

134. 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.

Legal Authority:

42 USC 300; Safe Drinking Water Act sec 1412

CFR Citation:

40 CFR 141; 40 CFR 142

Legal Deadline:

Final, Statutory, November 1998.

Abstract:

The 1996 SDWA amendments require EPA to promulgate an Interim Enhanced Surface Water Treatment Rule (IESWTR) and a Stage 1 Disinfectants/Disinfection By-Products (DBP) Rule by November 1998. EPA proposed both rules in 1994 as a result of formal regulatory negotiations. The regulations, along with a long-term ESWTR and Stage 2 DBP Rule that will be promulgated later, are intended to expand existing public health protections and address concerns about risk trade-offs between pathogens and disinfection byproducts.

EPA is working under an expedited schedule to meet the November 1998 deadline for the IESWTR and Stage 1 Rule. The Agency plans to issue a Notice of Data Availability for public comment in the fall of 1997 as part of this schedule. The Agency has also established a committee under the Federal Advisory Committee Act (FACA) to assist in development of the rules. The M/DBP Advisory Committee met from March through July to discuss, evaluate and provide advice on data, analysis and approaches to be included in the NODA to be published in November 1997. On July 15, the Committee formally reached consensus and signed an agreement that includes recommendations to EPA on a number of key rule elements.

Anticipated Costs and Benefits:

Cost-benefit data is under development and will be available as part of the Fall 1997 NODA.

Timetable:

Action	Date	FR Cite
NPRM	07/29/94	59 FR 38832
Notice of Data Availability	11/00/97	
Final	11/00/98	

Small Entities Affected:

Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected:

State, Local, Tribal, Federal

Additional Information:

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EPA

135. REVISED STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES

Priority:

Economically Significant. Major under 5 USC 801.

Unfunded Mandates:

Undetermined

Legal Authority:

42 USC 6924; Resource Conservation Recovery Act sec 3004; 42 USC 6925; Resource Conservation Recovery Act sec 3005; Clean Air Act sec 112; Clean Air Act sec 114

CFR Citation:

40 CFR 60; 40 CFR 63; 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270; 40 CFR 271

Legal Deadline:

Final, Judicial, April 1998, Settlement agreement: industrial furnaces & incinerators 4/98 - boilers 12/99.

Abstract:

The Environmental Protection Agency's (EPA's) strategy for hazardous waste minimization and combustion and a judicial settlement agreement commit EPA to upgrade its standards for burning hazardous waste in incinerators, boilers, and industrial furnaces. These standards would be applicable during the construction and operation of these combustion facilities.

Statement of Need:

Under the Clean Air Act (CAA) Amendments of 1990, EPA is required to establish National Emission Standards for Hazardous Air Pollutants (NESHAPs) for most hazardous waste combustors (HWCs) (i.e., incinerators, cement kilns, boilers, and some types of smelting furnaces). In addition, under the Resource Conservation and Recovery Act (RCRA), EPA is required to establish standards for all HWCs as necessary to ensure protection of human health and the environment. EPA is concerned that its current RCRA standards for HWCs may not be adequately protective given that the standards do not take into account indirect pathways of exposure and that there have been advances both in risk assessment and control technologies since promulgation of the current standards.

Consequently, the Agency plans to establish new emissions standards for HWCs under joint CAA and RCRA authority. This will avoid duplicative Agency effort and piecemeal regulation of the hazardous waste combustion industry.

Alternatives:

Under provisions of the CAA, the Agency plans to consider the cost-effectiveness of emission limits more stringent than the minimum limits mandated by the statute. Further, the Agency plans to evaluate approaches to reduce emissions of hazardous air pollutants by improving good operating practices (e.g., controlling the way in which problematic materials such as toxic metals are introduced into the combustor).

Anticipated Costs and Benefits:

EPA's analysis of the proposed rule indicates that some combustion facilities may experience a substantial change in the cost of burning waste, but that this change is likely to have a limited impact on combustion markets. In terms of effects on waste-burning cost structure, cement kilns and lightweight aggregate kilns (LWAKs) are most affected by the regulation. This is primarily a product of their relatively low baseline costs of burning, meaning that incremental compliance costs represent a large increase in their overall cost of burning waste. For incinerators, compliance costs are lower, represent smaller additions to baseline costs, and change little across regulatory options. The analysis concludes that cement kilns have the lowest waste burning costs even after regulation, and so will continue to have the greatest flexibility in marketing their services.

To the extent that compliance costs cannot be passed through to generators and fuel blenders, the profitability of waste burning in kilns will fall. Nonetheless, waste burning kilns are expected to have healthy operating profit margins after the rule. Market exit in all sectors is concentrated among facilities that burn small quantities of hazardous waste. While as many as 98 combustion facilities may stop burning hazardous wastes as a result of the proposed MACT options, the small quantities these facilities burn suggest that market dislocations will be minor.

Overall, the social costs of the rule are balanced by a set of potentially substantial benefits. Given the severity of the potential adverse health effects from dioxin and mercury (cancer, adverse developmental effects in children, severe neurological effects in adults, and bioaccumulation in ecosystems), EPA believes the substantial reductions of these pollutants from hazardous waste burning sources under the MACT standard justifies moving ahead with the proposed beyond the floor (BTF) option. An alternative way of valuing benefits is the potential increase in property values around closed or more stringently regulated combustion facilities. The fact that this approach also suggests potentially substantial benefits strengthens EPA's belief that the costs of moving forward with the proposed BTF option for certain pollutants and/or source categories are justified.

Risks:

EPA has estimated that hazardous waste incinerators and hazardous-waste burning cement and light weight aggregate kilns currently emit a total of 0.94kg toxicity equivalent (TEQ) of TCDD and TCDF (isomers of dioxin) per year. Therefore, hazardous waste burning sources represent about 9 percent of total anthropogenic emissions of dioxins in the U.S.

EPA estimates that dioxin emissions from hazardous waste-burning sources will be reduced to 0.07kg TEQ per year at the floor levels and to 0.01kg TEQ per year at the proposed beyond the floor standard. These reductions would result in decreases of approximately 8 and 9 percent, respectively, in total estimated anthropogenic U.S. emissions. EPA expects that reductions in dioxin emissions from hazardous waste-burning sources, in conjunction with reductions in emissions from other dioxin-emitting sources, will help reduce dioxin levels over time in foods used for human consumption and, therefore, reduce the likelihood of adverse health effects, including cancer, occurring in the general population.

EPA has estimated that hazardous waste incinerators and hazardous waste-burning cement and lightweight aggregate kilns currently emit a total of 10.1 Mg of mercury per year. Based on these estimates, hazardous waste-burning sources represent about 4 percent of total anthropogenic emissions of mercury in the U.S.

EPA estimates that mercury emissions from hazardous waste-burning sources will be reduced to 3.3Mg per year at the proposed floor levels and to 2.0Mg per year at the proposed beyond the floor standard. These reductions would result in reductions of total anthropogenic U.S. emissions of approximately 3 percent. EPA expects that reductions in emissions from other mercury-emitting sources, will help reduce mercury levels in fish over time and therefore, fish consuming populations.

Timetable:

Action	Date	FR Cite
NPRM Cement Kilns, LWAKs, Incinerators	04/19/96	61 FR 17358
Final MACT "Fasttrack"	02/00/98	

Small Entities Affected:

Businesses

Government Levels Affected:

State

Additional Information:

SAN No. 3333.

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EPA

136. REQUIREMENTS FOR MANAGEMENT OF HAZARDOUS CONTAMINATED MEDIA 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.

Legal Authority:

42 USC 6912(a); Resource Conservation Recovery Act sec 2002(a); 42 USC 6921; Resource Conservation Recovery Act sec 3001; 42 USC 6924; Resource Conservation Recovery Act sec 3004; 42 USC 6926; Resource Conservation Recovery Act sec 3006; 42 USC 6927; Resource Conservation Recovery Act sec 3007

CFR Citation:

40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 268; 40 CFR 269; 40 CFR 271

Legal Deadline:

None

Abstract:

The Agency's goal for the HWIR-media proposal was to provide significant relief from administrative and substantive obstacles for the management of remediation wastes, so that states and EPA could base waste management decisions on actual site conditions and waste characteristics, according to their professional judgment instead of strict national requirements that are not uniformly appropriate at all cleanup sites. The Agency wanted to reduce the overlap between RCRA and the Clean Water Act (CWA) or Marine Protection, Research and Sanctuaries Act (MPRSA)

for dredging operations, and EPA was considering withdrawing the regulations for Corrective Action Management Units (CAMUs). Finally, an additional goal was to streamline state authorization.

The Agency has decided on the general framework for finalization of the HWIR-media rule. The Agency plans to promulgate only targeted elements of the proposal rather than go forward with a more comprehensive approach. EPA plans to complement the targeted elements by leaving the CAMU regulations in place, rather than withdrawing these regulations as proposed. Targeted elements EPA plans to focus on are: alternative land disposal restriction treatment standards for hazardous contaminated soil; streamlined permitting for cleanup sites that would eliminate the requirements for facility-wide corrective action at cleanup-only sites; options for remediation piles that resolve issues raised in the public comments; and a RCRA exclusion for dredged materials managed under CWA or MPRSA permits. At this time, EPA is not planning to finalize the portions of the proposal which would have distinguished between lower- and higher-risk contaminated media and would have given regulatory agencies the flexibility to exempt lower-risk contaminated media from RCRA regulations.

Statement of Need:

Since 1980, the Environmental Protection Agency (EPA) has promulgated comprehensive regulations under subtitle C of RCRA governing the treatment, storage, disposal, and transportation of hazardous wastes. These regulations have been designed to, among other things, discourage hazardous waste generation, and for those wastes generated, to prevent future environmental contamination by ensuring safe management and disposal. In contrast, the primary objective of the cleanup program is to achieve environmental improvement as quickly and effectively as possible.

Although EPA conducted a lengthy outreach process before developing the HWIR-media proposal and tried to balance the concerns and interests of various stakeholder groups, it is now clear after reviewing public comment on the proposal that stakeholders have fundamental disagreements on many remediation waste management issues. EPA has concluded that pursuing comprehensive regulatory reform would be a time and resource intensive process that would most likely result in a rule that would provoke additional years of litigation and associated uncertainty. This uncertainty would be detrimental to the program and have a negative effect on ongoing and future cleanups. Based on these conclusions, the Agency has decided that a regulatory response will not solve the remediation waste management issues that HWIR-media was designed to solve.

While EPA believes the targeted elements and corrective action management unit regulations would improve remediation waste management and expedite cleanups, the Agency also recognizes that additional reform is needed, especially for management of non-media remediation wastes like remedial sludges. The Agency will continue to participate in discussions on potential legislation to promote this additional needed reform.

Alternatives:

Alternative regulatory approaches for this rule were proposed and analyzed.

Anticipated Costs and Benefits:

Analyses of costs and benefits will be conducted as part of the economic analysis for this rule required under Executive Order 12866.

Risks:

One of the primary objectives of this rule is to establish requirements for management of contaminated media and other remediation wastes that more accurately reflect the risks posed by such wastes. Thus, the rule is expected to result in cleanups that achieve the Agency's risk reduction objectives in a more efficient and expeditious manner. More quantitative analysis of the risks associated with this rule will be included in the economic analysis.

Timetable:

Action	Date	FR Cite
NPRM	05/20/92	57 FR 21450
NPRM Withdrawn	10/30/92	57 FR 49280
NPRM	04/29/96	61 FR 18780
Final	06/00/98	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Federal

Additional Information:

SAN No. 2982.

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EPA

137. COMPLIANCE ASSURANCE MONITORING RULE (PREVIOUSLY ENHANCED MONITORING PROGRAM)

Priority:

Economically Significant. Major under 5 USC 801.

Legal Authority:

Clean Air Act Amendments of 1990, sections 114(a)(3), 503(b),; Clean Air Act Amendments of 1990, section 504(b)

CFR Citation:

40 CFR 64; 40 CFR 70; 40 CFR 71

Legal Deadline:

Final, Statutory, November 1992.

NPRM, Judicial, September 30, 1993.

Final, Judicial, October 4, 1997.

Abstract:

This action is required by the 1990 Clean Air Act (the Act) Amendments to assure better compliance with existing rules. This rule will require major stationary sources who must obtain permits under title V of the Act to conduct monitoring that provides reasonable assurance of ongoing compliance of the significant emission units with applicable requirements. Affected sources will use the monitoring data in conjunction with other compliance-related data to certify compliance with emission standards and other permit conditions.

Statement of Need:

The Clean Air Act Amendments of 1990 require major stationary sources to provide ongoing monitoring and periodic certification of compliance. Current compliance data based on initial or periodic performance testing, provide only snapshots of the compliance status of stationary sources. Current minimal operation and maintenance monitoring of control technology performance, if applied, provides little assurance of continued good pollution control and little incentive for the source owner or operator to maintain or improve

performance. The compliance assurance monitoring (CAM) rule would require owners or operators of emission sources to increase awareness of the operational status of pollution control technology and to act on discrepancies in that operation to reduce emissions. Certification of compliance would be based on a combination of compliance testing or other compliance data and demonstration of continued good control technology performance and appropriate and timely corrective action.

Alternatives:

The CAM program is designed to assure ongoing compliance with requirements under the Act. If owners or operators are already required to determine continuous compliance with emission limitations or standards, that satisfies the purpose of CAM and no additional assurance of compliance is necessary. If these circumstances do not exist, CAM would use a two-pronged approach to assure compliance. First, CAM would require that owners or operations have reasonable information available to them that can indicate potential problems in emission control performance. Second, CAM would require that owners or operators act on that information in a timely fashion to avoid (if preventable) or reduce (if not preventable) emission control problems that could result in excess emissions. This type of monitoring does not need to be so rigorous as to determine exactly or predict emission levels, but rather should be sufficient to allow for reasonable optimization of the method used by a source to achieve ongoing compliance with emission limitations or standards under the Act.

This approach is consistent with President Clinton's regulatory reform initiatives and EPA's Common Sense Initiative in that it focuses on preventing pollution rather than imposing additional command-and-control regulations on regulated sources. This represents a significant change in Agency direction for implementation of of the monitoring and compliance certification requirements in titles V and VII of the Act. The goal of CAM is to provide a reasonable assurance of compliance. Rather than a direct connection between monitoring and certification, CAM allows for an indirect, symbiotic relationship between these two methods for assuring compliance. The result of this change will be to reduce the emphasis on assuring compliance through the threat of enforcement. Instead, CAM emphasizes assuring compliance by placing the burden on regulated sources to monitor their performance and take proactive steps to minimize emission exceedances.

Anticipated Costs and Benefits:

In keeping with Executive Order 12866, EPA will prepare a detailed regulatory impact analysis (RIA) that will provide costs and benefits associated with the CAM rule.

EPA believes that the adoption of CAM can result in tangible benefits for a facility. Although a self-monitoring program may not always be justified purely on the basis of economic benefit to a source, self-monitoring can, in some situations, reduce operating costs. For example, monitoring data can be used to increase combustion efficiency in an industrial boiler or to increase capture and reuse of solvents at a coating plant. The CAM approach will also alert owners or operators that potential control device problems may exist. The owner or operator can use this information to target control devices for routine maintenance and repair, and reduce the potential for costly breakdowns.

The Agency also believes that the CAM approach will result in tangible benefits to the general public health and welfare. A primary benefit of CAM will be a reduction in overall emissions through increased compliance with the requirements of the Act. The key elements of CAM that will provide these reductions are (a) the emphasis on monitoring that alerts owners or operators to deteriorating control conditions and (b) the requirement that steps be taken to correct those conditions. This approach emphasizes minimizing emissions by avoiding or remedying as quickly as possible situations that may involve emissions in excess of applicable requirements. In addition to the direct environmental benefit of decreased emissions, increased compliance rates will also achieve a corollary economic benefit. As a general matter, increased compliance rates with existing rules will lower the long-term overall cost of air pollution control by decreasing the need for additional regulations to obtain necessary emission reductions, especially for nonattainment areas.

Risks:

Compliance Assurance Monitoring will apply to over 50,000 emission units nationally. The establishment of CAM requirements is estimated to impact about 97 percent of the emissions of carbon monoxide, nitrogen oxide, particulate matter, sulfur dioxide, and volatile organic compounds, as well as certain hazardous air pollutants such as benzene and mercury; exact reductions which will be obtained are yet to be determined. The CAM provisions will apply to existing Clean Air Act standards only; new regulations will incorporate continuous compliance monitoring provisions. As these new rules are developed, pollution reduction will be achieved beyond those obtained through CAM.

Timetable:

Action	Date	FR Cite
NPRM	10/22/93	58 FR 54648
Supplemental Proposal	12/28/94	59 FR 66844
Final Action	10/00/97	

Small Entities Affected:

None

Government Levels Affected:

None

Additional Information:

SAN No. 2942.

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EPA

138. 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:

Clean Air Act Amendments of 1990 Title I

CFR Citation:

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

Legal Deadline:

None

Abstract:

The purpose of this action is to revise the Clean Air Act 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 new source review regulations. State, local, and tribal permitting agencies will be given more flexibility to implement program requirements in a manner that meet 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 new source review 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) to be proposed in another rulemaking action.

Statement of Need:

In August 1992, EPA voluntarily initiated a comprehensive effort to reform the NSR process. This effort was initiated to examine complaints from the regulated community that the current regulatory scheme is too complex, needlessly delays projects, and unduly restricts source flexibility. Currently there are no applicable statutory or judicial deadlines for the NSR reform rulemaking effort. The goal of this effort is to address industries' concerns without sacrificing the environmental benefits embodied in the present approach; that is, protecting and improving local air quality, and stimulating pollution prevention and advances in control technologies.

In July 1993, the New Source Review (NSR) Reform Subcommittee was formed under the auspices of the Clean Air Act Advisory Committee. The Subcommittee's purpose is to provide independent advice and counsel to EPA on policy and technical issues associated with reforming the NSR rules. The Subcommittee was composed of representatives from industry, State/local air pollution control agencies, environmental organizations, EPA headquarters and regions, and other Federal agencies (Federal Land Managers, National Park Service and Forest Service), Department of Energy, and the Office of Management and Budget).

Summary of the Legal Basis:

There are no applicable statutory or judicial deadlines for the NSR reform rulemaking effort. However, the rule will address two outstanding settlement agreements: CMA Exhibit B and Top-down BACT. The pending settlement on WEPCO may impose a judicial deadline on the rulemaking.

Alternatives:

The Subcommittee discussed numerous options for implementing NSR reform. However, EPA's primary focus will be to consider the specific recommendations developed by the Subcommittee and, where appropriate, use them in this rulemaking effort. In January 1996, EPA, as part of another regulatory streamlining measure, merged portions of a separate rulemaking to implement the 1990 CAA Amendments with the Reform effort. The combined package was proposed in the Federal Register on July 23, 1996.

Anticipated Costs and Benefits:

From a cost perspective, this rulemaking represents a decrease in applications and recordkeeping costs to industry of at least $13 million per year, as compared to the preexisting program, based primarily on the fact that fewer sources will need to apply for major source permits. In addition, the cost to State and local agencies will be reduced by approximately $1.4 million per year. The Federal Government should realize a savings of approximately $116,000 per year. Additional cost reductions, which are difficult to quantify, will be realized due to the streamlining effect of the rulemaking on the permitting process, for example, the opportunity costs for shorter time periods between permit application and project completion and reduced uncertainty in planning for future source growth.

Risks:

This is a procedural rule applicable to a wide variety of source categories. Moreover, it applies to criteria pollutants for which NAAQS have been established. This action is considered environmentally neutral. However, any potential risks are considered in the NAAQS rulemaking from a national perspective.

Timetable:

Action	Date	FR Cite
NPRM	07/23/96	61 FR 38249
Final	06/00/98	

Small Entities Affected:

None

Government Levels Affected:

State, Local, Federal

Additional Information:

SAN No. 3259.

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RIN: 2060–AE11

EPA

139. OPERATING PERMITS: REVISIONS (PART 70)

Priority:

Other Significant

Reinventing Government:

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

Legal Authority:

42 USC 7661 et seq

CFR Citation:

40 CFR 70; 40 CFR 71; 40 CFR 51

Legal Deadline:

None

Abstract:

In response to litigation on the part 70 regulations, to several problems identified through implementation of part 70, and to comments provided in response to notices of proposed rulemaking, parts 51, 70, and 71 are being revised. The changes include the following: streamlined procedures for revising stationary-source operating permits issued by State and local permitting authorities or the Environmental Protection Agency (EPA) under title V of the Clean Air Act; changes to the certification of compliance that is required to be submitted as part of the permit documentation; clarification of the title I and title V permitting requirements for research and development facilities; and changes in public participation requirements for minor new source review actions under title I of the Act.

Statement of Need:

These revised rules will establish a simpler, more flexible system for revising operating permits. These revisions reflect the principles articulated in the President's and the Vice President's March 16, 1995 report Reinventing Environmental Regulation. That report established as goals for environmental regulation the building of partnerships between EPA and State and local agencies, minimizing costs, providing flexibility in implementing programs, tailoring solutions to the problem, and shifting responsibility to State and local programs.

Alternatives:

The Clean Air Act requires that EPA develop regulations which set minimum standards for State operating-permit programs. The Clean Air Act also requires that EPA promulgate and administer a Federal operating-permits program for States that have not obtained EPA approval by November 15, 1995. In response to concerns expressed in comments on the initial notice of proposed rulemaking, the EPA talked with representatives from State and local permitting authorities, industry and environmental groups to hear their implementation concerns. This action incorporates many of those recommendations into a final rule.

Anticipated Costs and Benefits:

The administrative cost of implementing the final rules by permitting authorities, EPA, and permitted sources was estimated. Administrative costs include a range of costs which cover the source's preparing an application through EPA's and the permitting authority's effort to complete the process. The administrative costs are estimated to be approximately $33 million. By comparison, the cost of implementing the current part 70 permit revision system is approximately $118 million. Implementing the revised regulations will reduce costs by about $85 million.

Risks:

All major sources of air pollution are required to have a permit to operate by the Clean Air Act. No adverse effect on the public health or ecosystems should result from this action, because the rule will require permit revisions with significant environmental impact to undergo public and EPA review.

Timetable:

Action	Date	FR Cite
NPRM	08/29/94	59 FR 44460
NPRM Supplemental Proposal for Part 71	04/27/95	60 FR 20804
NPRM Supplemental Proposal for Part 70	08/31/95	60 FR 45530
FINAL	03/00/98	

Small Entities Affected:

Governmental Jurisdictions

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3412.

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RIN: 2060–AF70

EPA

140. NAAQS: SULFUR DIOXIDE (REVIEW AND IMPLEMENTATION)

Priority:

Economically Significant

Legal Authority:

42 USC 7409; Clean Air Act sec 109

CFR Citation:

40 CFR 50.4; 40 CFR 50.5; 40 CFR 51

Legal Deadline:

NPRM, Judicial, November 1, 1994, (review only).

Final, Judicial, April 22, 1996, (review only).

Abstract:

On November 15, 1994, the Environmental Protection Agency (EPA) proposed not to revise the existing 24-hour and annual primary standards. The EPA sought public comment on the need to adopt additional regulatory measures to address the health risk to asthmatic individuals posed by short-term peak sulfur dioxide exposure.

On March 7, 1995, EPA proposed implementation strategies for reducing short-term high concentrations of sulfur dioxide emissions in the ambient air.

On May 22, 1996, EPA published its final decision not to revise the primary sulfur dioxide NAAQS. The notice stated that EPA would shortly propose a new implementation strategy to assist States in addressing short-term peaks of sulfur dioxide. The new implementation strategy - the Intervention Level Program - was proposed on January 2, 1997. Final action on the Intervention level program is anticipated for May, 1998.

Statement of Need:

Brief exposures to elevated concentrations of sulfur dioxide causes bronchoconstriction, sometimes accompanied by symptoms (coughing, wheezing, and shortness of breath), in mild to moderate asthmatic individuals. The existing sulfur dioxide National Ambient Air Quality Standard (NAAQS) provides substantial protection against short-term peak sulfur dioxide levels. At issue is whether additional measures are needed to further reduce the health risk to asthmatic individuals.

Alternatives:

The March 7, 1995, proposal notice sought public comment on three alternatives to further reduce the public health risk to asthmatic individuals posed by short-term peak sulfur dioxide exposures. These included: (a) a new 5-minute NAAQS; (b) a new program under section 303 of the Act; and (c) a targeted monitoring program to ensure sources likely to cause or contribute to high 5-minute peaks are in attainment with the existing standard. The January 2, 1997, notice proposed an alternative program under section 303 of the Act that will assist States in addressing high 5-minute peaks.

Anticipated Costs and Benefits:

A draft regulatory impact analysis was completed and made available for public comment at the time of the January 2, 1997 proposal.

Risks:

Exposure analyses indicate from the national perspective that the likelihood of exposure to high 5-minute sulfur dioxide concentrations is very low. Asthmatic individuals in the vicinity of certain sources or source categories, however, may be at higher risk of exposure than the population as a whole.

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 NAAQS Review	05/22/96	61 FR 25566
NPRM Revised NAAQS Implementation (Part 51)	01/02/97	62 FR 210
Final NAAQS Implementation (Part 51)	05/00/98	

Small Entities Affected:

None

Government Levels Affected:

State

Additional Information:

SAN No. 1002.

(Primary Standard) and SAN No

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RIN: 2060–AA61

EPA

141. VOC REGULATION FOR ARCHITECTURAL COATINGS

Priority:

Other Significant

Legal Authority:

42 USC 7401; Clean Air Act sec 183

CFR Citation:

40 CFR 59

Legal Deadline:

Final, Statutory, March 15, 1997.

Abstract:

This regulation will control volatile organic compound (VOC) emissions from architectural coatings. These coatings are applied to stationary structures and their appurtenances, to portable buildings, to pavements, or to curbs. Traditional VOC limitations, market-based approaches, and phased-in approaches are all being considered. The EPA is working with coating manufacturers and other stakeholders to ensure that this rule is based on the best possible understanding of the industry and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways.

Statement of Need:

This regulation will establish VOC content limits for over 50 categories of architectural coatings. These limits will reduce the VOC emissions from architectural coatings and will reflect best available controls, as defined by section 183(e) of the Clean Air Act (CAA). The architectural coatings category is a significant contributor of VOC emissions in ozone nonattainment areas.

Summary of the Legal Basis:

Section 183(e) of the CAA requires that the EPA list those categories of consumer and commercial products (CCP) that account for at least 80 percent of VOC from all CCP in ozone nonattainment areas and establish a schedule for regulating the categories. The architectural coatings category was included on the list and schedule published March 23, 1995, and is in the group of categories to be regulated by March 1997.

Alternatives:

There are many alternatives to the proposed rule that were or are being considered, including: alternative VOC content limits for some types of coatings; issuance of a control techniques guideline in lieu of a national rule; low-volume exemptions; payment of fees, if desired, to exceed the VOC content limits; variances based on economic hardship; and an incentive to recycle paint. The requirements in the proposed rule are based on product reformulation, a pollution prevention method.

Anticipated Costs and Benefits:

The proposed rule would impose an estimated cost of $25 million per year for coating manufacturers and would reduce VOC emissions from architectural coatings by an estimated 106,000 tons per year. VOC are a main component in formation of ground-level ozone which can damage lung tissue and cause serious respiratory illness.

Risks:

In the past, the CAA has focused on reducing VOC emissions from mobile sources (cars and trucks) and stationary sources, such as power plants and factories. Requiring additional controls on these sources may be very costly for the emissions reductions achieved. Regulating consumer and commercial products may prove to be a more cost-effective way of substantially reducing VOC emissions nationwide. Consumer and commercial products, such as surface coatings, personal care products, and household cleaning products, contribute about six million tons (approximately 30 percent) annually of VOC emissions nationwide. The architectural coating category is one of the largest contributors.

Timetable:

Action	Date	FR Cite
NPRM	06/25/96	61 FR 32729
Final	11/00/97	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Local

Additional Information:

SAN No. 3351.

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RIN: 2060–AE55

EPA

142. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS

Priority:

Other Significant

Legal Authority:

42 USC 7401 et seq

CFR Citation:

40 CFR 59

Legal Deadline:

Final, Statutory, March 1997.

Abstract:

This regulation will reduce volatile organic compound (VOC) emissions from 24 types of consumer products which are currently regulated by California and several other States. The EPA is working with consumer product manufacturers and other stakeholders to ensure that this rule is based on the best possible understanding of the industry and that it affords the flexibility to achieve the necessary emission reductions in the most sensible, cost-effective ways.

Statement of Need:

This regulation will establish VOC content limits for 24 types of consumer products. These limits will reduce the VOC emissions from these products and will reflect best available controls, as defined by section 183(e) of the Clean Air Act. The consumer products category is a significant contributor of VOC emissions in ozone nonattainment areas.

Summary of the Legal Basis:

Section 183(e) of the CAA requires that the EPA list those categories of consumer and commercial products (CCP) that account for at least 80 percent of VOC from all CCP in ozone nonattainment areas and establish a schedule for regulating the categories. The consumer products category was included on the list and schedule published March 23, 1995, and is in the group of categories to be regulated by March 1997.

Alternatives:

Alternatives to requirements in the proposed rule that were or are being considered, include alternative VOC content limits; issuance of a control techniques guideline in lieu of a national rule; variances based on economic hardship; and an incentive for innovative product development. The requirements in the proposed rule are based on product reformulation, a pollution prevention method.

Anticipated Costs and Benefits:

The rule would impose an estimated cost of $27 million per year for consumer product manufacturers and would reduce VOC emissions from the products by an estimated 90,000 tons per year. VOC are a main component in formation of ground-level ozone which can damage lung tissue and cause serious respiratory illness.

Risks:

In the past, the CAA has focused on reducing VOC emissions from mobile sources (cars and trucks) and stationary sources, such as power plants and factories. Requiring additional controls on these sources may be very costly for the emissions reductions achieved. Regulating consumer and commercial products may prove to be a more cost-effective way of substantially reducing VOC emissions nationwide. Consumer and commercial products, such as surface coatings, personal care products, and household cleaning products, contribute about six million tons (approximately 30 percent) annually of VOC emissions nationwide. The consumer products category is one of the largest contributors.

Timetable:

Action	Date	FR Cite
NPRM	04/02/96	61 FR 14531
Final Action	11/00/97	

Small Entities Affected:

Businesses

Government Levels Affected:

State, Local, Tribal

Sectors Affected:

284 Soaps, Detergents, and Cleaning Preparations, Perfumes, Cosmetics, and Other Toilet Preparations; 287 Agricultural Chemicals; 289 Miscellaneous Chemical Products

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3658.

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RIN: 2060–AF62

EPA

143. OPEN-MARKET TRADING GUIDANCE

Priority:

Other Significant

Reinventing Government:

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

Legal Authority:

Clean Air Act sec 182; Clean Air Act sec 187

CFR Citation:

40 CFR 51

Legal Deadline:

None

Abstract:

The Environmental Protection Agency (EPA) will issue a final policy for open-market trading of ozone smog precursors (volatile organic compounds and oxides of nitrogen) that will provide more flexibility than ever before for companies to trade emission credits without prior State or Federal approval. Once a rule is in the State implementation plan (SIP), companies could engage in emissions trades without prior regulatory approval as long as accountability is ensured in accordance with the guidance. The intended benefits of an active market in emissions trading are compliance with the ozone standard at far less cost and an increased incentive to develop innovative emission-reduction technologies. standard at far less cost and an increased incentive to develop innovative emission-reduction technologies.

Statement of Need:

In the last 25 years great progress has been made toward achieving healthy air quality, yet more than 50 million people still live in areas that do not meet the ozone health standard. Continued reductions in ozone precursor emissions are important to protect public health, but additional emission reductions are increasingly more costly to obtain. Emissions trading is one way to lower the overall cost of achieving additional reductions. Historically, the volume of emissions trading under EPA's existing trading policies has been low, suggesting high transaction costs associated with the delays of trade-by-trade government review. Additionally, there have been

significant problems of quality control, reducing the environmental effectiveness of the program. EPA's policy on open-market emissions trading is intended to establish a trading program that minimizes transaction costs and harnesses the power of the marketplace to enhance quality control.

Alternatives:

The EPA endorses several forms of emissions trading, including interfacility and intrafacility emissions trading under the 1986 Emissions Trading Policy Statement, the 1994 Economic Incentive Program Rules and Economic Incentive Program Rules (April 7, 1994). The open-market program is yet another form of emissions trading that can reduce the overall cost of compliance with the ozone standard.

Anticipated Costs and Benefits:

Market-based emissions trading programs allow for greater and/or faster reductions in emissions, lower the cost of pollution control, reduce the adverse impacts of regulation on industry and consumer prices, lower the human health consequences, and improve the environment by achieving early reductions, and provide incentives to develop lower-costs pollution control methods. The actual benefits of open-market trading programs depend on a number of variables, including the number of States that adopt such programs and the number of sources that participate. Estimates of costs savings from established emissions-trading programs such as the nationwide acid rain trading program, the RECLAIM program in the Los Angeles area, and the lead phasedown range from nearly 20 to over 40 percent.

Risks:

Not applicable.

Timetable:

Action	Date	FR Cite
NPRM	08/03/95	60 FR 39668
Notice Inclusion of Proposed Model Rule	08/25/95	60 FR 44290
Final	10/00/97	

Small Entities Affected:

None

Government Levels Affected:

State, Local, Tribal, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3660.

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RIN: 2060–AF60

EPA

144. VOLUNTARY STANDARDS FOR LIGHT-DUTY VEHICLES (NATIONAL 49 STATE LOW-EMISSION VEHICLES PROGRAM)

Priority:

Economically Significant. Major under 5 USC 801.

Legal Authority:

Clean Air Act sec 202; Clean Air Act sec 301(a)

CFR Citation:

Not yet determined

Legal Deadline:

None

Abstract:

This rulemaking is a voluntary emissions standards program applicable to manufacturers of light-duty vehicles and trucks beginning in model year 1997. This program would apply only to those manufacturers that chose to opt into the program. This program is designed to be an alternative national program that provides emissions reductions equivalent to the Northeast Ozone Transport Commission's (OTC's) low-emission vehicle (LEV) program.

Statement of Need:

If agreement is reached between the OTC states and the auto makers on a voluntary 49-State LEV program, this rulemaking will establish the regulations for the LEV program. Under these regulations, auto makers would be able to volunteer to comply with more stringent tailpipe standards for cars and trucks (light-duty). Once an auto maker opted into the program, EPA would enforce the standards in the same manner as any other federal motor vehicle pollution control requirement. EPA is proposing that this program would relieve the 13 states in the Northeastern part of the country (OTR) of the December, 1994, regulatory obligation to adopt their own motor vehicle programs. This rulemaking also harmonizes Federal and California motor vehicle standards and test procedures to enable auto makers to design and test vehicles to one set of standards nationwide.

Alternatives:

Under the CAA, EPA is prohibited from adopting more stringent auto tailpipe standards prior to fiscal year 2004. The OTC petitioned the Environmental Protection Agency (EPA) in 1994 and was granted approval to adopt the California Low-Emission Vehicle Program in the OTR. This rulemaking would establish a voluntary LEV program in 49 states.

Anticipated Costs and Benefits:

The annualized costs of the OTC LEV Program will be roughly $400 million. The National LEV program created in this rulemaking is expected to have an annual cost of $1.1 billion. The OTC program would only apply to 2 million vehicles sold in the OTR. The National LEV program would apply to all new vehicles sold in 49 States comprising a vehicle fleet of 12.5 million vehicles sold annually. On a per car basis, EPA expects vehicle price to increase $100. The National LEV program will provide air pollution reductions throughout the country. There are currently 38 ozone nonattainment areas outside the OTR and CA with a combined population of approximately 45 million that will benefit from this voluntary national program.

Risks:

Motor vehicles are a significant cause of smog because of emissions of volatile organic compounds (VOC) and nitrogen oxide (NOx). EPA has projected that, without the California LEV in the OTR, highway vehicles will account for roughly 38 percent of NOx and 22 percent of VOC emissions in 2005. EPA currently estimates that VOC emissions should be reduced by roughly 95 tons per day and NOx emissions by approximately 195 tons per day as a result of the National LEV program.

Timetable:

Action	Date	FR Cite
NPRM	10/10/95	60 FR 52734
Final	12/00/97	

Small Entities Affected:

None

Government Levels Affected:

State, Federal

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3646.

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RIN: 2060–AF75

EPA

145. CONTROL OF EMISSIONS OF AIR POLLUTION FROM HIGHWAY HEAVY-DUTY ENGINES AND DIESEL ENGINES

Priority:

Economically Significant. Major under 5 USC 801.

Unfunded Mandates:

Undetermined

Legal Authority:

Clean Air Act sec 202(a); Clean Air Act sec 211(c); Clean Air Act sec 213(a); Clean Air Act sec 301(a)

CFR Citation:

40 CFR 9; 40 CFR 86; 40 CFR 89

Legal Deadline:

Final, Judicial, August 29, 1997.

Abstract:

The primary focus of this action will be reducing emissions of nitrogen oxides (NOx), non-methane hydrocarbon (NMHC) and particulate matter (PM) from diesel and gasoline fueled engines used in highway trucks and buses and in nonroad equipment and vehicles. Nitrogen oxides are a significant contributor to urban ozone pollution (smog), acid rain, and particulate pollution. Particulates, including those emitted directly and secondary particulates formed in the atmosphere, have been associated with increased death and illness rates as well as impaired visibility. Non-Methane hydrocarbons also contribute to ozone pollution. Highway and nonroad engines and vehicles are very significant contributors to these air-quality problems. This initiative has been marked by an unprecedented degree of cooperation between EPA, the State of California, and the engine manufacturing industry, as well as the involvement of States, regional air-management organizations, and public interest and environmental organizations. The result has been a plan for very stringent new emission standards that have the support of the industry. EPA has proposed new standards for highway truck and bus engines, and discussions are progressing toward similar standards for nonroad diesel engines. 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.

Statement of Need:

Ozone pollution poses a serious threat to the health and well-being of millions of Americans and a large burden to the U.S. economy. Many ozone nonattainment areas face great difficulties in reaching and maintaining attainment of the ozone health-based air quality standards in the years ahead. Recognizing this challenge, States, local governments, and others have called on the Environmental Protection Agency (EPA) to promulgate additional national measures to reduce nitrogen oxides (NOx), hydrocarbons and particulate matter in order to protect the public from the serious health effects of ozone pollution.

Alternatives:

EPA will consider alternatives for this rule as part of the notices of proposed rulemaking (NPRMs) planned for this initiative.

Risks:

Oxides of nitrogen comprise a family of highly reactive gaseous compounds that contribute to air pollution in both urban and rural environments. NOx is directly harmful to human health and the environment, contributes to particulate pollution, and plays a critical role in the formation of atmospheric ozone. Based on studies of human populations exposed to high concentrations of particles and laboratory studies of animals and humans, there are major human health concerns associated with PM. These include deleterious effects on breathing and respiratory systems, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis, and premature death.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/95	60 FR 45580
NPRM Highway	06/27/96	61 FR 33421
ANPRM Nonroad	01/02/97	62 FR 200
Final Action Highway	10/00/97	
Final Action Nonroad	10/00/97	
NPRM Hwy Heavy Duty Diesel 2004 & later	12/00/98	
Final Hwy Heavy Duty Diesel 2004 & later	12/00/99	

Small Entities Affected:

Undetermined

Government Levels Affected:

Undetermined

Analysis:

Regulatory Flexibility Analysis

Additional Information:

SAN No. 3645, 4014, 4043.

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ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Chapter I

[FRL-5900-6]

Semiannual Agenda of Regulatory and Deregulatory Actions

AGENCY: Environmental Protection Agency.

ACTION: Semiannual Agenda of Regulatory and Deregulatory Actions.

SUMMARY: The Environmental Protection Agency (EPA) publishes the EPA Agenda of Regulatory and Deregulatory Actions twice each year as part of the Unified Agenda of Federal Regulatory and Deregulatory Actions. We do this to let the public know about:

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

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There is no charge for single copies of the Agenda.

FOR FURTHER INFORMATION CONTACT: We welcome your comments and suggestions. If they are general comments or questions about the Agenda or EPA's rulemaking process, please direct them to: Philip Schwartz (2136), EPA, 401 M Street SW., Washington, DC 20460; phone (202) 260-5493, fax (202) 260-5478, e-mail Schwartz.Philip@epamail.epa.gov. If there are questions or comments about a particular rule, please communicate directly with the agency contact listed for that rule. EPA has created an internet site for environmental regulations that we update daily. It is located at http://www.epa.gov/epahome/rules.html.

SUPPLEMENTARY INFORMATION:

Background

Under a number of environmental laws, such as the Clean Air Act, the Clean Water Act, the Food Quality Protection Act, the Safe Drinking Water Act, the Solid Waste Disposal Act, and the Toxic Substances Control Act, the Administrator of EPA is required to issue certain regulations and is authorized to issue others. All of these regulations have the force and effect of law. The procedures by which these regulations are made must follow requirements laid out in a number of laws including the Administrative Procedures Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, and the Small Business Regulatory Enforcement Fairness Act.

EPA's Regulatory Philosophy and Priorities

EPA continues to devote its best efforts toward full protection of human health and the environment by crafting a regulatory system that works better and costs less. We are focusing on four areas: Reducing regulatory and paperwork burdens, improving environmental compliance, regulating for greater results, and increasing community participation and partnerships. We also give priority to initiatives that offer novel solutions to real environmental problems posed by an industry or locality when generally applicable mandates may prove ineffective or inefficient in a specific application. Finally, EPA remains committed to reinventing its regulations to reduce burdens, develop common-sense regulatory actions, and to delete or modify burdensome regulations currently in place.

EPA also follows each of the regulatory principles laid out by President Clinton in "Regulatory Planning and Review" (Executive Order 12866) including:

- Considering alternatives to direct regulation;
- Basing regulations on the best reasonably available scientific, technical, economic, and other information on the need for and the expected consequences of the intended regulation;
- Consistent with obtaining the objectives of the law, tailoring regulations to impose the least burden on society, including, in particular, the least burden on small businesses, communities, and nonprofit organizations; and
- Writing clear regulations with the goal of minimizing the potential for uncertainty and litigation.

How The Agenda Is Organized

Agenda entries are organized by the law that would authorize a particular regulation. There are eight sections dealing with the main environmental laws that EPA administers: FIFRA (Federal Fungicide, Insecticide, and Rodenticide Act); TSCA (Toxic Substances Control Act); CWA (Clean Water Act); AEA (Atomic Energy Act); SDWA (Safe Drinking Water Act); RCRA (Resource Conservation and Recovery Act); CAA (Clean Air Act); and Superfund (Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)). These are followed by a section labeled General, that includes regulations authorized by other statutes.

Entries within each law are divided into five categories: (1) Prerule, (2) Proposed Rule, (3) Final Rule, (4) Long-Term Actions (i.e., actions under development that will not be published within the next 12 months), and (5) Completed Actions (i.e., actions that EPA is deleting from the Agenda because the Agency has completed, withdrawn, or postponed them indefinitely).

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

2. Proposed and Final Rules—This section includes EPA rulemaking actions that are within a year of proposal or promulgation. The listings, however, exclude (a) certain specialized categories of actions (e.g., EPA approvals of State plans and other actions that do not apply nationally) and (b) routine actions (e.g., pesticide tolerances and minor amendments to existing rules). There is no legal significance to the omission of an item from the Agenda. The Agenda shows dates for actions on each entry; these dates are estimates only and should not be construed as an absolute Agency commitment to act on or by the date shown.

We also seek to enhance public participation in the development of

EPA

proposed rules by potentially affected stakeholders. We therefore invite expressions of interest to be directed to the contact person listed for each rule.

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

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

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

Agenda Entries

Agenda entries include the following types of information, where applicable:

Sequence Number: This indicates where the entry appears in the Unified Agenda of Federal Regulatory and Deregulatory Actions.

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

Priority: Entries are placed into one of five categories described below. Also, if we believe that a rule may be "major" under the Small Business Regulatory Enforcement Fairness Act (SBREFA) (5 U.S.C. 801; P.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.

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.

Other Significant: A rulemaking that is not economically significant but is considered significant by the agency. This category includes rules that the agency anticipates will be reviewed by the Office of Management and Budget under E.O. 12866 or rules that are an EPA priority. These rules may or may not be included in The Regulatory Plan.

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 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.

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

CFR Citation: The section(s) 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 an NPRM, 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 costs and benefits of the action.

Timetable: The dates and citations for all past steps and at least a projected date for the next step for the regulatory action. If a date appears in this section as 00/00/00, the date of the action is currently undetermined. Dates after 1999 are printed in the same form as other dates, using the last two digits of the year.

Small Entities Affected: Indicates whether the rule is expected to have at least minimal effects on "small entities" and, if so, whether the small entities are businesses, governmental jurisdictions, or organizations. Small business is defined according to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and elaborated on by the Small Business Administration. It is made on an industry-by-industry basis. Generally firms employing fewer than 500 people are considered small.

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.

Analyses: The kinds of analyses we do for each rule varies with the nature and significance of the rule. Certain laws require specific types of analyses. For example, the Regulatory Flexibility Act requires a special kind of analysis if a rule is likely to have a significant impact on a substantial number of small entities. In this section of the Agenda, we note if we will be preparing a regulatory impact analysis or Regulatory Flexibility Analysis.

Unfunded Mandates: Section 202 of the Unfunded Mandates Reform Act requires an assessment of anticipated costs and benefits if a rule is expected to directly mandate an increase in expenditures of more than $100 million in any one year by State, local, and tribal governments, in the aggregate, or by the private sector. If the section 202 threshold is expected to be exceeded, we note that in this section.

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

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

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

RIN: A number that OMB uses to identify and track rulemakings.

Actions that are among the most significant rulemakings that we expect to publish within the next year are included in The Regulatory Plan required by Executive Order 12866 "Regulatory Planning and Review."

EPA

These actions include five additional categories of information:

Statement of Need: A description of the need for the regulatory action.

Summary of Legal Basis: A description of the legal basis for the action, including whether any aspect of the action is required by statute or court order.

Alternatives: A description of the alternatives to be considered or that were considered as required by section 4(c)(1)(B) of E.O. 12866.

Anticipated Costs and Benefits: A description of preliminary estimates of the anticipated costs and benefits of the action.

Risks: A description of the magnitude of the risk being addressed by the action, the amount by which this risk is expected to be reduced by the action, and the relation of these risks and risk reduction efforts to other risks and risk reduction efforts within EPA's jurisdiction.

Regulatory Flexibility Act Considerations

The Regulatory Flexibility Act (RFA) requires that an agency prepare a Regulatory Flexibility Analysis for any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a "significant economic impact on a substantial number of small entities" (i.e., small governments, small businesses, and small nonprofit organizations). A regulatory flexibility analysis must identify the extent to which small entities will be subject to the rule's requirements, as well as any significant alternatives to the rule that accomplish the objectives of applicable statutes and that minimize any significant economic impacts on small entities. In the Agenda, we have identified those rules that we believe will, if promulgated, impose at least minimal requirements on any small entities by indicating in the "Small Entities Affected" section the category of small entities that may be subject to the rule requirements. The Agenda also indicates in the "Analysis" section whether we expect to prepare a full Regulatory Flexibility Analysis for a particular rule because current information indicates that the rule will likely have a significant adverse economic impact on a substantial number of small entities. We invite public comment on our assessment of those rules that are likely to warrant a Regulatory Flexibility Analysis because of the extent of their potential adverse impact on small entities. (See "Environmental Protection Agency: Index to Entries That May Affect Small Entities" at the end of this document.)

Section 610 of the RFA 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. Rules subject to section 610 review for 1997 were listed in the April 25, 1997, Agenda. We will report on the results of those reviews and list the rules to be reviewed in 1998 in the spring 1998 Agenda.

Dated: September 24, 1997.

Robert Wolcott,

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

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

Sequence Number	Title	Regulation Identifier Number
3256	SAN No. 4025. Exemption of Certain Inert Ingredients from the Definition of Pesticide Chemical Residue under FFDCA	2070-AD20
3257	SAN No. 4026. Exemption of Certain Pesticide Substances from FIFRA Requirements	2070-AD21
3258	SAN No. 4027. Tolerance Processing Fees; Tolerances and Exemption From Tolerances for Pesticide Chemicals	2070-AD23
3259	SAN No. 3892. Antimicrobial Pesticide Registration Reform	2070-AD14
3260	SAN No. 2687. Pesticide Data Requirements for Registration (Revision)	2070-AC12
3261	SAN No. 1640. Pesticide Worker Protection Standards; Pesticide Hazard Communication	2070-AC34
3262	SAN No. 3732. Pesticide Worker Protection Standard Exceptions	2070-AC95
3263	SAN No. 3733. Pesticides Worker Protection Standards; Scope and Clarification of the Exceptions Process	2070-AC96

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

Sequence Number	Title	Regulation Identifier Number
3264	SAN No. 3932. Pesticides; Self-Certification **(Reg Plan Seq. No. 127)**	2070-AD00
3265	SAN No. 2684. Regulation of Plant-Produced Pesticides Under FIFRA and FFDCA	2070-AC02
3266	SAN No. 3135. Pesticide Flammability Labeling Requirements for Total Release Foggers	2070-AC60
3267	SAN No. 2371. Restricted Use Criteria for Pesticides in Groundwater	2070-AB60
3268	SAN No. 3222. Pesticides and Ground Water State Management Plan Regulation **(Reg Plan Seq. No. 128)**	2070-AC46
3269	SAN No. 3731. Modifications to Pesticide Worker Protection Standard—Glove Amendment	2070-AC93
3270	SAN No. 3890. Tolerances for Pesticide Emergency Exemptions	2070-AD15

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

EPA

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

Sequence Number	Title	Regulation Identifier Number
3271	SAN No. 2444. Pesticide Tolerances; Portion of Food Commodities To Be Analyzed for Pesticide Residues	2070-AC45
3272	SAN No. 3113. Endangered Species Protection Program	2070-AC42
3273	SAN No. 3735. The 10-Acre Limitation for Pesticide Small-Scale Field Testing	2070-AC99
3274	SAN No. 3636. Pesticide Labeling Claims	2070-AC85
3275	SAN No. 2659. Pesticide Management and Disposal: Standards for Pesticide Containers and Containment	2070-AB95
3276	SAN No. 2639. Child-Resistant Packaging Regulations (Revision)	2070-AB96
3277	SAN No. 3738. Pesticide Export Policy	2070-AD02

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

Sequence Number	Title	Regulation Identifier Number
3278	SAN No. 3739. Cross-Contamination of Pesticide Products	2070-AD03
3279	SAN No. 2338. Reporting Requirements for Risk/Benefit Information (Revision)	2070-AB50

Toxic Substances Control Act (TSCA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3280	SAN No. 3880. Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know **(Reg Plan Seq. No. 107)**	2070-AD09

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

Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3281	SAN No. 4015. Toxics Release Inventory (TRI): Review of Chemicals on Original TRI List **(Reg Plan Seq. No. 108)**	2070-AD18
3282	SAN No. 3007. TRI Chemical Expansion; Finalization of Deferred Chemicals **(Reg Plan Seq. No. 109)**	2070-AC47
3283	SAN No. 3301. TSCA Inventory Update Rule Amendments **(Reg Plan Seq. No. 110)**	2070-AC61
3284	SAN No. 3877. Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know **(Reg Plan Seq. No. 111)**	2070-AD08
3285	SAN No. 4023. TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory **(Reg Plan Seq. No. 112)**	2070-AD19
3286	SAN No. 2425. TRI: Responses to Petitions Received To Add or Delete Chemicals From the Toxic Release Inventory	2070-AC00
3287	SAN No. 2847. TRI; Pollution Prevention Act Information Requirements **(Reg Plan Seq. No. 113)**	2070-AC24
3288	SAN No. 3243. Lead Hazard Standards	2070-AC63
3289	SAN No. 3242. Lead-Based Paint Disclosure Requirements at Renovation of Target Housing	2070-AC65
3290	SAN No. 2249. Amendments to the Asbestos Worker Protection Rule **(Section 610 Review)**	2070-AC66
3291	SAN No. 3508. Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris	2070-AC72
3292	SAN No. 3243. Selected Rulemakings for Abating Lead Hazards **(Reg Plan Seq. No. 114)**	2070-AD06
3293	SAN No. 3894. TSCA Biotechnology Follow-up Rules	2070-AD13
3294	SAN No. 3990. OECD SIDS High Production Volume Chemical Screening Test Rule	2070-AD16
3295	SAN No. 3494. Proposed Decisions on Test Rules	2070-AB07
3296	SAN No. 2563. ATSDR Substances Test Rule	2070-AB79
3297	SAN No. 2865. Multichemical Endpoint(s) Test Rule; Developmental and Reproductive Toxicity	2070-AC27
3298	SAN No. 3487. Hazardous Air Pollutants Test Rule	2070-AC76
3299	SAN No. 1923. Follow-Up Rules on Existing Chemicals	2070-AA58
3300	SAN No. 1976. Follow-Up Rules on Non-5(e) New Chemical Substances	2070-AA59
3301	SAN No. 2150. Polychlorinated Biphenyls (PCBs): Exemptions From the Prohibitions Against Manufacturing, Processing, and Distribution in Commerce	2070-AB20

EPA

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

Sequence Number	Title	Regulation Identifier Number
3302	SAN No. 2245. Negotiated Consent Order and Test Rule Procedures	2070-AB30
3303	SAN No. 3148. Revised Asbestos Model Accreditation Plan **(Section 610 Review)**	2070-AC51
3304	SAN No. 3047. Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**	2070-AC62
3305	SAN No. 3834. Amendments to TSCA Section 8(d) Health and Safety Data Model Reporting Rule	2070-AD17
3306	SAN No. 3881. Lead Fee Rule for Lead-Based Paint Activities Training and Certification	2070-AD11

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

Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3307	SAN No. 3493. Final Decisions on Test Rules	2070-AB94
3308	SAN No. 3495. Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders	2070-AB27
3309	SAN No. 2779. Use of Acrylamide for Grouting	2070-AC17
3310	SAN No. 3021. Polychlorinated Biphenyls (PCBs) Transformer Reclassification Rule	2070-AC39
3311	SAN No. 2878. Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review) (Reg Plan Seq. No. 129)**	2070-AD04
3312	SAN No. 2178. Section 8(a) Preliminary Assessment Information Rules	2070-AB08
3313	SAN No. 1139. Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
3314	SAN No. 3118. TSCA Section 8(e); Notice of Clarification and Solicitation of Public Comment	2070-AC80
3315	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

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

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

Sequence Number	Title	Regulation Identifier Number
3316	SAN No. 3630. Facility Identification Initiative	2070-AD01
3317	SAN No. 3244. Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule	2070-AC64
3318	SAN No. 3480. Development of Guidance as Mandated by Executive Order 12873, Section 503 on Environmentally Preferable Products	2070-AC78
3319	SAN No. 3882. Test Rule for Certain Metals	2070-AD10
3320	SAN No. 3252. Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use	2070-AC21
3321	SAN No. 2146. Regulatory Investigation of Formaldehyde	2070-AB14
3322	SAN No. 2560. Procedures and Criteria for Termination of Polychlorinated Biphenyls (PCBs) Disposal Permits	2070-AB81
3323	SAN No. 2844. Regulatory Investigation of Dioxin in Pulp and Paper Mill Sludge	2070-AC05
3324	SAN No. 3528. Significant New Use Rules on National Program Chemicals; Asbestos, Lead, and Refractory Ceramic Fibers	2070-AC37
3325	SAN No. 3557. Lead-Based Paint Activities, Training, and Certification: Renovation and Remodeling	2070-AC83

Toxic Substances Control Act (TSCA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3326	SAN No. 3034. Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know	2070-AC71
3327	SAN No. 3388. Deletion of Isopropyl Alcohol; Toxic Chemical Release Reporting; Community Right-To-Know	2070-AC77
3328	SAN No. 3755. OPPT Generic Reinvention Evaluations	2070-AC97
3329	SAN No. 2865. Multichemical Endpoint Test Rule; Chemical Fate and Environmental Effects	2070-AC36

EPA

Toxic Substances Control Act (TSCA)—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3330	SAN No. 2326. Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)	2070-AB61

Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3331	SAN No. 3662. Water Quality Standards Regulation—Revision	2040-AC56

Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3332	SAN No. 3999. Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges	2040-AD02
3333	SAN No. 4048. Test Procedures for the Analysis of Mercury Under the Clean Water Act	2040-AD07
3334	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
3335	SAN No. 3497. Amendments to Round I Final Sewage Sludge Use or Disposal Rule—Phase Two	2040-AC53
3336	SAN No. 2805. Effluent Guidelines and Standards for the Centralized Waste Treatment Industry	2040-AB78
3337	SAN No. 3209. Effluent Guidelines and Standards for the Industrial Laundries Point Source Category	2040-AB97
3338	SAN No. 3204. Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category	2040-AB98
3339	SAN No. 3489. Effluent Guidelines and Standards for Landfills	2040-AC23
3340	SAN No. 3786. NPDES Streamlining Rule—Round III **(Reg Plan Seq. No. 115)**	2040-AC84
3341	SAN No. 3804. Streamlining 301(h) Waiver Renewal Requirements	2040-AC89
3342	SAN No. 4041. Effluent Guidelines and Standards for Industrial Waste Combustors	2040-AD03
3343	SAN No. 4039. Amendment to Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category	2040-AD05
3344	SAN No. 3702. Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	2040-AC75
3345	SAN No. 3701. Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act	2040-AC76
3346	SAN No. 3767. Reformatting of Effluent Guidelines and Standards in 40 CFR Parts 405 through 471	2040-AC79
3347	SAN No. 3663. Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution **(Reg Plan Seq. No. 116)**	2040-AC58
3348	SAN No. 3925. Uniform National Discharge Standards for Armed Forces Vessels	2040-AC96
3349	SAN No. 3234. Revision of NPDES Industrial Permit Application Requirements and Form 2C—Wastewater Discharge Information **(Reg Plan Seq. No. 117)**	2040-AC26
3350	SAN No. 3785. Comprehensive NPDES Stormwater Phase II Regulations **(Reg Plan Seq. No. 118)**	2040-AC82

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Clean Water Act (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3351	SAN No. 3995. Amendment to the Pesticide Chemicals Manufacturing Effluent Limitations Guidelines; Pretreatment Standards; New and Existing Sources	2040-AD01
3352	SAN No. 4051. Establishment of Electronic Reporting for NPDES Permittees	2040-AD11
3353	SAN No. 3497. Amendments to Round I Final Sewage Sludge Use or Disposal Rule—Phase One	2040-AC29
3354	SAN No. 3504. Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California	2040-AC44
3355	SAN No. 3788. Streamlining the State Sewage Sludge Management Regulations **(Reg Plan Seq. No. 130)**	2040-AC87
3356	SAN No. 3713. Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136	2040-AC93
3357	SAN No. 3921. Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System	2040-AC97
3358	SAN No. 1427. Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category	2040-AA13

EPA

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

Sequence Number	Title	Regulation Identifier Number
3359	SAN No. 3762. NPDES Streamlining Rule—Round II **(Reg Plan Seq. No. 131)**	2040-AC70
3360	SAN No. 3661. Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance	2040-AC55
3361	SAN No. 3722. Withdrawal of Proposed Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards	2040-AC74
3362	SAN No. 3617. Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC63
3363	SAN No. 3714. Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136	2040-AC92
3364	SAN No. 3155. Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act	2040-AC95
3365	SAN No. 3666. Clarification of the Application Requirements for States Wanting to Designate Drinking Water Intake Zones, Thereby Prohibiting the Discharge of Vessel Sewage Within Those Zones	2040-AC61
3366	SAN No. 2501. NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal **(Reg Plan Seq. No. 132)**	2040-AB39
3367	SAN No. 2820. Shore Protection Act, Section 4103(b) Regulations	2040-AB85

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Clean Water Act (CWA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3368	SAN No. 4050. Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II	2040-AD10
3369	SAN No. 3618. Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC54
3370	SAN No. 3448. Standards for the Use or Disposal of Sewage Sludge (Round II)	2040-AC25
3371	SAN No. 2806. Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2	2040-AB79
3372	SAN No. 3444. Best Technology Available (BTA) for Cooling Water Intake Structures Under Section 316(b) of the Clean Water Act	2040-AC34
3373	SAN No. 3833. Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category	2040-AC90
3374	SAN No. 3700. Streamlining Revisions to the Water Quality Planning and Management Regulations	2040-AC65
3375	SAN No. 2804. Clean Water Act Section 404 Program Definition of the Waters of the United States—Isolated Waters and Artificial Waters	2040-AB74
3376	SAN No. 3224. Comparison of Dredged Material to Reference Sediment	2040-AC14
3377	SAN No. 2737. Revisions to Ocean Dumping Regulations for Dredged Material	2040-AB62

Clean Water Act (CWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3378	SAN No. 2712. Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category	2040-AB53
3379	SAN No. 3625. Streamlined Procedures for Developing and Maintaining Approved Publicly Owned Treatment Works Pretreatment Programs	2040-AC57
3380	SAN No. 3679. Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act	2040-AC64

EPA

Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3381	SAN No. 4054. Disposal of Low-Activity Radioactive Wastes	2060-AH63

Atomic Energy Act (AEA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3382	SAN No. 3321. Federal Radiation Protection Guidance for Exposure of the General Public	2060-AE61

Atomic Energy Act (AEA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3383	SAN No. 3602. Protective Action Guidance for Drinking Water	2060-AF39

Atomic Energy Act (AEA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3384	SAN No. 2073. Environmental Protection Agency Radiation Site Cleanup Regulation	2060-AB31

Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3385	SAN No. 4040. Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act	2020-AA37
3386	SAN No. 3947. Drinking Water Consumer Confidence Report Regulations	2040-AC99
3387	SAN No. 4009. Public Water System Public Notification Regulation	2040-AD06
3388	SAN No. 4047. Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts	2040-AD08
3389	SAN No. 4044. Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides	2040-AD04
3390	SAN No. 2778. Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act **(Reg Plan Seq. No. 119)**	2040-AB83
3391	SAN No. 3761. Streamlining Drinking Water Monitoring Requirements	2040-AC73

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Safe Drinking Water Act (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3392	SAN No. 3440. National Primary Drinking Water Regulations for Lead and Copper	2040-AC27
3393	SAN No. 2772. National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule **(Reg Plan Seq. No. 133)**	2040-AB82
3394	SAN No. 3563. Reformatting of Drinking Water Regulations	2040-AC41
3395	SAN No. 3726. Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants	2040-AC77

EPA

Safe Drinking Water Act (SDWA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3396	SAN No. 2304. National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule **(Reg Plan Seq. No. 134)**	2040-AC91

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

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

Sequence Number	Title	Regulation Identifier Number
3397	SAN No. 3996. Revisions to State Primacy Requirements to Implement Federal Drinking Water Regulations	2040-AD00
3398	SAN No. 2281. National Primary Drinking Water Regulations: Radon	2040-AA94
3399	SAN No. 2340. National Primary Drinking Water Regulations: Groundwater Disinfection	2040-AA97
3400	SAN No. 2807. National Primary Drinking Water Regulations: Arsenic	2040-AB75
3401	SAN No. 3176. National Primary Drinking Water Regulations: Sulfate	2040-AC07
3402	SAN No. 3238. National Primary Drinking Water Standards for Aldicarb	2040-AC13
3403	SAN No. 3992. National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters	2040-AC98

Safe Drinking Water Act (SDWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3404	SAN No. 3784. Underground Injection Control Program Streamlining Rule	2040-AC83

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3405	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
3406	SAN No. 2634. Revisions to the Oil Pollution Prevention Regulation	2050-AC62
3407	SAN No. 3989. Removal of Requirement to Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)	2050-AE41
3408	SAN No. 4028. Standardized Permit for RCRA Hazardous Waste Management Facilities	2050-AE44
3409	SAN No. 2872. Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General **(Reg Plan Seq. No. 120)**	2050-AD18
3410	SAN No. 3856. Management of Cement Kiln Dust (CKD) **(Reg Plan Seq. No. 121)**	2050-AE34

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

Sequence Number	Title	Regulation Identifier Number
3411	SAN No. 3888. Mercury-Containing and Rechargeable Battery Management Act; Codification of Waste Management Provisions	2050-AE39
3412	SAN No. 3042. Hazardous Waste Management System: Post-Closure Requirements	2050-AD55

EPA

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

Sequence Number	Title	Regulation Identifier Number
3413	SAN No. 3065. Listing Determination for Hazardous Wastes—Organobromines Chemical Industry	2050-AD79
3414	SAN No. 3179. RCRA Subtitle D Corporate Financial Test and Guarantee	2050-AD77
3415	SAN No. 3066. Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments	2050-AD80
3416	SAN No. 3064. Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes	2050-AD88
3417	SAN No. 3333. Revised Standards for Hazardous Waste Combustion Facilities **(Reg Plan Seq. No. 135)**	2050-AE01
3418	SAN No. 3366. Land Disposal Restrictions—Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues	2050-AE05
3419	SAN No. 2982. Requirements for Management of Hazardous Contaminated Media Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media **(Reg Plan Seq. No. 136)**	2050-AE22
3420	SAN No. 2647. RCRA Subtitle C Financial Test Criteria (Revision)	2050-AC71
3421	SAN No. 2751. RCRA Subtitle D Solid Waste Facilities; State Permit Program— Determination of Adequacy (State Implementation Rule)	2050-AD03
3422	SAN No. 3545. Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials	2050-AE23

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

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

Sequence Number	Title	Regulation Identifier Number
3423	SAN No. 4017. Proposed Modifications to Hazardous Waste Storage and Disposal Regulation Related to Low Level Mixed Waste	2050-AE45
3424	SAN No. 3425. Facility Response Planning for Delegated Offshore Facilities	2050-AE18
3425	SAN No. 3428. Standards for the Management and Use of Slag Residues Derived from High Temperature Metals Recovery (HTMR) Treatment of KO61, KO62 and F0006 Wastes	2050-AE15
3426	SAN No. 3668. Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards	2050-AE28
3427	SAN No. 3805. Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste	2050-AE32
3428	SAN No. 3886. Review of Toxicity Characteristic Level for Silver Under the Resource Conservation Recovery Act (RCRA)	2050-AE37
3429	SAN No. 3328. Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste	2050-AE07
3430	SAN No. 3134. Spent Solvents Listing Determination	2050-AD84
3431	SAN No. 3151. Chlorinated Aliphatics Listing Determination	2050-AD85
3432	SAN No. 3189. Final Determination of the Applicability of the Toxicity Characteristic Rule to Underground Storage Tanks, Contaminated Media, and Debris	2050-AD69
3433	SAN No. 3237. Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps	2050-AD93
3434	SAN No. 3147. Hazardous Waste Manifest Regulation	2050-AE21
3435	SAN No. 2390. Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities	2050-AB80
3436	SAN No. 3433. Underground Storage Tanks Containing Hazardous Substances—Financial Responsibility Requirements	2050-AC15

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3437	SAN No. 3546. Flexibility in Management Criteria for Small Municipal Solid Waste Landfills	2050-AE24
3438	SAN No. 3547. New and Revised Testing Methods Approved for RCRA Subtitle C, Hazardous Waste Testing Manual, SW-846, Third Edition, Update IV	2050-AE25

EPA

Resource Conservation and Recovery Act (RCRA)—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3439	SAN No. 3427. New and Revised Testing Methods Approved for RCRA Subtitle C, in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846), Third Edition, Update III	2050-AE14

Clean Air Act (CAA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3440	SAN No. 3986. Consolidated Emission Reporting Rule	2060-AH25

Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3441	SAN No. 3945. State Implementation Plan Calls for Certain States in the Ozone Transport Assessment Group (OTAG) for Purposes of Reducing Regional Transport Ozone	2060-AH10
3442	SAN No. 3915. Technical Amendments for Non-Road Compression Ignition Engines	2060-AH33
3443	SAN No. 3910. Streamlined Evaporative Test Procedures	2060-AH34
3444	SAN No. 3944. Review of Definition of Volatile Organic Compounds—Exclusion of Chlorobromomethane	2060-AH39
3445	SAN No. 3916. Amendment to Urban Bus Retrofit/Rebuild Program Regulations	2060-AH45
3446	SAN No. 4046. Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matter	2060-AH53
3447	SAN No. 4035. Protection of Stratospheric Ozone: Interpretation of Methyl Bromide Labeling Requirements	2060-AH54
3448	SAN No. 4042. Clean Fuel Fleet Program; Rule Amendment	2060-AH56
3449	SAN No. 4010. Regulation of Fuels and Fuel Additives: Proposed Minor Revisions to Selected Recordkeeping and Enforcement Provisions Under the Regulation of Deposit Control Gasoline Additives	2060-AH57
3450	SAN No. 4045. Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations	2060-AH58
3451	SAN No. 4032. Transportation Conformity for Transitional Ozone Areas	2060-AH59
3452	SAN No. 4052. Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act	2060-AH60
3453	SAN No. 4034. Minor Amendments to Inspection Maintenance Program Requirements; Amendments to the Final Rule	2060-AH61
3454	SAN No. 4033. I/M Program Requirement—On-Board Diagnostic Checks; Amendment to the Final Rule	2060-AH62
3455	SAN No. 3873. Waste Isolation Pilot Plant (WIPP) Compliance Certification Rulemaking **(Reg Plan Seq. No. 122)**	2060-AG85
3456	SAN No. 3263. Performance Warranty and Inspection/Maintenance Test Procedures	2060-AE20
3457	SAN No. 3262. Inspection/Maintenance Recall Requirements	2060-AE22
3458	SAN No. 3549. NESHAP: Petroleum Refineries - FCC Units, Reformers and Sulfur Plants	2060-AF28
3459	SAN No. 3082. NESHAP: Ferroalloy Production	2060-AF29
3460	SAN No. 3553. Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations **(Reg Plan Seq. No. 123)**	2060-AF34
3461	SAN No. 3569. Federal Implementation Plan To Control Emissions From Two Power Stations Located on Navajo Nation Lands	2060-AF42
3462	SAN No. 3572. Acid Rain Program: Revisions to Applicability, Exemptions, Allocations, and Small Diesel Refineries	2060-AF45
3463	SAN No. 3649. Amendments to Method 24 (Water-Based Coatings)	2060-AF72
3464	SAN No. 3637. Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2060-AF84
3465	SAN No. 3638. Revision of EPA's Radiological Emergency Response Plan	2060-AF85
3466	SAN No. 3598. Amendment of Enhanced Inspection/Maintenance Performance Standard	2060-AG07
3467	SAN No. 3743. Amendments to Part 60, Part 61, and Part 63	2060-AG21
3468	SAN No. 3650. Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead	2060-AG23
3469	SAN No. 3748. Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry **(Reg Plan Seq. No. 124)**	2060-AG28

EPA

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

Sequence Number	Title	Regulation Identifier Number
3556	SAN No. 3604. Standards for Reformulated and Conventional Gasoline, Individual Baseline Fuel Adjustments	2060-AG80
3557	SAN No. 3948. Fuels and Fuel Additives; Elimination of Oxygenated Program Reformulated Gasoline Category from the Reformulated Gasoline Regulations	2060-AH43
3558	SAN No. 3610. Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program	2060-AG79
3559	SAN No. 3281. National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings	2060-AE35
3560	SAN No. 3351. VOC Regulation for Architectural Coatings **(Reg Plan Seq. No. 141)**	2060-AE55
3561	SAN No. 3658. National VOC Emission Standards for Consumer Products **(Reg Plan Seq. No. 142)**	2060-AF62
3562	SAN No. 3660. Open-Market Trading Guidance **(Reg Plan Seq. No. 143)**	2060-AF60
3563	SAN No. 3300. Revised Carbon Monoxide (CO) Standard for Class I and II Nonhandheld New Nonroad Phase I Small Spark-Ignited Engines	2060-AG81
3564	SAN No. 3646. Voluntary Standards for Light-Duty Vehicles (National 49 State Low-Emission Vehicles Program) **(Reg Plan Seq. No. 144)**	2060-AF75
3565	SAN No. 3645, 4014, 4043. Control of Emissions of Air Pollution from Highway Heavy-Duty Engines and Diesel Engines **(Reg Plan Seq. No. 145)**	2060-AF76
3566	SAN No. 3844. Modifications to Standards for Reformulated and Conventional Gasoline	2060-AG76
3567	SAN No. 3843. Revision to the Covered Areas Provision for Reformulated Gasoline	2060-AG77
3568	SAN No. 3842. Amendment Concerning Applicability of On Highway Heavy-Duty Certified Engines for Use in Nonroad Heavy-Duty Vehicles and Equipment	2060-AG78
3569	SAN No. 3789. Outer Continental Shelf Air Regulations Delegation Remand	2060-AG39
3570	SAN No. 3790. Outer Continental Shelf Air Regulations Offset Remand	2060-AG40
3571	SAN No. 3352. NSPS: Nitrogen Oxide Emissions From Fossil-Fuel Fired Steam Generating Units—Revision	2060-AE56
3572	SAN No. 3555. Amendment to the MVAC Rule To Include All Refrigerants	2060-AF35
3573	SAN No. 3556. Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608	2060-AF36
3574	SAN No. 3792. Technical Amendments to Hazardous Waste TSDF and Haz. Waste Generators: Organic Air Emission Stnds. for Tanks, Surface Impoundments and Containers	2060-AG44

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

Clean Air Act (CAA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3575	SAN No. 3970. NESHAP for Miscellaneous Cellulose Production	2060-AH11
3576	SAN No. 3969. NESHAP for Municipal Solid Waste Landfills	2060-AH13
3577	SAN No. 3917. Transportation Conformity Rule Amendment: Clarification of Trading Provisions	2060-AH31
3578	SAN No. 4022. National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks	2060-AH55
3579	SAN No. 3407. Method 301: Field Validation of Pollution Measurement Methods for Various Media	2060-AF00
3580	SAN No. 3516. Radiation Waste Management Regulations	2060-AF41
3581	SAN No. 3741. Service Information Availability	2060-AG13
3582	SAN No. 3811. Radionuclide Dose Methodology Update	2060-AG49
3583	SAN No. 3819. NSPS for Sewage Sludge Incinerators	2060-AG50
3584	SAN No. 3820. NESHAP for Plywood and Particle Board Manufacturing	2060-AG52
3585	SAN No. 3922. Revised Permit Revision Procedures for the Federal Operating Permits Program	2060-AG92
3586	SAN No. 3966. Storage Tank Rule Revisions	2060-AH15
3587	SAN No. 3958. Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)	2060-AH23
3588	SAN No. 3656. NESHAP/NSPS: Internal Combustion Engine	2060-AG63
3589	SAN No. 3657. Combustion Turbine NESHAP/NSPS	2060-AG67
3590	SAN No. 3229. NESHAP: Oil and Natural Gas Production	2060-AE34
3591	SAN No. 3343. NESHAP—Iron Foundries and Steel Foundries	2060-AE43
3592	SAN No. 3341. NESHAP—Cyanide Chemical Manufacturing	2060-AE45
3593	SAN No. 3346. NESHAP: Integrated Iron and Steel	2060-AE48
3594	SAN No. 3326. NESHAP: Reinforced Plastic Composites Production	2060-AE79
3595	SAN No. 3452. NESHAP: Miscellaneous Organic Chemical Production and Processes	2060-AE82
3596	SAN No. 3449. NESHAP: Chlorine Production	2060-AE85
3597	SAN No. 3746. National Emission Standard for Hazardous Air Pollutants for Paint Stripper Users	2060-AG26

EPA

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

Sequence Number	Title	Regulation Identifier Number
3598	SAN No. 3747. NESHAP for Boat Manufacturing	2060-AG27
3599	SAN No. 3749. NESHAP for Tire Manufacturing	2060-AG29
3600	SAN No. 3752. NESHAP for Aerosol Can Filling Facilities	2060-AG32
3601	SAN No. 3754. Petroleum Solvent Dry Cleaners MACT Standard	2060-AG34
3602	SAN No. 3821. NESHAP for Ethylene Processes	2060-AG53
3603	SAN No. 3823. Large Appliance Coatings Integrated Regulation	2060-AG54
3604	SAN No. 3655. Asphalt Roofing and Processing NESHAP	2060-AG66
3605	SAN No. 3652. NESHAP Refractories Manufacturing	2060-AG68
3606	SAN No. 3837. NESHAP for Industrial, Commercial and Institutional Boilers and Process Heaters	2060-AG69
3607	SAN No. 3651. NESHAP: Lime Manufacturing	2060-AG72
3608	SAN No. 3872. Industrial Combustion Coordinated Rulemaking—ICCR Project	2060-AG84
3609	SAN No. 3899. NESHAP: Friction Products Manufacturing	2060-AG87
3610	SAN No. 3902. NESHAP: Semiconductor Production	2060-AG93
3611	SAN No. 3906. NESHAP: Metal Can (Surface Coating) Industry	2060-AG96
3612	SAN No. 3905. NESHAP: Metal Coil (Surface Coating) Industry	2060-AG97
3613	SAN No. 3909. NESHAP: Fabric Printing, Coating and Dyeing	2060-AG98
3614	SAN No. 3907. Automobile and Light-Duty Truck Manufacturing Integrated Rule Development	2060-AG99
3615	SAN No. 3924. NESHAP: Primary Magnesium Refining	2060-AH03
3616	SAN No. 3968. NESHAP for Site Remediation	2060-AH12
3617	SAN No. 3967. NESHAP: Spandex Production	2060-AH14
3618	SAN No. 3964. NESHAP for Leather Tanning and Finishing Operations	2060-AH17
3619	SAN No. 3963. NESHAP for Cellulose Production Categories	2060-AH18
3620	SAN No. 3962. NESHAP for the Manufacture of Carbon Black	2060-AH19
3621	SAN No. 3903. NESHAP: Vegetable Oil Production	2060-AH22
3622	SAN No. 3972. Rocket Engine Test Firing/Engine Test Facilities	2060-AH35
3623	SAN No. 3971. NESHAP for Organic Liquid Distribution	2060-AH41
3624	SAN No. 3613. New Source Performance Standards (NSPS) and Emission Guidelines for Industrial and Commercial Waste Incinerators	2060-AF91
3625	SAN No. 3751. New Source Performance Standards and Emission Guidelines for Other Solid Waste Incinerators	2060-AG31
3626	SAN No. 3824. Metal Furniture Coatings Integrated Regulation	2060-AG55
3627	SAN No. 3904. Flatwood Paneling (Surface Coating) Integrated Rule	2060-AH02
3628	SAN No. 3825. Surface Coating of Miscellaneous Metal Parts and Products—Integrated	2060-AG56
3629	SAN No. 3826. Plastic Parts Coating Integrated Rule for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs)	2060-AG57
3630	SAN No. 3827. Integrated Rule for Paper, and other Web Coating and Coatings: MACT for NESHAP; and BAC for National VOC Rule	2060-AG58
3631	SAN No. 3361. Nonroad Spark-Ignition Engines at or Below 19 Kilowatts (25 Horsepower) (Phase 2)	2060-AE29
3632	SAN No. 3525. Update of the Acceptability List Under the Significant New Alternatives Policy (SNAP) Program	2060-AG12

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3633	SAN No. 3448. Requirements for Designation of Reference and Equivalent Methods for PM 2.5 and Ambient Air Quality Surveillance Particulate Matter	2060-AH09
3634	SAN No. 3524. Individual Foreign Refinery Baseline Requirements for Reformulated Gas	2060-AH48
3635	SAN No. 3448. NAAQS: Particulate Matter (Review)	2060-AE66
3636	SAN No. 3506. Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources	2060-AF02
3637	SAN No. 3599. Fourier Transform Infrared Spectroscopy (FTIR) Extractive Test Method—Self-Validating Procedure and CEM Performance Specification	2060-AG08
3638	SAN No. 3740. Transportation Conformity Rule Amendments: Flexibility and Streamlining	2060-AG16
3639	SAN No. 3795. Acid Rain Program: Elimination of Direct Sale Program and IPP Written Guarantee; and ANPRM to Modify Allowance Auction	2060-AG41
3640	SAN No. 3814. Guidance for the Implementation of EPA's Radiation Protection Standards for the Management and Storage of Transuranic Radioactive Waste at the Waste Isolation Pilot Plant (WIPP)	2060-AG74
3641	SAN No. 3279. State Implementation Plans; Milestone Compliance Demonstration	2060-AG89

EPA

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

Sequence Number	Title	Regulation Identifier Number
3642	SAN No. 3987. Addition of Method 14A to 40 CFR Part 60, Appendix A	2060-AH24
3643	SAN No. 3353. NAAQS: Ozone (Review)	2060-AE57
3644	SAN No. 2719. Hospital/Medical/Infectious Waste Incinerators	2060-AC62
3645	SAN No. 3753. Revision to NSPS: Nonmetallic Minerals Processing	2060-AG33
3646	SAN No. 3965. NSPS Revisions for Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	2060-AH16
3647	SAN No. 3479. Amendments to Parts 51, 52, 63, 70 and 71 Regarding the Provisions for Determining Potential To Emit	2060-AE63

Superfund (CERCLA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3648	SAN No. 3885. Streamlining the Preauthorization Mixed Funding for Application and Implementation of Claims Against Superfund	2050-AE38
3649	SAN No. 3994. Modification of the Extremely Hazardous Substance (EHS) List	2050-AE42
3650	SAN No. 3806. Grants for Technical Assistance Rule Reform—40 CFR Part 35 Subpart M	2050-AE33
3651	SAN No. 3423. Reportable Quantity Adjustments for Carbamates	2050-AE12
3652	SAN No. 3439. National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules	2050-AD75
3653	SAN No. 4029. Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment	2050-AE46
3654	SAN No. 3215. Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312	2050-AE17

Superfund (CERCLA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3655	SAN No. 3993. Modification of Threshold Planning Quantity for Isophorone Diisocyanate	2050-AE43
3656	SAN No. 3787. Amendments to the List of Regulated Substances and Thresholds for Accidental Release Prevention—Modifications	2050-AE35
3657	SAN No. 3884. Revision of the Local Government Reimbursement Regulation	2050-AE36
3658	SAN No. 3054. Administrative Reporting Exemptions for Certain Radionuclide Releases	2050-AD46

Superfund (CERCLA)—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3659	SAN No. 2394. Reporting Exemptions for Federally Permitted Releases of Hazardous Substances	2050-AB82
3660	SAN No. 3050. Deletion of Saccharin From the List of Hazardous Wastes Under RCRA and the List of Hazardous Substances Under CERCLA	2050-AD45
3661	SAN No. 3424. Reportable Quantity Adjustment for Radon-222	2050-AE20

General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3662	SAN No. 4021. Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance	2020-AA36
3663	SAN No. 3817. Implementation of Changes to 40 CFR Part 32 as a Result of the Federal Acquisition Streamlining Act (FASA)	2030-AA48
3664	SAN No. 3580. Incorporation of Class Deviation Into EPAAR	2030-AA37

EPA

General—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3665	SAN No. 3629. EPA Mentor-Protege Program	2030-AA40
3666	SAN No. 3876. Incrementally Funding Fixed Price Contracts	2030-AA50
3667	SAN No. 3874. Revision of EPA Acquisition Regulations for Quality Systems for Environmental Programs	2030-AA51
3668	SAN No. 3816. Agency Implementation of Federal Acquisition Streamlining Act (FASA) Changes to Truth in Negotiations Act (TINA)	2030-AA47
3669	SAN No. 3854. Value Engineering	2030-AA49
3670	SAN No. 2662. Amendments to Part 22 Consolidated Procedural Rules	2020-AA13
3671	SAN No. 3807. Consolidation of Good Laboratory Practice Standards (GLPS) Regulations Currently Under TSCA and FIFRA Into One Rule	2020-AA26
3672	SAN No. 3936. Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order	2020-AA35

General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3673	SAN No. 4037. Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments	2030-AA54
3674	SAN No. 3670. Proposed Guidelines for Ecological Risk Assessment	2080-AA07
3675	SAN No. 3624. Guidelines for Neurotoxicity Risk Assessment	2080-AA08
3676	SAN No. 2937. Field Citation Program	2020-AA32
3677	SAN No. 3879. Update Procedures for Making Profit/Fee Determinations	2030-AA53
3678	SAN No. 3240. Public Information and Confidentiality Regulations	2020-AA21
3679	SAN No. 3432. Pesticide Management and Disposal	2020-AA33

General—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3680	SAN No. 3671. Guidelines for Carcinogen Risk Assessment	2080-AA06
3681	SAN No. 2939. Regulations Governing Awards Under Section 113(f) of the Clean Air Act	2020-AA31
3682	SAN No. 2940. Regulations Governing Prior Notice of Citizen Suits Brought Under Section 304 of the Clean Air Act	2020-AA30
3683	SAN No. 2720. Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration	2020-AA29
3684	SAN No. 2725. FIFRA Books and Records of Pesticide Production and Distribution (Revision)	2020-AA28
3685	SAN No. 3933. Environmental Impact Assessment of Nongovernmental Activities in Antarctica	2020-AA34

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3256. • EXEMPTION OF CERTAIN INERT INGREDIENTS FROM THE DEFINITION OF PESTICIDE CHEMICAL RESIDUE UNDER FFDCA

Priority: Substantive, Nonsignificant

Legal Authority: FFDCA 201(q)(3)

CFR Citation: 40 CFR 180

Legal Deadline: None

Abstract: This proposed rule would amend EPA regulations by adding a provision that would exempt from the definition of pesticide chemical residue certain inert ingredients that may be present in or on food as a result of those use of the ingredients in pesticidal food packaging. The exemption would apply to inert ingredients that are intended primarily to affect the quality, function or appearance of the food packaging itself and not primarily to serve a pesticidal purpose. The effect of this rule is to give the Food and Drug Administration (FDA) sole jurisdiction over the residues of such substances in or on food.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4025.

Agency Contact: Robert F. Torla, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501W, Washington, DC 20460
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RIN: 2070–AD20

3257. • 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: This proposed rule would exempt 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, 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	02/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4026.

Agency Contact: Sheryl K. Reilly, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501C, Washington, DC 20460
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RIN: 2070–AD21

3258. • TOLERANCE PROCESSING FEES; TOLERANCES AND EXEMPTION FROM TOLERANCES FOR PESTICIDE CHEMICALS

Priority: Substantive, Nonsignificant

Legal Authority: 12 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 a 1983 cost analysis, 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. Accordingly, the regulatory effort is to outline how and to what extent the fee structure and fee amounts will be adjusted so that EPA can comply with the law by collecting, in the aggregate, an amount equivalent to the costs of processing tolerance actions.

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 4027.

Agency Contact: Carol Peterson, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Wshington, DC 20460
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RIN: 2070–AD23

3259. ANTIMICROBIAL PESTICIDE REGISTRATION REFORM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a(h)

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

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

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

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3892.

Agency Contact: Jean M. Frane, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 401 M treet, SW (7506C), Washington, DC 20460
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RIN: 2070–AD14

EPA—FIFRA

Proposed Rule Stage

3260. PESTICIDE DATA REQUIREMENTS FOR REGISTRATION (REVISION)

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: 7 USC 136a; 7 USC 136w

CFR Citation: 40 CFR 158

Legal Deadline: None

Abstract: This amendment will update the existing data requirements (40 CFR 158) for evaluating the register ability of antimicrobial pesticide products. Reasons for the revisions include recent health and environmental concerns advancements in testing technology, and new statutory requirements. The revisions will clarify all data requirements to reflect current practice and new risk assessment approaches mandated by FQPA. Procedural and explanatory sections of 40 CFR 158 will be amended to make them consistent with the revised data requirements and new use indexing implemented pursuant to 1988 FIFRA amendments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2687.

Agency Contact: Amy Rispin, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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RIN: 2070–AC12

3261. PESTICIDE WORKER PROTECTION STANDARDS; PESTICIDE HAZARD COMMUNICATION

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

Unfunded Mandates: Undetermined

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

Legal Authority: 7 USC 136w; Federal Insecticide, Fungicide, and Rodenticide Act sec 25

CFR Citation: 40 CFR 170

Legal Deadline: None

Abstract: In 1992, EPA proposed to require the provision of hazard information to agricultural workers covered by the Worker Protection Standard. The requirements as proposed were designed to be substantially equivalent to the Hazard Communication Standard promulgated by the Occupational Safety and Health Administration. Specific hazard information would be made available to agricultural workers and pesticide handlers concerning the pesticides to which they are exposed. EPA is reconsidering the specifics of the proposal to simplify and streamline this requirement. Working with States and interested parties, EPA plans to issue a new proposal by 1998.

Timetable:

Action	Date	FR Cite
NPRM	08/21/92	57 FR 38167
NPRM REVISED	11/00/97	
Final	01/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 1640.

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RIN: 2070–AC34

3262. PESTICIDE WORKER PROTECTION STANDARD EXCEPTIONS

Priority: Routine and Frequent

Legal Authority: 7 USC 136w

CFR Citation: 40 CFR 170

Legal Deadline: None

Abstract: EPA administers an exceptions process under the Pesticides Worker Protection Standard. Under this process, persons may petition or request the Agency to allow early entry into pesticides-treated areas when restricted entry intervals (REIs) normally prohibit entry. REIs define the time after application of a pesticide before workers are allowed to re-enter treated areas. EPA will issue a notice in the Federal Register announcing the receipt of a petition or request, and may also announce its decision in a subsequent Federal Register notice.

Timetable:

Action	Date	FR Cite
Notice	09/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3732.

Agency Contact: Don Eckerman, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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RIN: 2070–AC95

3263. PESTICIDES WORKER PROTECTION STANDARDS; SCOPE AND CLARIFICATION OF THE EXCEPTIONS PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136w

CFR Citation: 40 CFR 170

Legal Deadline: None

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

EPA—FIFRA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
Notice Scope and Clarification Document	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3733.

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RIN: 2070–AC96

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3264. PESTICIDES; SELF-CERTIFICATION

Regulatory Plan: This entry is Seq. No. 127 in Part II of this issue of the Federal Register.

RIN: 2070–AD00

3265. REGULATION OF PLANT-PRODUCED PESTICIDES UNDER FIFRA AND FFDCA

Priority: Other Significant

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

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

CFR Citation: 40 CFR 152.20; 40 CFR 174

Legal Deadline: None

Abstract: Substances that plants produce to protect themselves against pests and disease are pesticides under FIFRA. The Agency designates these substances, along with the genetic material necessary to produce them, "plant-pesticides." This rulemaking will exempt categories of plant-pesticides from FIFRA and FFDCA regulations. For those plant-pesticides that would be subject to Agency requirements, the Agency will outline a streamlined process by which these pesticides will be regulated and the information that would be needed in the Agency's review.

Timetable:

Action	Date	FR Cite
NPRM	11/23/94	59 FR 60496
Supplemental NPRM	05/16/97	62 FR 27132
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 2684.

Agency Contact: Janet Andersen, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7501W, Washington, DC 20460
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RIN: 2070–AC02

3266. PESTICIDE FLAMMABILITY LABELING REQUIREMENTS FOR TOTAL RELEASE FOGGERS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136; Federal Insecticide, Fungicide, and Rodenticide Act sec 2; 7 USC 137; Federal Insecticide, Fungicide, and Rodenticide Act sec 3

CFR Citation: 40 CFR 156.10

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/15/94	59 FR 18058
Final	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3135.

Agency Contact: Jim Downing, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505W, Washington, DC 20460
Phone: 703 308-8641
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RIN: 2070–AC60

3267. RESTRICTED USE CRITERIA FOR PESTICIDES IN GROUNDWATER

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a; Federal Insecticide, Fungicide, and Rodenticide Act sec 3

CFR Citation: 40 CFR 152.170

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	05/13/91	56 FR 22076
Final	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2371.

Agency Contact: Christine Gillis, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
Phone: 703 305-5131

RIN: 2070–AB60

EPA—FIFRA

Final Rule Stage

3268. PESTICIDES AND GROUND WATER STATE MANAGEMENT PLAN REGULATION

Regulatory Plan: This entry is Seq. No. 128 in Part II of this issue of the **Federal Register.**

RIN: 2070–AC46

3269. MODIFICATIONS TO 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. Currently planned actions are listed below.

Timetable:

Action	Date	FR Cite
NPRM Glove Requirements	09/09/97	62 FR 47544
Final Rule	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3731.

Agency Contact: Josh First, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7506C), Washington, DC 20460
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RIN: 2070–AC93

3270. TOLERANCES FOR PESTICIDE EMERGENCY EXEMPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346a

CFR Citation: 40 CFR 176

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

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

Timetable:

Action	Date	FR Cite
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

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

Additional Information: SAN No. 3890.

Agency Contact: Robert Forrest, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7505C, Washington, DC 20460
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RIN: 2070–AD15

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3271. PESTICIDE TOLERANCES; PORTION OF FOOD COMMODITIES TO BE ANALYZED FOR PESTICIDE RESIDUES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 180

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jean Frane
Phone: 703 305-5944

RIN: 2070–AC45

3272. ENDANGERED SPECIES PROTECTION PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

CFR Citation: Not yet determined

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Arthur Jean B. Williams
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RIN: 2070–AC42

3273. THE 10-ACRE LIMITATION FOR PESTICIDE SMALL-SCALE FIELD TESTING

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 172

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal

Agency Contact: Jim Tompkins
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RIN: 2070–AC99

3274. PESTICIDE LABELING CLAIMS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 156.10

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Melissa L. Chun
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RIN: 2070–AC85

3275. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT

Priority: Other Significant

CFR Citation: 40 CFR 165; 40 CFR 156

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Nancy Fitz
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RIN: 2070–AB95

3276. CHILD-RESISTANT PACKAGING REGULATIONS (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 157

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind L. Gross
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RIN: 2070–AB96

3277. PESTICIDE EXPORT POLICY

Priority: Other Significant

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

CFR Citation: 40 CFR 168; 40 CFR 169

Timetable:

Action	Date	FR Cite
Final	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kennan Garvey
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RIN: 2070–AD02

ENVIRONMENTAL PROTECTION AGENCY (EPA) Completed Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3278. CROSS-CONTAMINATION OF PESTICIDE PRODUCTS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 158.167

Completed:

Reason	Date	FR Cite
Policy Issued	10/31/96	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Jim Jones
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RIN: 2070–AD03

3279. REPORTING REQUIREMENTS FOR RISK/BENEFIT INFORMATION (REVISION)

Priority: Other Significant

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

CFR Citation: 40 CFR 153; 40 CFR 159

Completed:

Reason	Date	FR Cite
Final Action	09/19/97	62 FR 49370

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Carol Peterson
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RIN: 2070–AB50

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Toxic Substances Control Act (TSCA)

3280. REPORTING THRESHOLD AMENDMENT; TOXIC CHEMICALS RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Regulatory Plan: This entry is Seq. No. 107 in Part II of this issue of the **Federal Register.**

RIN: 2070–AD09

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Toxic Substances Control Act (TSCA)

3281. • TOXICS RELEASE INVENTORY (TRI): REVIEW OF CHEMICALS ON ORIGINAL TRI LIST

Regulatory Plan: This entry is Seq. No. 108 in Part II of this issue of the **Federal Register.**

RIN: 2070–AD18

3282. TRI CHEMICAL EXPANSION; FINALIZATION OF DEFERRED CHEMICALS

Regulatory Plan: This entry is Seq. No. 109 in Part II of this issue of the **Federal Register.**

RIN: 2070–AC47

3283. TSCA INVENTORY UPDATE RULE AMENDMENTS

Regulatory Plan: This entry is Seq. No. 110 in Part II of this issue of the **Federal Register.**

RIN: 2070–AC61

3284. DATA EXPANSION AMENDMENTS; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Regulatory Plan: This entry is Seq. No. 111 in Part II of this issue of the **Federal Register.**

RIN: 2070–AD08

3285. • TRI; ADDITION OF OIL AND GAS EXPLORATION AND PRODUCTION TO THE TOXIC RELEASE INVENTORY

Regulatory Plan: This entry is Seq. No. 112 in Part II of this issue of the **Federal Register.**

RIN: 2070–AD19

3286. TRI: RESPONSES TO PETITIONS RECEIVED TO ADD OR DELETE CHEMICALS FROM THE TOXIC RELEASE INVENTORY

Priority: Routine and Frequent

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

Legal Authority: 42 USC 11013; Emergency Planning and Community Right-To-Know Act sec 313

CFR Citation: 40 CFR 372

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Notice DBNPA (delete)	10/27/95	60 FR 54949
NPRM Dioxin and Dioxin-like Compounds	05/07/97	62 FR 24887
Response and Copper Alloys (Modify)	10/00/97	
Response Nickel	10/00/97	
Response DBNPA (delete)	11/00/97	
Final Response Alloys–Chrominum	12/00/97	
Response (Certain Furans and PCBs)(add)	12/00/98	
Final Dioxin and Dioxin-like Compounds	00/00/00	
Final Methyl Ethyl Ketone (MEK) (delete)	00/00/00	
Final Methyl Isobutyl Ketone (MIBK) (delete)	00/00/00	
Final Phosphoric Acid (delete)	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2425.

Other 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

3287. TRI; POLLUTION PREVENTION ACT INFORMATION REQUIREMENTS

Regulatory Plan: This entry is Seq. No. 113 in Part II of this issue of the **Federal Register.**

RIN: 2070–AC24

EPA—TSCA

Proposed Rule Stage

3288. LEAD HAZARD STANDARDS

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

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2683/ TSCA 403

CFR Citation: 40 CFR 745

Legal Deadline:
Final, Statutory, April 28, 1994.
NPRM, Judicial, November 30, 1997.

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

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	
Final	11/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3243.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7404, Washington, DC 20460
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RIN: 2070–AC63

3289. LEAD-BASED PAINT DISCLOSURE REQUIREMENTS AT RENOVATION OF TARGET HOUSING

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-550 Sec 406

CFR Citation: 40 CFR 745; 24 CFR 35

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

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

Timetable:

Action	Date	FR Cite
NPRM	03/02/94	59 FR 11108
Supplemental NPRM	11/00/97	
Final Action	06/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3242.

Agency Contact: Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, (7404), Washington, DC 20460
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RIN: 2070–AC65

3290. AMENDMENTS TO THE ASBESTOS WORKER PROTECTION RULE (SECTION 610 REVIEW)

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; Toxic Substances Control Act sec 5

CFR Citation: 40 CFR 763

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM (1)	11/01/94	59 FR 54746
NPRM (2)	07/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2249.

Agency Contact: Tony Baney, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7404, Washington, DC 20460
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RIN: 2070–AC66

3291. LEAD; TSCA REQUIREMENTS FOR THE DISPOSAL OF LEAD-BASED PAINT DEBRIS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 745

Legal Deadline: None

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

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

Timetable:

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

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3508.

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RIN: 2070–AC72

3292. SELECTED RULEMAKINGS FOR ABATING LEAD HAZARDS

Regulatory Plan: This entry is Seq. No. 114 in Part II of this issue of the **Federal Register.**

RIN: 2070–AD06

3293. TSCA BIOTECHNOLOGY FOLLOW-UP RULES

Priority: Substantive, Nonsignificant

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

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

Legal Authority: 15 USC 2604

CFR Citation: 40 CFR 720; 40 CFR 725

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM (3) Inventory Delisting Rule	12/00/97	
NPRM (1) Intergeneric Scope of Oversight	06/00/98	
NPRM (2) Low Risk Alternative	12/00/98	
Final (1) Intergeneric Scope of Oversight	06/00/99	
Final (2) Low Risk Alternative	12/00/99	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

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

Additional Information: SAN No. 3894.

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

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RIN: 2070–AD13

3294. OECD SIDS HIGH PRODUCTION VOLUME CHEMICAL SCREENING TEST RULE

Priority: Info./Admin./Other

Legal Authority: 15 USC 2603

CFR Citation: 40 CFR 799

Legal Deadline: None

Abstract: A multi-chemical test rule requires the testing of many chemicals for certain effects. This type of rule is a more efficient alternative to rules that require testing only one chemical. EPA

is proposing screening-level testing on a group of chemicals as part of an international program that is also an essential part of EPA's own chemical assessment activities.

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

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

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

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

Additional Information: SAN No. 3990.

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RIN: 2070–AD16

3295. PROPOSED DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799

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

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

Timetable:

Action	Date	FR Cite
NPRM IRIS II Chemicals (ITC List 28)	06/00/98	
NPRM OSHA Chemicals with Insuf. Skin Absorption Data (ITC List 32)	06/00/98	
NPRM OSHA Chemicals with No Skin Absorption Data (ITC List 31)	06/00/98	
NPRM OSHA Chemicals with No Skin Absorption Data (ITC List 35)	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3494.

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RIN: 2070–AB07

3296. ATSDR SUBSTANCES TEST RULE

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603; TSCA 4; 42 USC 9604(i); CERCLA 104(i); 15 USC 2611

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	01/00/98	

EPA—TSCA

Proposed Rule Stage

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 2563.

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RIN: 2070–AB79

3297. MULTICHEMICAL ENDPOINT(S) TEST RULE; DEVELOPMENTAL AND REPRODUCTIVE TOXICITY

Priority: Other Significant

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 799.5050

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/04/91	56 FR 9092
Reproposal	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 2865.

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RIN: 2070–AC27

3298. HAZARDOUS AIR POLLUTANTS TEST RULE

Priority: Other Significant

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

CFR Citation: 40 CFR 789 to 795

Legal Deadline: None

Abstract: EPA is proposing health effects testing under TSCA section 4 in support of programs and activities required under section 112 of the Clean Air Act (CAA), governing Hazardous Air Pollutants (HAPs). Section 112 of the CAA directs EPA to determine the risk to health and the environment remaining after application of a technology-based standard to major and area sources. Section 112 also sets forth a mechanism for revising and modifying the statutory list of 189 HAPs under section 112(b), and requirements for an accidental release control program. These data will also be important for the right-to-know program given the large release of these chemicals to the atmosphere. In order to implement these and other programs and requirements under section 112, EPA must identify the health and environment effects of potential concern from exposure to HAPs, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs. In addition, under section 103(d), EPA is required to conduct a research program on the short- and long-term effects of air pollutants on human health, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs.

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33178
NPRM Supplemental	10/00/97	
Final	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3487.

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RIN: 2070–AC76

3299. FOLLOW-UP RULES ON EXISTING CHEMICALS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

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

Timetable:

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

Action	Date	FR Cite
Final Amendment to Benzidine-based Chemical Substances SNUR	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1923.

Agency Contact: Barbara Leczynski, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460
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RIN: 2070–AA58

3300. FOLLOW-UP RULES ON NON-5(E) NEW CHEMICAL SUBSTANCES

Priority: Routine and Frequent

Legal Authority: 15 USC 2604; Toxic Substances Control Act 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)	10/00/97	
Final Certain Chemical Substances (95-1584, 96-1674/75, and 97-267)	12/00/97	
Final Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	02/00/98	
Final Aluminum Cross-linked Sodium Carboxy-methylcellulose	02/00/98	
Final Diphenyl-2&4&6-Trimethylbenzol Phosphine Oxide (87-586)	02/00/98	
Final 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1976.

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RIN: 2070–AA59

3301. POLYCHLORINATED BIPHENYLS (PCBS): EXEMPTIONS FROM THE PROHIBITIONS AGAINST MANUFACTURING, PROCESSING, AND DISTRIBUTION IN COMMERCE

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2605; Toxic Substances Control Act 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. 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	12/00/97	
Final Group I	08/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 2150.

Also under SAN 2244

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RIN: 2070–AB20

3302. 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; Toxic Substances Control Act sec 4

CFR Citation: 40 CFR 790

Legal Deadline: None

Abstract: This action will amend the testing consent order and test rule development process to increase efficiency. The consent order process was adopted by the Agency in June 1986. Based on experience to date, the

EPA—TSCA

Proposed Rule Stage

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	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2245.

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RIN: 2070–AB30

3303. REVISED ASBESTOS MODEL ACCREDITATION PLAN (SECTION 610 REVIEW)

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; Toxic Substances Control Act sec 6

CFR Citation: 40 CFR 763

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

Abstract: The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) amended TSCA to require that EPA revise its asbestos model accreditation plan to extend training and accreditation requirements to include persons performing certain asbestos-related work in public and commercial buildings, to increase the minimum number of training hours required for accreditation purposes and to effect other changes necessary to implement the amendments. The upcoming Notice of Proposed Rulemaking (NPRM) will improve harmony with the Occupational Safety and Health Administration's regulations and provide clarifications.

Timetable:

Action	Date	FR Cite
NPRM	05/13/92	57 FR 20438
Interim Final	02/03/94	59 FR 5236
Notice	10/00/97	
NPRM	07/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3148.

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RIN: 2070–AC51

3304. AMENDMENTS TO THE ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE (SECTION 610 REVIEW)

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

Unfunded Mandates: Undetermined

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

Legal Authority: 15 USC 2605; Toxic Substances Control Act sec 4; 15 USC 2607; Toxic Substances Control Act sec 6; 15 USC 2647; Toxic Substances Control Act sec 7

CFR Citation: 40 CFR 763

Legal Deadline: None

Abstract: EPA is proposing to amend the Asbestos-Containing Materials in Schools Rule in order to 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.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3047.

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RIN: 2070–AC62

3305. AMENDMENTS TO TSCA SECTION 8(D) HEALTH AND SAFETY DATA MODEL REPORTING RULE

Priority: Substantive, Nonsignificant

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

Legal Authority: 15 USC 2607(d); Toxic Substances Control Act sec 8(d)

CFR Citation: 40 CFR 716

Legal Deadline: None

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

EPA—TSCA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3834.

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RIN: 2070–AD17

3306. LEAD FEE RULE FOR LEAD-BASED PAINT ACTIVITIES TRAINING AND CERTIFICATION

Priority: Other Significant

Legal Authority: PL 102-550; Toxic Substances Control Act sec 404; Toxic Substances Control Act Title IV

CFR Citation: 40 CFR 745

Legal Deadline: None

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

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

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

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

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

Additional Information: SAN No. 3881.

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RIN: 2070–AD11

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

Final Rule Stage

3307. FINAL DECISIONS ON TEST RULES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603; Toxic Substances Control Act sec 4

CFR Citation: 40 CFR 799

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM Aryl Phosphates (ITC List 2)	12/29/83	48 FR 57452
NPRM Hexamethylene Diisocyanate (ITC List 22)	05/17/89	54 FR 21240
NPRM Brominated Flame Retardants	06/25/91	56 FR 29140
NPRM Aryl Phosphates (ITC List 2)	01/17/92	57 FR 2138
Final (ECA) DiBasic Esters (CPSC)	10/00/97	
Final Hexamethylene Diisocyanate (ITC List 22)	10/00/97	
Final (ECA) Aryl Phosphates (ITC List 2)	04/00/98	
Final (ECA) Brominated Flame Retardants	06/00/98	
Final IRIS I Chemicals (ITC List 27)	06/00/98	

Small Entities Affected: Undetermined

EPA—TSCA

Final Rule Stage

Government Levels Affected: None
Additional Information: SAN No. 3493.
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RIN: 2070–AB94

3308. CHEMICAL-SPECIFIC SIGNIFICANT NEW USE RULES (SNURS) TO EXTEND PROVISIONS OF SECTION 5(E) ORDERS

Priority: Routine and Frequent
Legal Authority: 15 USC 2604; Toxic Substances Control Act 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 notice (PMN) substance may present an unreasonable risk, it may issue a section 5(e) consent order to limit these activities. However, such orders apply only to the PMN submitter. Once the new substance is entered on the Toxic Substances Control Act (TSCA) chemical inventory, others can manufacture, import or process the substance without controls. Therefore, EPA extends the controls to apply to others by designating manufacture, import or processing of the substances for uses without the specified controls as significant new uses. Under the Expedited Follow-Up Rule, which became effective on October 10, 1989 (54 FR 31314), EPA routinely publishes batch SNURs containing routine section 5(e) and non-5(e) SNURs. However, certain activities, such as modifications, withdrawals, revocations, and SNURs upon which comments are received in the direct final publication process, are subject to notice and comment rulemaking and are listed below.

Timetable:

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	12/19/94	59 FR 65248
NPRM P92-41	12/19/94	59 FR 65289
NPRM Organotin Lithium Compound	06/07/95	60 FR 30050
NPRM Butanamide	06/26/97	62 FR 34424
NPRM Substituted Phenol (89-1125)	06/26/97	62 FR 34427
NPRM Certain Chemical Substances	06/26/97	62 FR 34421
Final Organotin Lithium Compound	12/00/97	
Final Butanamide	12/00/97	
Final Polyalkylene Polyamine (89-963)	12/00/97	
Final Substituted Phenol	12/00/97	
Final Certain Chemical Substances	02/00/98	
Final Aromatic Amino Ether (P90-1840)	02/00/98	
Final Alkenyl Ether of Alkanetriol Polymer	02/00/98	
Final Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	03/00/98	

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3495.
Agency Contact: James Alwood, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460
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RIN: 2070–AB27

3309. USE OF ACRYLAMIDE FOR GROUTING

Priority: Other Significant
Legal Authority: 15 USC 2605; Toxic Substances Control Act sec 6
CFR Citation: 40 CFR 764
Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863
Final	05/00/98	

Small Entities Affected: Businesses
Government Levels Affected: State, Local
Analysis: Regulatory Flexibility Analysis
Additional Information: SAN No. 2779.
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RIN: 2070–AC17

3310. 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; Toxic Substances Control Act 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, but still reduce PCB concentrations and that safety risks to employees and to the general public occur in mandating the continued adherence to the current regulations.

Timetable:

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

Small Entities Affected: None
Government Levels Affected: None
Additional Information: SAN No. 3021.
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RIN: 2070–AC39

3311. POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL AMENDMENTS (SECTION 610 REVIEW)

Regulatory Plan: This entry is Seq. No. 129 in Part II of this issue of the Federal Register.

RIN: 2070–AD04

3312. SECTION 8(A) PRELIMINARY ASSESSMENT INFORMATION RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607a; Toxic Substances Control Act 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 37th ITC List	02/28/96	61 FR 7421
Final 38th ITC List	10/29/96	61 FR 55871
Final 41st ITC List	02/00/98	
Final 39th ITC List	00/00/00	
Final 40th ITC List	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2178.

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RIN: 2070–AB08

3313. SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607(d); Toxic Substances Control Act 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 35th ITC List	07/05/95	60 FR 34879
Final 37th ITC List	02/28/96	61 FR 7421
Final 38th ITC List	10/29/96	61 FR 55871
Final 41st ITC List	02/00/98	
Final 39th ITC List	00/00/00	
Final 40th ITC List	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 1139.

Agency Contact: David R. Williams, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460
Phone: 202 260-3468
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RIN: 2070–AB11

3314. TSCA SECTION 8(E); NOTICE OF CLARIFICATION AND SOLICITATION OF PUBLIC COMMENT

Priority: Substantive, Nonsignificant

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

Legal Authority: 15 USC 2607(e); Toxic Substances Control Act 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	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3118.

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

RIN: 2070–AC80

EPA—TSCA

Final Rule Stage

3315. 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; Toxic Substances Control Act sec 2; 15 USC 2611; Toxic Substances Control Act 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) (3) The end of the period during which export notification requirements under TSCA section 12(b) are triggered.

Timetable:

Action	Date	FR Cite
Final	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3559.

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

RIN: 2070–AC84

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Toxic Substances Control Act (TSCA)

3316. FACILITY IDENTIFICATION INITIATIVE

Priority: Other Significant

Unfunded Mandates: Undetermined

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

CFR Citation: Not yet determined

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Mary Hanley
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RIN: 2070–AD01

3317. LEAD-BASED PAINT ACTIVITIES RULES; TRAINING, ACCREDITATION, AND CERTIFICATION RULE AND MODEL STATE PLAN RULE

Priority: Economically Significant

CFR Citation: 40 CFR 745

Timetable:

Action	Date	FR Cite
NPRM (1)	09/02/94	59 FR 45872
Final (1)	08/29/96	61 FR 45778
NPRM (2)	12/00/98	
Final (2)	12/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Doreen Cantor
Phone: 202 260-1777
Email: cantor.doreen@epamail.epa.gov

RIN: 2070–AC64

3318. DEVELOPMENT OF GUIDANCE AS MANDATED BY EXECUTIVE ORDER 12873, SECTION 503 ON ENVIRONMENTALLY PREFERABLE PRODUCTS

Priority: Other Significant

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

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

Agency Contact: Eun-Sook Goidel
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RIN: 2070–AC78

3319. TEST RULE FOR CERTAIN METALS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 795 to 799

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Robert W. Jones
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Fax: 202 260-1096
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RIN: 2070–AD10

3320. REGULATORY INVESTIGATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA) TO REDUCE LEAD (PB) CONSUMPTION AND USE

Priority: Other Significant

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

Timetable:

Action	Date	FR Cite
ANPRM	05/13/91	56 FR 22096

EPA—TSCA

Long-Term Actions

Action	Date	FR Cite
NPRM Proposed Ban of Fishing Sinkers	03/09/94	59 FR 11122
Final Fishing Sinkers	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Doreen Cantor
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RIN: 2070–AC21

3321. REGULATORY INVESTIGATION OF FORMALDEHYDE

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 765

Timetable:

Action	Date	FR Cite
Section 9(d) Notice Termination for Apparel Workers	03/19/84	49 FR 21870
ANPRM	05/23/84	49 FR 21870
Peer Review Notice Indoor Air Exposure Pilot Study	08/08/96	61 FR 41411
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: George Semeniuk
Phone: 202 260-2134
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semeniuk.george@epamail.epa.gov

RIN: 2070–AB14

3322. PROCEDURES AND CRITERIA FOR TERMINATION OF POLYCHLORINATED BIPHENYLS (PCBS) DISPOSAL PERMITS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 761

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Tony Baney
Phone: 202 260-3933
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RIN: 2070–AB81

3323. REGULATORY INVESTIGATION OF DIOXIN IN PULP AND PAPER MILL SLUDGE

Priority: Other Significant

CFR Citation: 40 CFR 744

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barbara Leczynski
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RIN: 2070–AC05

3324. SIGNIFICANT NEW USE RULES ON NATIONAL PROGRAM CHEMICALS; ASBESTOS, LEAD, AND REFRACTORY CERAMIC FIBERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 704; 40 CFR 721

Timetable:

Action	Date	FR Cite
NPRM Refractory Ceramic Fiber	03/21/94	59 FR 13294
ANPRM Lead	09/28/94	59 FR 49484
NPRM Asbestos	12/00/98	
NPRM Lead	12/00/98	
Final Refractory Ceramic Fiber	09/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Doreen Cantor (LEAD)
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RIN: 2070–AC37

3325. LEAD-BASED PAINT ACTIVITIES, TRAINING, AND CERTIFICATION: RENOVATION AND REMODELING

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 745

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Doreen Cantor
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RIN: 2070–AC83

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

Completed Actions

3326. FACILITY COVERAGE AMENDMENT; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Other Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Final	05/01/97	62 FR 23834

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Federal

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RIN: 2070–AC71

EPA—TSCA

Completed Actions

3327. DELETION OF ISOPROPYL ALCOHOL; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW

Priority: Routine and Frequent

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 372.65

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action	09/12/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Susan B. Hazen
Phone: 202 260-1024
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RIN: 2070–AC77

3328. OPPT GENERIC REINVENTION 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.

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

Completed:

Reason	Date	FR Cite
Direct Final Line-by-Line Review	06/19/95	60 FR 32094

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Angela Hofmann
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RIN: 2070–AC97

3329. MULTICHEMICAL ENDPOINT TEST RULE; CHEMICAL FATE AND ENVIRONMENTAL EFFECTS

Priority: Other Significant

CFR Citation: 40 CFR 799.5055

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action.	09/12/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Frank Kover
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RIN: 2070–AC36

3330. RULEMAKING CONCERNING CERTAIN MICROBIAL PRODUCTS (BIOTECHNOLOGY) UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant

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

CFR Citation: 40 CFR 700; 40 CFR 720; 40 CFR 721; 40 CFR 725

Completed:

Reason	Date	FR Cite
Final Action	04/11/97	62 FR 17970

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Agency Contact: David Giamporcaro
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RIN: 2070–AB61

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Clean Water Act (CWA)

3331. 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; Clean Water Act 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. Water quality standards regulations govern the development, review and revision of water quality standards under section 303 of the Clean Water Act by States and Indian Tribes and the review and approval of those standards by EPA. The ANPRM is a comprehensive review of the water quality standards regulation designed to determine what changes to the regulation should be made to reflect the experience gained in the program by EPA, States, Tribes, and interested parties. All major components of the Water Quality Standards Program will be reviewed for potential regulatory and implementation improvements to provide increased flexibility where appropriate and further strengthen the Standards Program through use of scientific advances as a key element of watershed-based water quality protection and management. Issues to be addressed include: establishing and revising waterbody use designations, development and implementation of water quality criteria including biological and sediment quality criteria, antidegradation policies and procedures, general policies such as mixing zone, variance and compliance schedule policies, and EPA's policy of independent application of criteria methods.

EPA—CWA

Prerule Stage

Timetable:

Action	Date	FR Cite
ANPRM	12/00/97	
NPRM	12/00/98	
Final	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3662.

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

RIN: 2040–AC56

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

Proposed Rule Stage

3332. REVISIONS TO NPDES REQUIREMENTS FOR COMPLIANCE REPORTING AND COLLECTION SYSTEM DISCHARGES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1251

CFR Citation: 40 CFR 122.41

Legal Deadline: None

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

Timetable:

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

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3999.

Agency Contact: Sharie Centilla, Environmental Protection Agency, Water, 4203, Washington, DC 20460 Phone: 202 260-6052 Fax: 202 260-1460 Email: centilla.sharie@epamail.epa.gov

RIN: 2040–AD02

3333. • TEST PROCEDURES FOR THE ANALYSIS OF MERCURY UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This regulatory action would amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under 40 CFR Part 136 to approve Method 1631 for the determination of mercury at EPA's 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. Since the methods currently approved under 40 CFR part 136 were designed to meet technology-based permitting needs, and since these technology-based levels are as much as 280 times higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
Final	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4048.

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

Maria Gomez-Taylor, Environmental Protection Agency, Water, 4303, Washington, DC 20460 Phone: 202 260-1639

RIN: 2040–AD07

3334. • TEST PROCEDURES FOR THE ANALYSIS OF CO-PLANAR AND MONO-ORTHO-SUBSTITUTED POLYCHLORINATED BIPHENYLS (PCBS) UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25; 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 part 136 to approve EPA Method 1668 for the congener-specific determination of co-planar and mono-ortho-substituted polychlorinated biphenyls

EPA—CWA

Proposed Rule Stage

(PCBs). 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 effluent limits in NPDES 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 in waste waters at the levels of concern for these water quality standards purposes. Therefore, approval of a new EPA test procedure is necessary.

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	
Final	03/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4049.

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

Maria Gomez-Taylor, Environmental Protection Agency, Water, 4303, Washington, DC 20460
Phone: 202 260-1639

RIN: 2040–AD09

3335. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE—PHASE TWO

Priority: Substantive, Nonsignificant

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

Legal Authority: 33 USC 1251; Clean Water Act sec 101; 33 USC 1345; Clean Water Act 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. EPA expects that these changes will increase flexibility and thus reduce the regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final	05/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3497.

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

RIN: 2040–AC53

3336. EFFLUENT GUIDELINES AND STANDARDS FOR THE CENTRALIZED WASTE TREATMENT INDUSTRY

Priority: Other Significant

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306; 33 USC 1317; Clean Water Act sec 307; 33 USC 1361; Clean Water Act sec 501

CFR Citation: 40 CFR 437

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

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

Timetable:

Action	Date	FR Cite
NPRM	01/27/95	60 FR 5464
Reproposal	03/00/98	
Final	08/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2805.

Agency Contact: Jan Matuszko, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040–AB78

3337. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL LAUNDRIES POINT SOURCE CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1317; Clean Water Act sec 307; 33 USC 1314; Clean Water Act sec 304; 33 USC 1361; Clean Water Act sec 501; 33 USC 1316; Clean Water Act sec 306; 33 USC 1318; Clean Water Act sec 308

CFR Citation: 40 CFR 441

Legal Deadline:
NPRM, Judicial, November 7, 1997.
Final, Judicial, June 30, 1999.

Abstract: EPA is developing effluent limitation guidelines for Industrial Laundries, which supply laundered and dry-cleaned work uniforms, wiping towels, safety equipment (such as gloves and flame-resistant clothing), dust covers and cloths, and similar items to industrial and commercial users. An unopposed motion to extend the NPRM deadline to November 7, 1997 was granted in August 1997.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final	06/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3209.

Agency Contact: Susan Burris, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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Email: burris.susan@epamail.epa.gov

RIN: 2040–AB97

3338. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1317; Clean Water Act sec 307; 33 USC 1314; Clean Water Act sec 304; 33 USC 1361; Clean Water Act sec 501; 33 USC 1316; Clean Water Act sec 306

CFR Citation: 40 CFR 442

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

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

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3204.

Agency Contact: Gina Matthews, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040–AB98

3339. EFFLUENT GUIDELINES AND STANDARDS FOR LANDFILLS

Priority: Other Significant

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306; 33 USC 1317; Clean Water Act sec 307; 33 USC 1361; Clean Water Act sec 501

CFR Citation: 40 CFR 445

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

Abstract: EPA is developing 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 (POTW). The proposal would not apply to wastewater discharges of contaminated groundwater. This proposal would 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. 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	11/00/97	
Final	11/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3489.

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RIN: 2040–AC23

3340. NPDES STREAMLINING RULE—ROUND III

Regulatory Plan: This entry is Seq. No. 115 in Part II of this issue of the **Federal Register.**

RIN: 2040–AC84

3341. STREAMLINING 301(H) WAIVER RENEWAL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311; Clean Water Act sec 301

CFR Citation: 40 CFR 125

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final	10/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 3804.

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RIN: 2040–AC89

3342. • EFFLUENT GUIDELINES AND STANDARDS FOR INDUSTRIAL WASTE COMBUSTORS

Priority: Other Significant

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306; 33 USC 1317; Clean Water Act sec 307; 33 USC 1361; Clean Water Act sec 501

CFR Citation: 40 CFR 444

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

Abstract: EPA is developing effluent guidelines and standards for

commercial industrial waste combustion facilities. 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 would apply 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 is not including within the scope of the proposal industrial waste combustors that burn only wastes received from off-site facilities within the same corporate ownership (intra-company wastes) or industrial waste combustors that only burn wastes generated on-site. This rule has appeared in previous editions of the Regulatory Agenda with other titles: Waste Treatment Industry, Phase II, and Landfills and Incinerators.

Timetable:

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

Small Entities Affected: None

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

3343. • AMENDMENT TO EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311; Clean Water Act sec 301 ; 33 USC 1314; Clean Water Act sec 304 ; 33 USC 1316; Clean Water Act sec 306 ; 33 USC 1317; Clean Water Act sec 307 ; 33 USC 1361; Clean Water Act sec 501

CFR Citation: 40 CFR 430; 40 CFR 431

Legal Deadline: None

Abstract: This proposal requires those mills that choose to enroll in the Voluntary Advanced Technology Incentives Program 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. This proposed rule also provides for a certification in lieu of monitoring for one pollutant, chloroform, for mills using certain processes, which are specified in this proposal. Basically, this proposal applies to elemental chlorine-free mills, allowing them to submit a certification based on process changes and operational controls to demonstrate compliance with the chloroform limitation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	01/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4039.

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RIN: 2040–AD05

3344. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF TRACE METALS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h); Clean Water Act sec 304(h); 33 USC 1361(a); Clean Water Act sec 501

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

Legal Deadline: None

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

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

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	
Final	04/00/99	

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

3345. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF CYANIDE UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h); Clean Water Act sec 304(h); 33 USC 1361(a); Clean Water Act sec 501(a)

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

Legal Deadline: None

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

analysis of cyanide under the Clean Water Act.

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

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

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

Timetable:

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

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

3346. REFORMATTING OF EFFLUENT GUIDELINES AND STANDARDS IN 40 CFR PARTS 405 THROUGH 471

Priority: Info./Admin./Other

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

Legal Authority: 33 USC 1251; Clean Water Act sec 303; 33 USC 1311; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306; 33 USC 1317; Clean Water Act sec 307

CFR Citation: 40 CFR 405 to 471 as amended

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	
Final	02/00/99	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3767.

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RIN: 2040–AC79

3347. STREAMLINING THE GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

Regulatory Plan: This entry is Seq. No. 116 in Part II of this issue of the **Federal Register.**

RIN: 2040–AC58

3348. UNIFORM NATIONAL DISCHARGE STANDARDS FOR ARMED FORCES VESSELS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 140

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

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

EPA—CWA **Proposed Rule Stage**

marine environment. If there is new information that suggests the standard should be changed, a State may petition for review any standard promulgated under this action.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	08/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3925.

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

RIN: 2040–AC96

3349. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C—WASTEWATER DISCHARGE INFORMATION

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

RIN: 2040–AC26

3350. COMPREHENSIVE NPDES STORMWATER PHASE II REGULATIONS

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

RIN: 2040–AC82

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Clean Water Act (CWA)

3351. AMENDMENT TO THE PESTICIDE CHEMICALS MANUFACTURING EFFLUENT LIMITATIONS GUIDELINES; PRETREATMENT STANDARDS; NEW AND EXISTING SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251

CFR Citation: 40 CFR 455

Legal Deadline: None

Abstract: EPA has entered into a Settlement Agreement with American Cyanamid; the sole manufacturer of pendamethalin. Based on additional data, EPA has agreed to revise the numerical limitations for new and existing facilities manufacturing pendamethalin to slightly less stringent limitations.

Timetable:

Action	Date	FR Cite
Direct Final	12/00/97	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 287 Agricultural Chemicals

Additional Information: SAN No. 3995.

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RIN: 2040–AD01

3352. • 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: This action would identify requirements for NPDES permittees that elect to submit NPDES Discharge Monitoring Reports Electronically, including requirements for the use of personal identification numbers (PINs) or other mechanisms as electronic signatures, recordkeeping, Terms and Conditions Agreements, and certifications. The rule will make incorporation of electronic reporting requirements into an NPDES permit a minor permit modification. This rule will enable implementation of Electronic Data Interchange (EDI) for NPDES Discharge Monitoring Reports (DMRs). The Agency has developed and piloted an EDI process for DMRs based on its September 4, 1996 interim final policy for accepting filing of environmental reports via EDI. This action will not require the use of electronic reporting.

Timetable:

Action	Date	FR Cite
Direct Final	03/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4051.

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RIN: 2040–AD11

3353. AMENDMENTS TO ROUND I FINAL SEWAGE SLUDGE USE OR DISPOSAL RULE—PHASE ONE

Priority: Substantive, Nonsignificant

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

Legal Authority: 33 USC 1251; Clean Water Act sec 101; 33 USC 1345; Clean Water Act 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 some publication errors, and include some technical amendments. This action will modify the existing regulation to make the requirements for sewage sludge incinerators self-implementing and provide the regulated community flexibility in meeting other Part 503 requirements. The changes should not have any

adverse impact on State,local, or tribal government or small businesses because no additional requirements are being imposed.

Timetable:

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54771
Final	12/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3497.

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RIN: 2040–AC29

3354. ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS FOR THE STATE OF CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313/CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/05/97	62 FR 42160
Final Action	11/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3504.

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RIN: 2040–AC44

3355. STREAMLINING THE STATE SEWAGE SLUDGE MANAGEMENT REGULATIONS

Regulatory Plan: This entry is Seq. No. 130 in Part II of this issue of the Federal Register.

RIN: 2040–AC87

3356. STREAMLINED PROCEDURES AND GUIDANCE FOR APPROVING TEST PROCEDURES UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

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

Timetable:

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

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

3357. SELENIUM CRITERION MAXIMUM CONCENTRATION FOR WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1268; Clean Water Act 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.

Timetable:

Action	Date	FR Cite
NPRM	12/16/96	61 FR 66007
Final	06/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3921.

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RIN: 2040–AC97

EPA—CWA

Final Rule Stage

3358. EFFLUENT GUIDELINES AND STANDARDS FOR THE PHARMACEUTICAL MANUFACTURING CATEGORY

Priority: Other Significant

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306; 33 USC 1317; Clean Water Act sec 307; 33 USC 1361; Clean Water Act sec 501

CFR Citation: 40 CFR 439

Legal Deadline:
NPRM, Judicial, February 28, 1995.
Final, Judicial, April 30, 1998.

Abstract: EPA is developing revised effluent limitation guidelines and standards for the pharmaceutical manufacturing industry, including limitations on toxic and non-conventional volatile organic pollutants. EPA intends to promulgate this rule concurrently with air emission standards. See separate entry for "NESHAP: Pharmaceuticals Production" (RIN 2060-AE83).

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 1427.

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RIN: 2040–AA13

3359. NPDES STREAMLINING RULE—ROUND II

Regulatory Plan: This entry is Seq. No. 131 in Part II of this issue of the Federal Register.

RIN: 2040–AC70

3360. 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; Clean Water Act 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 October 1993, the Office of Water issued a policy memorandum recommending a shift to the use of dissolved metals criteria because they more accurately reflect the bioavailable fraction of waterborne metals for aquatic life. This revision will convert the total recoverable metals criteria to dissolved metals criteria and bring the 11 States into alignment with the current policy on the use of dissolved metals.

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

Timetable:

Action	Date	FR Cite
Interim Final	05/04/95	60 FR 22229
Final	12/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3661.

Agency Contact: Cindy Roberts, Environmental Protection Agency, Water, 4203, Washington, DC 20460
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RIN: 2040–AC55

3361. WITHDRAWAL OF PROPOSED AMENDMENT TO EFFLUENT GUIDELINES AND STANDARDS FOR ORE MINING AND DRESSING POINT SOURCE CATEGORY, NEW SOURCE PERFORMANCE STANDARDS

Priority: Info./Admin./Other

Legal Authority: 33 USC 1311; Clean Water Act sec 301; 33 USC 1314; Clean Water Act sec 304; 33 USC 1316; Clean Water Act sec 306

CFR Citation: 40 CFR 440

Legal Deadline: None

Abstract: EPA is withdrawing the previously proposed rule published in the Federal Register on February 12, 1996 (61 FR 5364). The proposed rule would have amended the applicability of certain effluent limitations guidelines and new source performance standards governing mines with froth-flotation mills to the Alaska-Juneau (A-J) gold mine project near Juneau, Alaska. Specifically, EPA proposed to exempt dewatered tailing produced by the proposed A-J mine and mill from effluent guidelines based on best practicable control technology (BPT) and best available control technology economically achievable (BAT), and from new source performance standards (NSPS) that appear at 40 CFR part 440, subpart J. EPA also proposed adding a definition of "dewatered tailings" to 40 CFR part 440, subpart L. On January 14, 1997, Echo Bay Mines announced that the company would end the development of the A-J mine project. EPA has concluded that in light of the closure of the A-J mine project this exemption is not longer necessary and thus EPA plans to withdraw the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	02/12/96	61 FR 5364
Withdrawal	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3722.

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RIN: 2040–AC74

3362. GUIDELINES ESTABLISHING OIL AND GREASE TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1316(h); Clean Water Act sec 304(h); 33 USC 1361(a); Clean Water Act sec 501(a)

EPA—CWA

Final Rule Stage

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

Legal Deadline: None

Abstract: This regulation will amend the Guidelines establishing Test Procedures for the Analysis of Pollutants under section 304(h) of the Clean Water Act to replace existing gravimetric test procedures for the conventional pollutants, Oil and Grease (40 CFR 401.16) with EPA Method 1664 consistent with the Chlorofluorocarbon (CFC) phaseout requirements of the Clean Air Act Amendments of 1990. Method 1664 uses normal hexane (n-hexane) as the extraction solvent in place of 1,1,2-trichloro-1,2, 2-trifluoroethane (CFC-113; Freon-113), which is used in current 40 CFR 136 approved methods for the determination of oil and grease. Presently approved methods are EPA Method 413.1 in Methods for Chemical Analysis of Water and Wastes (EPA-600/4-79-020) and Method 5520B in Standard Methods for the Examination of Water and Wastewater, 18th edition. This proposal would withdraw approval of Methods 413.1 and 5520B in order to avoid unacceptable inconsistency between results produced by these methods and the proposed Method 1664.

Timetable:

Action	Date	FR Cite
NPRM	01/23/96	61 FR 1730
Final	03/00/98	

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

3363. INCREASED METHOD FLEXIBILITY FOR TEST PROCEDURES APPROVED FOR CLEAN WATER ACT COMPLIANCE MONITORING UNDER 40 CFR PART 136

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Direct Final	01/00/98	

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

3364. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h); Clean Water Act sec 304(h); 33 USC 1361(a); Clean Water Act sec 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

EPA—CWA

Final Rule Stage

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3155.

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RIN: 2040–AC95

3365. CLARIFICATION OF THE APPLICATION REQUIREMENTS FOR STATES WANTING TO DESIGNATE DRINKING WATER INTAKE ZONES, THEREBY PROHIBITING THE DISCHARGE OF VESSEL SEWAGE WITHIN THOSE ZONES

Priority: Substantive, Nonsignificant

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

Legal Authority: 33 USC 1322; Clean Water Act sec 312

CFR Citation: 40 CFR 140

Legal Deadline: None

Abstract: Section 312 of the Clean Water Act entitled Marine Sanitation Devices was established in the Federal Water Pollution Control Act of 1972 to regulate discharges of vessel sewage. EPA is developing a technical amendment to clarify the regulations implementing section 312. This proposed regulatory amendment to 40 CFR part 140.4(b) would clarify the information required in a State application requesting EPA to designate State-specified surface water as a drinking water intake zone, thereby making it unlawful for vessels to discharge sewage within that zone. This amendment would provide guidance to EPA Regions and States on the specific information necessary for the designation of a drinking water intake zone. This amendment will have no direct impact on small businesses and would only affect those State's choosing to request designation of no discharge zones. The amendment will not directly impact local and tribal governments. (The Clean Water Act section 518 does not include Tribes under Treatment as States in regards to section 312 of the Clean Water Act). State and local governments and public water water supply systems should benefit from improved water quality near their drinking water intakes.

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 54013
Final	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3666.

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

RIN: 2040–AC61

3366. NPDES WASTEWATER PERMIT APPLICATION FORMS AND REGULATORY REVISIONS FOR MUNICIPAL DISCHARGES AND SEWAGE SLUDGE USE OR DISPOSAL

Regulatory Plan: This entry is Seq. No. 132 in Part II of this issue of the **Federal Register.**

RIN: 2040–AB39

3367. SHORE PROTECTION ACT, SECTION 4103(B) REGULATIONS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 237

Legal Deadline: None

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

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

Timetable:

Action	Date	FR Cite
NPRM	08/30/94	59 FR 44798
Final	12/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 2820.

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RIN: 2040–AB85

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Clean Water Act (CWA)

3368. • EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY, PHASE II

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 430

Legal Deadline: None

Abstract: In the Pulp and Paper Phase II effort, EPA intends to revise existing Best Practicable Technology (BPT), Best Conventional Pollutant Control Technology (BCT), Best Available Technology (BAT), New Source Performance Standards (NSPS), Pretreatment Standards for Existing and New Sources (PSES) 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. Guidelines and standards for these 8 subcategories were proposed as part of the Phase I Pulp and Paper Rule (also known as the "Cluster Rule") in December of 1993 but were withdrawn from the Phase I Rule after Public comment. The Agency intends to develop these revised effluent limitations in close coordination with the Office of Air Quality Planning and Standards, which shortly will promulgate, as part of the "Cluster Rule", maximum achievable control technology (MACT) standards that limit air emissions under the Clean Air Act (CAA).

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final	02/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4050.

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RIN: 2040–AD10

3369. GUIDELINES ESTABLISHING WHOLE EFFLUENT TOXICITY WEST COAST TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 136

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2040–AC54

3370. STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE (ROUND II)

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 503

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Robert M. Southworth
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RIN: 2040–AC25

3371. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASES I AND 2

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 438

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

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RIN: 2040–AB79

3372. BEST TECHNOLOGY AVAILABLE (BTA) FOR COOLING WATER INTAKE STRUCTURES UNDER SECTION 316(B) OF THE CLEAN WATER ACT

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 125; 40 CFR 401

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Deborah Nagle
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RIN: 2040–AC34

3373. EFFLUENT GUIDELINES AND STANDARDS FOR IRON AND STEEL MANUFACTURING POINT SOURCE CATEGORY

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 420

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

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EPA—CWA

Long-Term Actions

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RIN: 2040–AC90

3374. STREAMLINING REVISIONS TO THE WATER QUALITY PLANNING AND MANAGEMENT REGULATIONS

Priority: Other Significant

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

CFR Citation: 40 CFR 130

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Amy Sosin
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RIN: 2040–AC65

3375. CLEAN WATER ACT SECTION 404 PROGRAM DEFINITION OF THE WATERS OF THE UNITED STATES—ISOLATED WATERS AND ARTIFICIAL WATERS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 232

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hazel Groman
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RIN: 2040–AB74

3376. COMPARISON OF DREDGED MATERIAL TO REFERENCE SEDIMENT

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 230

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Goodin
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RIN: 2040–AC14

3377. REVISIONS TO OCEAN DUMPING REGULATIONS FOR DREDGED MATERIAL

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

Unfunded Mandates: Undetermined

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

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

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: John Heisler
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RIN: 2040–AB62

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Clean Water Act (CWA)

3378. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 430; 40 CFR 431

Completed:

Reason	Date	FR Cite
Merged Into RIN 2060-AD03	10/14/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

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RIN: 2040–AB53

3379. STREAMLINED PROCEDURES FOR DEVELOPING AND MAINTAINING APPROVED PUBLICLY OWNED TREATMENT WORKS PRETREATMENT PROGRAMS

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 403.18

Completed:

Reason	Date	FR Cite
Final Action	07/17/97	62 FR 38405

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Jeff Smith
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RIN: 2040–AC57

3380. GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF 2,3,7,8-SUBSTITUTED DIBENZO-P-DIOXINS AND DIBENZO FURANS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant

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

EPA—CWA

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	09/15/97	62 FR 48393

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

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RIN: 2040–AC64

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Atomic Energy Act (AEA)

3381. • DISPOSAL OF LOW-ACTIVITY RADIOACTIVE WASTES

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, and other wastes with low-activity radionuclide contents. These wastes are anticipated to arise in the commercial sector and as a product of operations and clean-up activities in the DOE facilities complex. The rule is intended to increase disposal options for these wastes and offer a streamline 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	05/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 4054.

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RIN: 2060–AH63

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Atomic Energy Act (AEA)

3382. FEDERAL RADIATION PROTECTION GUIDANCE FOR EXPOSURE OF THE GENERAL PUBLIC

Priority: Other Significant

Legal Authority: 42 USC 2021(h); Atomic Energy Act of 1954 sec 274(h); Reorganization Plan No. 3 of 1970

Legal Deadline: None

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

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3321.

(SAN was 2073)

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RIN: 2060–AE61

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Atomic Energy Act (AEA)

3383. PROTECTIVE ACTION GUIDANCE FOR DRINKING WATER

Priority: Other Significant

CFR Citation: 41 CFR 351

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles Blue
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RIN: 2060–AF39

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Atomic Energy Act (AEA)

3384. ENVIRONMENTAL PROTECTION AGENCY RADIATION SITE CLEANUP REGULATION

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 196

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action	08/25/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: John M. Karhnak
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RIN: 2060–AB31

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

Safe Drinking Water Act (SDWA)

3385. • REVISION OF EXISTING VARIANCES AND EXEMPTIONS REGULATION TO COMPLY WITH REQUIREMENTS OF THE SAFE DRINKING WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701 et seq; PL 104-182

CFR Citation: 40 CFR 142

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

Abstract: This action will revise the existing regulations which address the issuance and availability of variances and exemptions under the Safe Drinking Water Act. A section specifically addressing variances for small public water systems is included in the revisions. We anticipate that the revisions will be viewed as having beneficial impacts on small systems.

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	
Final	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4040.

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RIN: 2020–AA37

3386. DRINKING WATER CONSUMER CONFIDENCE REPORT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300g-3c

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

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

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3947.

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RIN: 2040–AC99

3387. • PUBLIC WATER SYSTEM PUBLIC NOTIFICATION REGULATION

Priority: Substantive, Nonsignificant

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

Legal Authority: 12 USC 1701 et seq; PL 104-182

CFR Citation: 40 CFR 141.32; 40 CFR 142.16

Legal Deadline: None

Abstract: This action revises an existing regulation to incorporate the new public notification provisions in section 114 (a) of the Safe Drinking Water Act Amendments of 1996. The basic public notification requirement is not changed by the 1996 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 any drinking water regulation occurs (including MCL, treatment technique, and monitoring/reporting requirements); (2) a variance or exemption (V&E) to those regulations is in place or the conditions of the V&E 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 and States are required to adopt this rule to retain primacy under section 142.10, subpart B.

The 1996 amendments significantly revise the public notification requirements. The amendments: (1) alter the timing of the notification for certain violations; (2) establish a specific requirement for EPA

consultation with the States in issuing revised regulations; (3) allow the State to prescribe alternative notification requirements by rule with respect to the form and content of the notice; and (4) add a new requirement for the State to prepare an annual report on violations and for EPA to prepare a follow on report summarizing States' reports and public notices submitted by Indian Tribes. One other new requirement -- for public water systems to prepare an annual consumer confidence report -- is being implemented under a separate regulatory action. (Continued in "Additional Information").

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final	09/00/99	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4009.

(Continued from the "Abstract")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. the risk to their health.

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RIN: 2040–AD06

3388. • 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; 33 USC 1314(h); 33 USC 1361a; PL 92-500; PL 95-217; PL 100-4; 42 USC 300f; 42 USC 300g-1; 42 USC 300g-2; 42 USC 300g-3; 42 USC 300g-4; 42 USC 300g-5; 42 USC 300g-6; 42 USC 300j-4; 42 USC 300j-9

CFR Citation: 40 CFR 136; 40 CFR 122.21; 40 CFR 122.41; 40 CFR 122.44; 40 CFR 123.25; 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 or flow cytometry, and detection of the organisms using direct immunofluorescence assay and confirmation examination of the organisms using vital dye stains.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final	04/00/99	

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

3389. • ANALYTICAL METHODS FOR REGULATED DRINKING WATER CONTAMINANTS: TOTAL COLIFORMS, E. COLI, AND ACID HERBICIDES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f; Safe Drinking Water Act sec 1401; 42 USC 300g-1; Safe Drinking Water Act 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 new methods or newer versions of existing methods for total coliforms, E. coli, and acid herbicides. At the same time, the Agency will withdraw approval of selected outdated methods.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final	10/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4044.

This regulation was split from RIN 2040-AC77, SAN 3726.

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

RIN: 2040–AD04

3390. MANAGEMENT OF CLASS V INJECTION WELLS UNDER PART C OF THE SAFE DRINKING WATER ACT

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

RIN: 2040–AB83

3391. STREAMLINING DRINKING WATER MONITORING REQUIREMENTS

Priority: Other Significant

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

duplication, or streamline requirements.

Legal Authority: 42 USC 300j-4; Safe Drinking Water Act sec 1445

CFR Citation: 40 CFR 141

Legal Deadline: None

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

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

Timetable:

Action	Date	FR Cite
ANPRM	07/03/97	62 FR 36099
NPRM	12/00/97	
Final	08/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3761.

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

RIN: 2040–AC73

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

3392. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR LEAD AND COPPER

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300g-1; Safe Drinking Water Act 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 should experience a minor decrease in costs as a result of these revisions. Many local and tribal governments and small businesses that operate public water systems should also experience a decrease in annual costs.

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3440.

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

RIN: 2040–AC27

3393. NATIONAL PRIMARY DRINKING WATER REGULATIONS: STAGE I DISINFECTANT/DISINFECTION BYPRODUCTS RULE

Regulatory Plan: This entry is Seq. No. 133 in Part II of this issue of the **Federal Register**.

RIN: 2040–AB82

3394. REFORMATTING OF DRINKING WATER REGULATIONS

Priority: Info./Admin./Other

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

Legal Authority: 42 USC 300g-1; Safe Drinking Water Act 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	12/00/97	

EPA—SDWA — Final Rule Stage

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3563.

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

RIN: 2040–AC41

3395. ANALYTICAL METHODS FOR REGULATED DRINKING WATER CONTAMINANTS: ORGANIC, INORGANIC AND MICROBIOLOGICAL CONTAMINANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f; Safe Drinking Water Act sec 1401; 42 USC 300g-1; Safe Drinking Water Act 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
Direct Final	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3726.

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

RIN: 2040–AC77

3396. NATIONAL PRIMARY DRINKING WATER REGULATIONS: INTERIM ENHANCED SURFACE WATER TREATMENT RULE

Regulatory Plan: This entry is Seq. No. 134 in Part II of this issue of the **Federal Register.**

RIN: 2040–AC91

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

Safe Drinking Water Act (SDWA)

3397. REVISIONS TO STATE PRIMACY REQUIREMENTS TO IMPLEMENT FEDERAL DRINKING WATER REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 142.10; 40 CFR 142.11; 40 CFR 142.12; 40 CFR 142.15

Timetable:

Action	Date	FR Cite
Direct Final	08/00/99	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Agency Contact: Jennifer Melch Phone: 202 260-7035 Fax: 202 260-0732

RIN: 2040–AD00

3398. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADON

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sylvia Malm Phone: 202 260-0417

RIN: 2040–AA94

3399. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUNDWATER DISINFECTION

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

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

RIN: 2040–AA97

3400. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
Arsenic Study Plan	12/24/96	61 FR 67800
NPRM	01/00/00	
Final	01/00/01	

EPA—SDWA

Long-Term Actions

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Irene Dooley
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Email: dooley.irene@epamail.epa.gov

RIN: 2040–AB75

3401. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE

Priority: Other Significant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Jim Taft
Phone: 202 260-5519

RIN: 2040–AC07

3402. NATIONAL PRIMARY DRINKING WATER STANDARDS FOR ALDICARB

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: James Taft
Phone: 202 260-5519

RIN: 2040–AC13

3403. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADIUM, URANIUM, ALPHA, BETA AND PHOTON EMITTERS

Priority: Other Significant

CFR Citation: 40 CFR 141; 40 CFR 142

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
Final	11/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Dave Huber
Phone: 202 260-9566

RIN: 2040–AC98

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Safe Drinking Water Act (SDWA)

3404. UNDERGROUND INJECTION CONTROL PROGRAM STREAMLINING RULE

Priority: Other Significant

CFR Citation: 40 CFR 144; 40 CFR 146

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action Planned.	08/22/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Agency Contact: Denny Cruz
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RIN: 2040–AC83

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Prerule Stage

Resource Conservation and Recovery Act (RCRA)

3405. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6921(b)(3)(C); Resource Conservation Recovery Act sec 3001(b)(3)(C)

Legal Deadline:
Final, Judicial, April 1, 1998.

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 and a final regulatory determination will be made by April 1, 1998. The phrase remaining wastes refers to (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. The Agency is seeking an extension to the legal deadline for the current regulatory determination.

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)	04/00/98	

Small Entities Affected: Undetermined

EPA—RCRA

Prerule Stage

Government Levels Affected: Undetermined

Additional Information: SAN No. 3201.

Agency Contact: Dennis Ruddy, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460

Phone: 703 308-8430

RIN: 2050–AD91

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

Proposed Rule Stage

3406. REVISIONS TO THE OIL POLLUTION PREVENTION REGULATION

Priority: Other Significant

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

Legal Authority: 33 USC 1321; Clean Water Act sec 311(j)(1)(C)

CFR Citation: 40 CFR 112

Legal Deadline: None

Abstract: Following a major inland oil spill with substantial environmental impacts (i.e., Ashland Oil in Floreffe, PA, in January 1988), 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. This action supplements the 1991 proposed revisions, and proposes to reduce burdens associated with the rule by reducing the recordkeeping provisions or exempting some facilities from some recordkeeping requirements. In proposing these burden reductions, EPA will consider available data on how factors, such as facility type, size, throughput, and location, may affect the threat of discharging oil to waters of the United States.

Timetable:

Action	Date	FR Cite
NPRM	10/22/91	56 FR 54612
Supplemental NPRM	11/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2634.

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

RIN: 2050–AC62

3407. REMOVAL OF REQUIREMENT TO USE SW-846 METHODS (TEST METHODS FOR EVALUATING SOLID WASTE: PHYSICAL/CHEMICAL METHODS)

Priority: Substantive, Nonsignificant

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

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

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

Legal Deadline: None

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

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

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3989.

Agency Contact: Barry Lesnik, Environmental Protection Agency, Solid Waste and Emergency Response, 5307W, Washington, DC 20460
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RIN: 2050–AE41

3408. • 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 264; 40 CFR 270

Legal Deadline: None

Abstract: The Agency, in 1994, convened a special task force to look at permitting activities throughout its different programs and to make specific recommendations to improve these permitting programs. This task force, known as the Permits Improvement Team (PIT), worked with stakeholders from the Agency, state permitting agencies, industry, and the environmental community. The PIT stakeholders mentioned, among other things, that permitting activities should be commensurate with the complexity of the activity. The stakeholders felt that current Agency permitting programs were not flexible enough to allow streamlined procedures for routine permitting activities.

Currently, facilities that store, treat, or dispose of hazardous waste obtain site-specific permits prescribing conditions for each "unit" (e.g. tank, container area, etc.) in which hazardous waste is managed. Experience gained by the Agency and states over the past fifteen years has shown that not all waste management activities are at the same level of complexity. Some activities, such as thermal treatment or land disposal of hazardous waste are more complex than storage of hazardous waste. The Agency feels that thermal treatment and land disposal activities continue to warrant individual permits, prescribing unit-specific conditions. However, the Agency feels that some accommodation can made for hazardous waste management practices in standardized units such as tanks, container storage areas, and containment buildings. These types of units are relatively simple and straightforward when compared to site-specific issues that arise at landfills and operating issues that are common at thermal treatment units. The PIT tentatively recommended, among other things, that regulations be developed to allow "general permits" for on-site storage and treatment of hazardous waste in tanks, containers, and containment buildings. (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Sectors Affected: 281 Industrial Inorganic Chemicals; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products; 286 Industrial Organic Chemicals

Additional Information: SAN No. 4028.

ABSTRACT CONT: 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.

Agency Contact: Vernon B. Myers, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC, 20460
Phone: 703 308-8660
Fax: 703 308-8609

RIN: 2050–AE44

3409. MODIFICATIONS TO THE DEFINITION OF SOLID WASTE AND REGULATIONS OF HAZARDOUS WASTE RECYCLING: GENERAL

Regulatory Plan: This entry is Seq. No. 120 in Part II of this issue of the **Federal Register.**

RIN: 2050–AD18

3410. MANAGEMENT OF CEMENT KILN DUST (CKD)

Regulatory Plan: This entry is Seq. No. 121 in Part II of this issue of the **Federal Register.**

RIN: 2050–AE34

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Resource Conservation and Recovery Act (RCRA)

3411. MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT; CODIFICATION OF WASTE MANAGEMENT PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-142

Legal Deadline: None

Abstract: The purpose of this rule is to codify into the Code of Federal Regulations certain provisions of the Mercury-Containing and Rechargeable Battery Management Act that impact the May 11, 1995 Universal Waste Rule (60 FR 25492). The Act was signed by the President on May 13, 1996 and became immediately effective nationwide on the date of signature. Specifically, one provision of the law requires the collection, storage, and transportation of the following types of batteries be managed according to standards established in the Universal Waste rule: used rechargeable batteries, lead-acid batteries not covered by 40 CFR Part 266, rechargeable alkaline batteries, certain mercury-containing batteries banned from domestic sale, and used consumer products containing rechargeable batteries that are not easily removable. The law prohibits State imposed requirements that are not identical to those found in the final Federal universal waste rule, but allows States to adopt and enforce identical standards for labeling and to implement and enforce collection, storage, and transport requirements identical to those included in the universal waste rule.

The costs of this action should be minimal to the regulated industry since the community regulated by the law -- battery manufacturers, industries that use batteries in their consumer products, and the retail industry -- all support the law. In addition, the regulated community has rechargeable battery recycling programs already in place and such recycling programs are in compliance with the labeling and

management provisions of the law. Second, most States have state rechargeable battery recycling statutes in place but their recycling programs vary to some degree with respect to labeling and management requirements. Therefore, modifications to State statutes for rechargeable battery recycling will be necessary, but not costly.

Timetable:

Action	Date	FR Cite
Direct Final	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3888.

Agency Contact: Bryan Groce, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-8750
Fax: 703 308-0522

RIN: 2050–AE39

3412. HAZARDOUS WASTE MANAGEMENT SYSTEM: POST-CLOSURE REQUIREMENTS

Priority: Other Significant

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

Legal Authority: 42 USC 6926; Resource Conservation Recovery Act sec 3006; 42 USC 6912(a); Resource Conservation Recovery Act sec 2002(a); 42 USC 6924; Resource Conservation Recovery Act sec 3004; 42 USC 6925; Resource Conservation Recovery Act sec 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 124

Legal Deadline: None

Abstract: Under the current RCRA regulations, a facility that needs post-closure care must obtain a permit. In many cases, the post-closure permit is an appropriate mechanism for the regulatory agency to use to address the environmental needs at the facility. In other cases, however, a permit may not be appropriate. And, in some cases, the facility's post-closure care needs may have already been addressed through other legal mechanisms, such as enforcement actions or Superfund actions. In these cases, subsequent issuance of a post-closure permit would not provide any environmental benefit, although, under the current regulations, it is still required. This rule would remove the requirements to issue a permit to address post-closure care in all cases. A permit would remain an option, but EPA Regions and authorized States would be able to use other mechanisms as well, depending on the circumstances at the facility.

Timetable:

Action	Date	FR Cite
NPRM	11/08/94	59 FR 55778
Final	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3042.

Agency Contact: Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460
Phone: 703 308-7057

RIN: 2050–AD55

3413. LISTING DETERMINATION FOR HAZARDOUS WASTES—ORGANOBROMINES CHEMICAL INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 6922; Resource Conservation Recovery Act sec 3001; 42 USC 9602; Superfund (CERCLA) sec 102; 33 USC 1361; Superfund (CERCLA) sec 311

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

Legal Deadline:
Final, Judicial, April 15, 1998.

Abstract: This action proposes to list as a hazardous waste under RCRA one additional waste stream generated during the production of organobromine compound chemicals used as fire retardants. These wastes would then have to be managed in accordance with the RCRA hazardous waste requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/11/94	59 FR 24530
Final	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3065.

Agency Contact: Anthony Carrell, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460
Phone: 703 308-0458

RIN: 2050–AD79

3414. RCRA SUBTITLE D CORPORATE FINANCIAL TEST AND GUARANTEE

Priority: Other Significant

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

Legal Authority: 42 USC 6907; Resource Conservation Recovery Act sec 1008; 42 USC 6912(a); Resource Conservation Recovery Act sec 2002(a); 42 USC 6944; Resource Conservation Recovery Act sec 4004; 42 USC 6945(c); Resource Conservation Recovery Act sec 4005(c); 42 USC 6949a; Resource Conservation Recovery Act sec 4010

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: On October 9, 1991 the Agency promulgated revised criteria for municipal solid waste landfills (MSWLFs) which included financial assurance requirements to ensure that adequate funds are readily available to cover the costs of closure, post-closure care, and corrective action associated with MSWLFs without incurring government response costs. On October 12, 1994, EPA proposed to add a corporate financial test to the financial assurance mechanisms currently available to owners and operators of RCRA Subtitle D MSWLFs. In the proposal, EPA estimated that the rule would save owners and operators of MSWLFs approximately $45 million annually by allowing the use of a financial test rather than more expensive mechanisms such as surety bonds or letters of credit. The rule would have no impacts on local governments and could be implemented by state governments.

Timetable:

Action	Date	FR Cite
NPRM	10/12/94	59 FR 51523
Final	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3179.

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460 Phone: 703 308-8192

RIN: 2050–AD77

3415. LISTING DETERMINATION OF WASTES GENERATED DURING THE MANUFACTURE OF AZO, ANTHRAQUINONE, AND TRIARYLMETHANE DYES AND PIGMENTS

Priority: Other Significant

Legal Authority: 42 USC 6921; Resource Conservation Recovery Act 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:
Other, Judicial, December 15, 1997, Notice of Data Availability.
Final, Judicial, February 15, 1999.

Abstract: This action addresses the potential human health and environmental risks posed by wastes from the manufacture of dyes and pigments, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any unacceptable risks. If listed under RCRA, these wastes would also be added to to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined at this time. Two waste streams are subject to later deadlines for proposed and final action. The date for the final rule is 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	12/22/94	59 FR 66072
NODA (Notice of Data Availability)	12/00/97	
Final	02/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3066.

Agency Contact: Robert Kayser, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460 Phone: 703 308-7304

RIN: 2050–AD80

3416. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: PETROLEUM REFINING PROCESS WASTES

Priority: Other Significant

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

Legal Authority: 42 USC 6921; Resource Conservation Recovery Act 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:
Final, Judicial, May 29, 1998.

Abstract: This action addresses the potential human health and environmental risks posed by 14 waste streams from petroleum refining processes, and determines whether these wastes should be listed as hazardous wastes under RCRA. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. As part of this action, the Agency is considering opportunities for source reduction, recycling, reclamation or reuse in other manufacturing processes. This action will be implemented by EPA and authorized States under RCRA. Impacts on small business are expected but are not significant.

Timetable:

Action	Date	FR Cite
NPRM	11/20/95	60 FR 57747
Interim Notice of Data Availability	04/08/97	62 FR 16747
Final	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3064.

Agency Contact: Maximo (Max) Diaz, Jr., Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460 Phone: 703 308-0439

RIN: 2050–AD88

3417. REVISED STANDARDS FOR HAZARDOUS WASTE COMBUSTION FACILITIES

Regulatory Plan: This entry is Seq. No. 135 in Part II of this issue of the **Federal Register.**

RIN: 2050–AE01

3418. LAND DISPOSAL RESTRICTIONS—PHASE IV: PAPERWORK REDUCTION; TREATMENT STANDARDS FOR WOOD PRESERVING, MINERAL PROCESSING AND CHARACTERISTIC METAL WASTES; RELATED MINERAL PROCESSING ISSUES

Priority: Other Significant

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

Legal Authority: 42 USC 6905; Resource Conservation Recovery Act sec 1006; 42 USC 6912(a); Resource Conservation Recovery Act sec 2002(a); 42 USC 6921; Resource Conservation Recovery Act sec 3001; 42 USC 6924; Resource Conservation Recovery Act sec 3004

CFR Citation: 40 CFR 148; 40 CFR 261; 40 CFR 266; 40 CFR 268; 40 CFR 271

Legal Deadline:
Final, Judicial, April 15, 1998, Mineral Processing and Characteristic Metal Wastes.

Abstract: The Hazardous and Solid Waste Amendments of 1984 require the Environmental Protection Agency (EPA) to promulgate regulations establishing treatment standards that must be met before hazardous waste may be disposed of on land. This rulemaking establishes treatment standards for characteristic mineral processing wastes, wood preserving wastes, and TC metal wastes. It also addresses changes to the definition of solid waste for mineral processing secondary materials which are recycled within the mineral processing industry sector.

Timetable:

Action	Date	FR Cite
ANPRM	10/24/91	56 FR 55160
NPRM	08/22/95	60 FR 43654
Supplemental NPRM	01/25/96	61 FR 2338
Final (Wood Preserving Wastes)	05/12/97	62 FR 25998

Action	Date	FR Cite
Supplemental NPRM (Mineral Processing and Characteristic Metal Wastes)	05/12/97	62 FR 26041
Final (Mineral Processing and Characteristic Metal Wastes)	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3366.

Agency Contact: Sue Slotnick, Environmental Protection Agency, Solid Waste and Emergency Response, 5302W, Washington, DC 20460 Phone: 703 308-8462

RIN: 2050–AE05

3419. REQUIREMENTS FOR MANAGEMENT OF HAZARDOUS CONTAMINATED MEDIA COMMONLY REFERRED TO AS HAZARDOUS WASTE IDENTIFICATION RULE FOR CONTAMINATED MEDIA OR HWIR-MEDIA

Regulatory Plan: This entry is Seq. No. 136 in Part II of this issue of the Federal Register.

RIN: 2050–AE22

3420. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (REVISION)

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6905; Resource Conservation Recovery Act sec 1006; 42 USC 6912(a); Resource Conservation Recovery Act sec 2002(a); 42 USC 6924; Resource Conservation Recovery Act sec 3004; 42 USC 6925; Resource Conservation Recovery Act sec 3005; 42 USC 6926; Resource Conservation Recovery Act 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
Final	08/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2647.

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, 5303W, Washington, DC 20460 Phone: 703 308-8192

RIN: 2050–AC71

3421. 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.

Legal Authority: 42 USC 6945; Resource Conservation Recovery Act sec 4005; 42 USC 6912; Resource Conservation Recovery Act sec 2002

CFR Citation: 40 CFR 239

Legal Deadline: None

Abstract: This rule will establish criteria and procedures for EPA to use to determine whether State municipal solid waste (MSW) landfill permit programs and State permit programs relating to non-municipal, non-hazardous waste disposal units that receive conditionally exempt small quantity generator (CESQG) waste are adequate to ensure compliance with the federal revised criteria in 40 CFR parts 258 and 257, subpart B, respectively. While the federal revised criteria apply to all MSW landfills and non-municipal, non-hazardous waste disposal units receiving CESQG waste, States with permit programs deemed adequate under this rule can provide some flexibility on certain requirements to owners and operators who meet the revised criteria's performance standards. In providing this flexibility, this action offers an opportunity to reduce the regulatory burden on State and local governments and on landfill owners and operators.

Timetable:

Action	Date	FR Cite
NPRM	01/26/96	61 FR 2584
Final	11/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 2751.

Agency Contact: Karen Rudek, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460 Phone: 703 308-1682

RIN: 2050–AD03

3422. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

Priority: Other Significant

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

Legal Authority: 42 USC 6912(a); Resource Conservation Recovery Act sec 6002(e)

CFR Citation: 40 CFR 247

Legal Deadline: None

Abstract: RCRA section 6002 requires EPA to issue guidelines which designate items that are or can be made

with recovered materials and to recommend practices for government procurement of these materials. Once designated, procuring agencies are required to purchase these items with the highest percentage of recovered materials practicable. On May 1, 1995, under RCRA and Executive Order 12873, "Federal Acquisition, Recycling, and Waste Prevention," EPA designated 19 items in a Comprehensive Procurement Guideline (CPG) (60 FR 21370). EPA also issued purchasing recommendations in a related Recovered Materials Advisory Notice (RMAN) (60 FR 21386). The Order requires EPA to update the CPG and issue RMANs annually. On November 7, 1996, EPA proposed the first update to the CPG (CPG2), in which 13 additional items would be designated, and additional recommendations would be discussed in a RMAN. The new actions would: (1) finalize the designations proposed on 11/7/96 and, (2) propose the second update to the CPG (CPG3), including recommendations in RMANs.

Timetable:

Action	Date	FR Cite
NPRM (CPG2)	11/07/96	61 FR 57748
Final (CPG2)	11/00/97	
NPRM (CPG3)	12/00/97	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3545.

Agency Contact: Terry Grist, Environmental Protection Agency, Solid Waste and Emergency Response, 5306W, Washington, DC 20460
Phone: 703 308-7257

RIN: 2050–AE23

ENVIRONMENTAL PROTECTION AGENCY (EPA) Long-Term Actions

Resource Conservation and Recovery Act (RCRA)

3423. • PROPOSED MODIFICATIONS TO HAZARDOUS WASTE STORAGE AND DISPOSAL REGULATION RELATED TO LOW LEVEL MIXED WASTE

Priority: Other Significant

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

Legal Authority: 42 USC 6905; 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 exclusion from the hazardous waste disposal requirements for low level mixed waste (LLMW). EPA will determine whether the disposal of LLMW in facilities designed to address radiological hazards under the Atomic Energy Act (AEA) will provide adequate protection of human health and the environment from the chemical hazards of LLMW. If the Agency decides that such disposal is protective, EPA will propose that for the purposes of disposal these wastes be excluded from being identified and regulated as hazardous waste. EPA is formulating the scope and form of the exclusion and will propose the action in the regulatory proposal. Currently LLMW is regulated under multiple authorities: by RCRA, as implemented by EPA or authorized States for chemically hazardous constituents, and the AEA for radiological constituents of mixed waste implemented by either the Department of Energy (DOE) for waste generated by DOE or the Nuclear Regulatory Commission (NRC) or its agreement States for all other mixed waste. Commercial mixed waste generators, particularly nuclear power plants, have raised the concern that AEA and RCRA requirements for mixed waste overlap, are potentially inconsistent, costly, and potentially unnecessary. DOE has similar concerns. Nuclear power plants contend that low level radioactive waste disposal facilities designed and licensed pursuant to the AEA offer human health and environmental protection similar to that required by RCRA for chemical hazards. See Additional Information.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
Final	04/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 4017.

Abstract continued: DOE has made a similar contention for the disposal of certain LLMW that DOE would treat using vitrification and immobilization technologies. Furthermore, there is a serious shortage of disposal capacity for LLMW. The only LLMW disposal facility having both a RCRA permit and an AEA license does not accept much of the LLMW being generated by DOE or the commercial sector.

EPA is also considering alternatives to current EPA regulations applicable to mixed waste storage. NRC regulations also apply to the 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 waste.

Through this rulemaking action, EPA seeks to explore regulatory alternatives that could provide regulatory relief for LLMW from hazardous waste disposal and storage requirements, while ensuring protection of human health and the environment.

Agency Contact: Rajani Joglekar, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC, 20460
Phone: 703 308-8806
Fax: 703 308-7903
Email: joglekar.rajani@epamail.epa.gov
Adam Klinger, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC, 20460
Phone: 703 308-3267
Fax: 703 308-0514
Email: klinger.adam@epamail.epa.gov

RIN: 2050–AE45

3424. FACILITY RESPONSE PLANNING FOR DELEGATED OFFSHORE FACILITIES

Priority: Other Significant

CFR Citation: 40 CFR 112

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bobbie Lively-Diebold
Phone: 703 356-8774

RIN: 2050–AE18

3425. STANDARDS FOR THE MANAGEMENT AND USE OF SLAG RESIDUES DERIVED FROM HIGH TEMPERATURE METALS RECOVERY (HTMR) TREATMENT OF KO61, KO62 AND F0006 WASTES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 261; 40 CFR 266

Timetable:

Action	Date	FR Cite
NPRM	12/29/94	59 FR 67256
Final	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Narendra K. Chaudhari
Phone: 703 308-0454

RIN: 2050–AE15

3426. HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; RECYCLED USED OIL MANAGEMENT STANDARDS

Priority: Other Significant

CFR Citation: 40 CFR 279

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Tom Rinehart
Phone: 703 308-4309

RIN: 2050–AE28

3427. PAINT MANUFACTURING WASTES LISTING: HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

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

Unfunded Mandates: Undetermined

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

Timetable:

Action	Date	FR Cite
NPRM	02/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Dr. Cate Jenkins
Phone: 703 308-0453
Fax: 703 308-0514

RIN: 2050–AE32

3428. REVIEW OF TOXICITY CHARACTERISTIC LEVEL FOR SILVER UNDER THE RESOURCE CONSERVATION RECOVERY ACT (RCRA)

Priority: Info./Admin./Other

CFR Citation: 40 CFR 261; 40 CFR 268

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Tamara Irvin
Phone: 703 308-8807
Fax: 703 308-0522

RIN: 2050–AE37

3429. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: HAZARDOUS WASTE IDENTIFICATION RULE (HWIR); WASTE

Priority: Other Significant

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

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

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	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: William A. Collins, Jr.
Phone: 703 308-8748

RIN: 2050–AE07

3430. SPENT SOLVENTS LISTING DETERMINATION

Priority: Other Significant

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

Timetable:

Action	Date	FR Cite
NPRM	08/14/96	61 FR 42318
Final	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Ron Josephson
Phone: 703 308-0442

RIN: 2050–AD84

3431. CHLORINATED ALIPHATICS LISTING DETERMINATION

Priority: Other Significant

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Agency Contact: Wanda Levine
Phone: 703 308-0438

RIN: 2050–AD85

3432. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO UNDERGROUND STORAGE TANKS, CONTAMINATED MEDIA, AND DEBRIS

Priority: Other Significant

CFR Citation: 40 CFR 261

EPA—RCRA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Heffelfinger
Phone: 703 603-7157

RIN: 2050–AD69

3433. HAZARDOUS WASTE MANAGEMENT SYSTEM; MODIFICATION OF THE HAZARDOUS WASTE PROGRAM; MERCURY-CONTAINING LAMPS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 261

Timetable:

Action	Date	FR Cite
NPRM	07/27/94	59 FR 38288
Final	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Rita Cestaric
Phone: 703 308-0769

RIN: 2050–AD93

3434. 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.

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 262; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 270; 40 CFR 271

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Tribal, Federal

Agency Contact: Ann Codrington
Phone: 703 308-8825
Rich Lashier
Phone: 703 308-8796

RIN: 2050–AE21

3435. 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

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Hugh Davis
Phone: 703 308-8633

RIN: 2050–AB80

3436. UNDERGROUND STORAGE TANKS CONTAINING HAZARDOUS SUBSTANCES—FINANCIAL RESPONSIBILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 280

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local

Agency Contact: Mark Barolo
Phone: 703 603-7141

RIN: 2050–AC15

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

Completed Actions

3437. FLEXIBILITY IN MANAGEMENT CRITERIA FOR SMALL MUNICIPAL SOLID WASTE LANDFILLS

Priority: Other Significant

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

CFR Citation: 40 CFR 258

Completed:

Reason	Date	FR Cite
Direct Final - Flexibility for MSWLFs	07/29/97	62 FR 40708

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Agency Contact: Allen Geswein
Phone: 703 308-7261

RIN: 2050–AE24

3438. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C, HAZARDOUS WASTE TESTING MANUAL, SW-846, THIRD EDITION, UPDATE IV

Priority: Info./Admin./Other

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

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Regulatory Action Planned	10/03/97	

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Agency Contact: Kim Kirkland
Phone: 703 308-0490

RIN: 2050–AE25

EPA—RCRA

Completed Actions

3439. NEW AND REVISED TESTING METHODS APPROVED FOR RCRA SUBTITLE C, IN TEST METHODS FOR EVALUATING SOLID WASTE, PHYSICAL/CHEMICAL METHODS (SW-846), THIRD EDITION, UPDATE III

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Final Action	06/13/97	62 FR 32452

Small Entities Affected: None

Government Levels Affected: State, Tribal, Federal

Agency Contact: Kim Kirkland

Phone: 703 308-0490

RIN: 2050–AE14

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Clean Air Act (CAA)

Prerule Stage

3440. CONSOLIDATED EMISSION REPORTING RULE

Priority: Substantive, Nonsignificant

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

CFR Citation: 12 CFR sec 120.2(d)(4); 40 CFR 51.321 to 323

Legal Deadline: None

Abstract: Three sections of the Clean air Act and its amendments require state agencies to report emission estimates to EPA. Some of these sections contain obsolete wording, inconsistent instructions, and duplicate reporting requirements. This Rule will consolidate the requirements into one area, eliminate obsolete wording, eliminate duplicate reporting requirements, and provide options for collecting and reporting data. There will be no impact on small businesses. State agencies will continue to report the same, or reduced, amounts of data to EPA. The rule will provide for flexibility in collecting and reporting data. There will be no affect on local agencies.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/97	
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: SAN No. 3986.

Agency Contact: Steven Bromberg, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park,NC 27711
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RIN: 2060–AH25

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Clean Air Act (CAA)

Proposed Rule Stage

3441. STATE IMPLEMENTATION PLAN CALLS FOR CERTAIN STATES IN THE OZONE TRANSPORT ASSESSMENT GROUP (OTAG) FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OZONE

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7410(a)(2)(D); 42 USC 7410(k)(5)

CFR Citation: 40 CFR 51; 40 CFR 52 a

Legal Deadline:
Other, Judicial, See additional information.

Abstract: Ozone and ozone precursors are transported across the north eastern United States. The Ozone Transport Assessment Group (OTAG) was formed in 1995 to document the amount and extent of this transport and to develop control recommendations. The OTAG is a collaborative process conducted by the affected States. The OTAG also includes representatives from EPA and interested members of the public, including environmental groups and industry, to evaluate the ozone transport problem and the development of solutions. Controls are intended to reduce the ozone and ozone precursors "blowing into" the nonattainment areas and allow the impacted States to design local control programs that they can consider in their strategies. The mandate for reductions is "underpinned" by the EPA action taken to declare existing SIPs inadequate and to require the OTAG reductions to be implemented in all necessary States with both attainment and nonattainment areas.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/10/97	62 FR 1422
NPRM	10/00/97	
Final	09/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3945.

Active litigation on ozone nonattainment plans for serious and severe nonattainment areas. Sect. 126 petitions involved as are dates contained in Mary Nichols' Memorandum entitled "Ozone Attainment Demonstrations" 3/2/95.

Agency Contact: Kimber Scavo, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-3354
Fax: 919 541-0824
Email: scavo.kimber@epamail.epa.gov

RIN: 2060–AH10

EPA—CAA

Proposed Rule Stage

3442. TECHNICAL AMENDMENTS FOR NON-ROAD COMPRESSION IGNITION ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7573; 42 USC 7524; 42 USC 7541; 42 USC 7542; 42 USC 7543; 42 USC 7547; 42 USC 7549; 42 USC 7550; 42 USC 7601(a)

CFR Citation: 40 CFR 89

Legal Deadline: None

Abstract: This action will amend the existing regulation. These amendments are need to correct problems discovered during the first year of implementation. Also the rule will be harmonized with California and European Rules.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3915.

Agency Contact: Greg Orehowsky, Environmental Protection Agency, Air and Radiation, 6403J, Washington, DC 20460
Phone: 202 233-9292
Fax: 202 233-9596

RIN: 2060–AH33

3443. STREAMLINED EVAPORATIVE TEST PROCEDURES

Priority: Substantive, Nonsignificant

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 tow 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	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3910.

Agency Contact: Lynn Sohacki, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7851

RIN: 2060–AH34

3444. REVIEW OF DEFINITION OF VOLATILE ORGANIC COMPOUNDS—EXCLUSION OF CHLOROBROMOMETHANE

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 7401 et seq

CFR Citation: 40 CFR 51.100(s)

Legal Deadline: None

Abstract: EPA has received a petition to add chlorobromomethane to the list of compounds considered negligibly reactive in the definition of VOC in 40 CFR 51.100 (s). This would remove this compound from regulation as a VOC. Some available data suggest classification as "negligibly reactive". However, additional technical review is underway. EPA plans to make a decision after this technical review is completed.

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	
Final	09/00/98	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3944.

Agency Contact: Robert L. Stallings, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-7649

RIN: 2060–AH39

3445. AMENDMENT TO URBAN BUS RETROFIT/REBUILD PROGRAM REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7546; 42 USC 7554; 42 USC 7601(a)

CFR Citation: 40 CFR 85 Subpart O

Legal Deadline: None

Abstract: This action addresses a shortcoming in one of the two compliance options of the urban bust retrofit/rebuild program. The action provides assurance that the two options remain equivalent in terms of particulate matter reduction and cost. As intended by the original regulation. Also, it will assure that affected urban buses utilize the "best retrofit technology...reasonably achievable" as congress required in the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3916.

Agency Contact: Tom Stricker, Environmental Protection Agency, Air and Radiation, 6403J, Washington, DC 20460
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RIN: 2060–AH45

3446. • REVISIONS TO NEW SOURCE REVIEW (NSR) REGULATIONS TO IMPLEMENT THE NEW NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) FOR OZONE AND PARTICULATE MATTER

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 51.160 to 165; 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 51.160-165 and 52.21, respectively.

The proposed regulations implement preconstruction permit requirements for new or modified major stationary sources locating in areas that do not meet the new NAAQS for ozone or

particulate. Likewise, States with these nonattaining areas must revise their state plans and submit the changes to EPA for approval. The rules are intended to implement the major NSR provisions in a flexible, common sense, cost-effective, and non-burdensome manner. 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	03/00/98	
Final	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4046.

Agency Contact: David Solomon, Environmental Protection Agency, Air and Radiation, MD -12, Research Triangle Park, NC 27711
Phone: 919 541-5375

RIN: 2060–AH53

3447. • PROTECTION OF STRATOSPHERIC OZONE: INTERPRETATION OF METHYL BROMIDE LABELING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: CAA 602; 604; 611

Legal Deadline:
Final, Judicial, December 15, 1997, Consent decree with Natural Resources Defense Council (NRDC).

Abstract: This action would clarify EPA's interpretation, made by regulation promulgated in 1993, regarding the application of the ozone-depleting substances labeling rule, also promulgated in 1993, to foodstuffs manufactured with methyl bromide, as defined in 40 CFR 82.104(o). The interpretation would clarify that products manufactured with methyl bromide will be subject to labeling requirements on the same basis as all other products, except that raw food commodities grown for the fresh food market will continue to be categorically exempt from any labeling requirement.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4035.

It is OAR's interpretation that this clarification will not result in practical changes to the existing application of the labeling rule to foodstuffs manufactured with methyl bromide since existing exclusions from the definition of "manufactured with" under the labeling rule apply to most post-harvest uses of methyl bromide on foodstuffs.

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RIN: 2060–AH54

3448. • CLEAN FUEL FLEET PROGRAM; RULE AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410; 42 USC 7586

CFR Citation: 40 CFR 88'301-93

Legal Deadline: None

Abstract: The Clean Air Act Amendments (CAAA) of 1990 mandated the implementation of a fuel-neutral Clean Fuel Fleet Program (CFFP) beginning in Model Year 98(MY98) for those nonattainment areas designated as serious, severe or extreme or with a design value above 16.0 ppm for carbon monoxide. The act, however, specifically prohibits the Environmental Protection Agency (EPA) from requiring vehicle manufacturers to produce clean fuel fleet vehicles (CFV). We believe that Congress governing vision is establishing the CFF provisions was to encourage the alternative fuel market and provide states an incentive to promote the use of CFV's in centrally-fueled fleets. While EPA believes these congressional goals are both worthwhile and attainable, we realize that there may be a shortage of CFV's to meet the current needs of some fleets in the covered areas and that MY98 may not be an achievable start date for all areas. This action will extend the program implementation deadline from the current MY98 until MY99.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 351 Engines and Turbines

Additional Information: SAN No. 4042.

Agency Contact: Sally Newstead, Environmental Protection Agency, Air and Radiation, Ann Arbor, MI 48105
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RIN: 2060–AH56

3449. • REGULATION OF FUELS AND FUEL ADDITIVES: PROPOSED MINOR REVISIONS TO SELECTED RECORDKEEPING AND ENFORCEMENT PROVISIONS UNDER THE REGULATION OF DEPOSIT CONTROL GASOLINE ADDITIVES

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: Sections 114 of the Clean Air Act as amended; 42 USC 7545 (c) and (k)

CFR Citation: 40 CFR 80.170 (f)(7)

Legal Deadline: None

Abstract: Under the current regulations on the certification of gasoline deposit control additives (detergents), information on the oxygenate content of the gasoline must be included in the required product transfer documents (PTDs). Since publication of the detergent certification final rule, EPA has learned that compliance with this requirement would result in unnecessary disruption to the gasoline distribution system. EPA exercised its enforcement discretion and announced by letter to industry that it would temporarily not enforce the PTD oxygenate identification requirement pending resolution of the issue through a rulemaking or until September 3, 1997, whichever occurrence came first. In this notice, EPA is proposing to

remove this requirement. A party who wants to use a detergent additive that is restricted in use with respect to oxygenates would be responsible for determining the oxygenate content of the gasoline involved. This proposal would continue to ensure that detergents with oxygenate restrictions are used in compliance with such restrictions, and would avoid the unnecessary disruption to the gasoline distribution system which would occur under the current regulations. For certain transfers of base gasoline, EPA is also proposing to allow the use of product codes in lieu of regulatory warning language concerning applicable limitations on the sale and use of such gasolines. These proposals are expected to provide industry additional flexibility resulting in reduced compliance costs, while ensuring the proper use of use-restricted detergents and base gasoline. There are no new information collection requirements accompanying these proposed changes. These proposals will not affect the air quality benefits from EPA's detergent additive program.

Timetable:

Action	Date	FR Cite
Final Rule Detergent Certification Program	07/05/96	61 FR 35309
NPRM Amendments to Detergent Certification Program	10/00/97	
Final Rule Amendments to Detergent Certification Program	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4010.

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RIN: 2060–AH57

3450. • RULEMAKING TO MODIFY THE LIST OF SOURCE CATEGORIES FROM WHICH FUGITIVE EMISSIONS ARE CONSIDERED IN MAJOR SOURCE DETERMINATIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 302(j) of the Clean Air Act

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

Legal Deadline: None

Abstract: This rulemaking will 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 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 the preamble to the 1980 rulemaking, the EPA limited the scope of the last category to categories which were being regulated under sections 111 or 112 as of the effective date of the rulemaking, i.e., August 7, 1980. 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 state that 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	08/00/98	
Final	12/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4045.

Agency Contact: Joanna C. Swanson, Environmental Protection Agency, Air and Radiation, MD-12, RTP, NC 27711
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Steve Hitte, Environmental Protection Agency, Air and Radiation, MD-12, RTP, NC 27711
Phone: 919 541-0886

RIN: 2060–AH58

3451. • TRANSPORTATION CONFORMITY FOR TRANSITIONAL OZONE AREAS

Priority: Other Significant

Legal Authority: 42 USC 7401 to 7671q

CFR Citation: 40 CFR part 93

Legal Deadline: None

Abstract: As promised by the White House directive on implementing the revised national ambient air quality standards (NAAQS), this rule will establish a less burdensome conformity process for ozone areas that qualify for the new transitional classification.

Transportation conformity is the Clean Air Act requirement for federally funded or approved transportation plans, programs, and projects to conform to the purpose of the SIP (i.e., not cause or contribute to any new violations; worsen existing violations; or delay timely attainment).

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final	12/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 4032.

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RIN: 2060–AH59

EPA—CAA

Proposed Rule Stage

3452. • REVISIONS TO THE PERMITS AND SULFUR DIOXIDE ALLOWANCE SYSTEM REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7601; 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 Allowance Rules under title IV of the Clean Air Act 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 (first promulgated in 1993) and would result in a small extension of the allowance transfer deadline, allowing allowances to be held for a unit outside the unit's account, and the deletion of one of the signature requirements on allowance transfer requests.

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 4052.

Agency Contact: Donna Deneen, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
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RIN: 2060–AH60

3453. • MINOR AMENDMENTS TO INSPECTION MAINTENANCE PROGRAM REQUIREMENTS; AMENDMENTS TO THE FINAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 51

Legal Deadline:
NPRM, Judicial, August 30, 1997, Per settlement with Pennsylvania.
Final, Judicial, December 15, 1997, Per settlement with Pennsylvania.

Abstract: This rulemaking action is required by a court-ordered settlement agreement to resolve an ongoing controversy between EPA and the Commonwealth of Pennsylvania concerning proper evaluation techniques for enhanced inspection maintenance programs. The agreement stipulates that the rulemaking action shall: 1) amend the I/M program evaluation requirements to remove the current requirement to conduct mass based transient emission testing (METT) on 0.1% of the subject fleet, 2) create a new evaluation requirement that would require states to conduct program evaluation testing on a minimum of 0.1% of subject vehicles using scientifically sound evaluation methodology capable of providing accurate information about the overall program effectiveness of an I/M program, 3) delete the condition on PA's interim I/M approval that requires submission of METT regulations by February 27, 1998, and 4) impose a new condition on PA's interim I/M approval that will require PA to submit program evaluation regulations requiring an approved alternative scientifically sound evaluation methodology as required by the amendment.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4034.

Levels of government affected: The action simply removes a data collection and evaluation requirement, thereby reducing a programmatic burden on the states. In states which are not using METT as their I/M program test type, the action precludes the state from having to invest in METT equipment for program evaluation purposes.

As a result of the rulemaking action it will be necessary to amend the interim approval notices of a number of individual National Highway Act states, in addition to Pennsylvania's. The METT requirement was raised as a condition in certain notices and must be changed to reflect the new requirements per the amendment described in the abstract. In order to streamline Agency efforts, rather than have each individual region do a separate notice for each applicable state, this rulemaking will amend those notices in toto and will include court-ordered changes to the deadlines by which these new requirements must be met.

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RIN: 2060–AH61

3454. • I/M PROGRAM REQUIREMENT—ON-BOARD DIAGNOSTIC CHECKS; AMENDMENT TO THE FINAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7511a; 42 USC 7521; 42 USC 7541; 42 USC 7601

CFR Citation: 40 CFR 51; 40 CFR 85

Legal Deadline: None

Abstract: The Clean Air Act requires On-Board Diagnostic (OBD) checks as a regular part of enhanced I/M programs. The OBD system is a series of sensors and monitors throughout the emissions control (and other) systems of 1996 and newer cars and trucks. It alerts the driver if there are any failures which increase emissions beyond acceptable levels. Any reoccurring failures will continually light the malfunction indicator light and compel the owner to take the vehicle in for diagnosis and applicable service. However, there is insufficient data on the effectiveness of this new technology. The Agency must determine how effective OBD is at reducing emissions so that an appropriate level of credit can be accorded towards meeting the performance standard. This action will extend the implementation deadline for OBD test requirements from the current date of January 1, 1998 by 2 to 4 years so that the necessary data can be collected.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4033.

OBD is envisioned to eventually replace tailpipe testing all together. As the implementation of tailpipe and evaporative testing continue to be challenged by political forces and some technical problems, an accurate assessment of OBD's effectiveness is essential to the future of I/M. Delaying the implementation of OBD testing will not have an adverse impact on emissions reductions, not only because OBD-equipped vehicles are the newest and by far the cleanest but also because OBD equipped vehicles would still be subject to I/M tailpipe testing in applicable areas.

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RIN: 2060–AH62

3455. WASTE ISOLATION PILOT PLANT (WIPP) COMPLIANCE CERTIFICATION RULEMAKING

Regulatory Plan: This entry is Seq. No. 122 in Part II of this issue of the **Federal Register.**

RIN: 2060–AG85

3456. 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	10/00/97	
Final Action	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3263.

Agency Contact: Eugene J. Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7820

RIN: 2060–AE20

3457. 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	10/00/97	
Final Action	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 3262.

Agency Contact: Eugene J. Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7820

RIN: 2060–AE22

3458. NESHAP: PETROLEUM REFINERIES - FCC UNITS, REFORMERS AND SULFUR PLANTS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 63

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

Abstract: Title III of the Clean Air Act amendments of 1990 requires EPA to develop national emission standards for hazardous air pollutants (NESHAPs). EPA promulgated NESHAP rules for petroleum refineries on August 18, 1995 (RIN 2060-AD94). This action covers three process vents not covered under RIN 2060-AD94. These are the catalyst regeneration vents from fluid catalytic cracking units (FCCU) and catalytic reformers and the tail gas vents from sulfur recovery plants.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
Final	01/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 291 Petroleum Refining

Additional Information: SAN No. 3549.

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0884

RIN: 2060–AF28

3459. NESHAP: FERROALLOY PRODUCTION

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 63

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

Abstract: The Clean Air Act, as amended November 1990, requires the 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	10/00/97	
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3082.

Agency Contact: Conrad Chin, Environmental Protection Agency, Air

and Radiation, Industrial Studies Branch (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-1512

RIN: 2060–AF29

3460. IMPLEMENTATION OF OZONE AND PARTICULATE MATTER (PM) NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) AND REGIONAL HAZE REGULATIONS

Regulatory Plan: This entry is Seq. No. 123 in Part II of this issue of the Federal Register.

RIN: 2060–AF34

3461. FEDERAL IMPLEMENTATION PLAN TO CONTROL EMISSIONS FROM TWO POWER STATIONS LOCATED ON NAVAJO NATION LANDS

Priority: Other Significant

Legal Authority: 42 USC 1740

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: EPA proposes to federalize standards from the Arizona and New Mexico State Implementation Plans (SIPS) applicable to the Navajo generating station and the Four Corners Plant, respectively. Where necessary, EPA's proposed emission standards modify the standards extracted from the States' regulatory programs to ensure comprehensive emission control and Federal consistency.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3569.

Agency Contact: Kenneth Bigos (A-5), Environmental Protection Agency, Air and Radiation, Region 9 75 Hawthorne Street, San Francisco, CA 94105
Phone: 415 744-1240

RIN: 2060–AF42

3462. ACID RAIN PROGRAM: REVISIONS TO APPLICABILITY, EXEMPTIONS, ALLOCATIONS, AND SMALL DIESEL REFINERIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 72; 40 CFR 73

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

Abstract: This regulatory revision would streamline several portions of the Acid Rain Program rules and make minor revisions to the small diesel allowance program. Based on experience implementing the Acid Rain Program, EPA would make the process for exempting new units and retired units easier. EPA would also allow units to be deleted from the tables of affected units if those units could be demonstrated to be unaffected or if the units will not be constructed. The eligibility provision and allowance calculation equation for small diesel refineries will be corrected.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 29 Petroleum Refining and Related Industries

Additional Information: SAN No. 3572.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9074

RIN: 2060–AF45

3463. AMENDMENTS TO METHOD 24 (WATER-BASED COATINGS)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: The determination of volatile organic compounds (VOCs) content ofa surface coating by reference method 24 involves determination of its water content, and calculation of its VOC content as the difference of the two measurements (volatile content minus water content). Method 24 is inherently less precise for water-based coatings than it is for solvent-based coatings and the imprecision increases as water content increases. This action will amend Method 24 by adding a direct measurement procedure for measuring VOC content of water-based coatings. This amendment will improve the precision of method 24 for water-based coatings.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3649.

Agency Contact: Candace Sorrell, Environmental Protection Agency, Air and Radiation, (MD-19), Research Triangle Park, NC 27711
Phone: 919 541-1064

RIN: 2060–AF72

3464. FEDERAL IMPLEMENTATION PLAN (FIP) TO CONTROL EMISSIONS FROM SOURCES LOCATED ON THE FORT HALL INDIAN RESERVATION

Priority: Other Significant

Legal Authority: Clean Air Act, title I

CFR Citation: 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	01/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3637.

Agency Contact: Steve Body (AT-082), Environmental Protection Agency, Air and Radiation, Region 10 1200 Sixth Avenue, Seattle, WA 98101
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RIN: 2060–AF84

EPA—CAA

Proposed Rule Stage

3465. REVISION OF EPA'S RADIOLOGICAL EMERGENCY RESPONSE PLAN

Priority: Other Significant

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

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
Revise Radiological Emergency Response Plan	12/00/97	
Notice of Availability	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3638.

Agency Contact: Craig Conklin, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460
Phone: 202 233-9222

RIN: 2060–AF85

3466. AMENDMENT OF ENHANCED INSPECTION/MAINTENANCE PERFORMANCE STANDARD

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act

CFR Citation: 40 CFR 51S

Legal Deadline: None

Abstract: This action is a technical amendment to the enhanced inspection/ maintenance (I/M) performance standard included in the November 5, 1992 I/M rule (40 CFR part 51, subpart S). The amendment is in response to a court ruling and will have no net effect on existing requirements for state and local I/M programs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3598.

Agency Contact: Eugene J. Tierney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4456

RIN: 2060–AG07

3467. AMENDMENTS TO PART 60, PART 61, AND PART 63

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7410-12; 42 USC 7414; 42 USC 7416

CFR Citation: 40 CFR 60; 40 CFR 61; 40 CFR 63

Legal Deadline: None

Abstract: This rulemaking will amend the emission test methods and performance specifications in appendices A and B of part 60, appendix B of part 61, and appendix A of part 63 by revising the method format to conform with Environmental Monitoring Management Council (EMMC) guidelines. Conformance to the guidelines will promote consistency among inter-program methods. In addition, minor technical and printing errors in the methods will be corrected. Similar errors in various subparts of part 60 will also be corrected.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3743.

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Fax: 919 541-1039

RIN: 2060–AG21

3468. AMBIENT AIR QUALITY SURVEILLANCE, RECENSION OF NAMS AMBIENT AIR QUALITY MONITORING REQUIREMENTS FOR LEAD

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7409; 42 USC 7601(a); 42 USC 7410; 42 USC 7613; 42 USC 7619

CFR Citation: 40 CFR 50; 40 CFR 53; 40 CFR 58

Legal Deadline: None

Abstract: Because of the success in the reduction of ambient lead levels due to the elimination of lead in gasoline and the shift towards focusing on point sources, the EPA is revising the part 58 Air Monitoring Regulations for Lead which would allow lead national ambient monitoring stations (NAMS) monitors to be discontinued. At the same time monitoring around point sources will be encouraged, for sources with emissions greater than 5 tons/year. This action is at the direct request of numerous State and local agencies whose NAMS lead monitors are recording values at the minimum detectable (MDL) of the methodology. Since small point sources are so variable in their emissions/impacts, that to prevent over-estimating ambient lead levels, complete sampling coverage is recommended. Complete sampling is defined as continuous or daily sampling. To provide complete everyday sampling at lead point sources at the same relative cost as the current procedure (one sample every 6 days followed by individual filter analysis), the regulation will be modified to allow: 1) use 2 or 3 high-volume samplers at each location; 2) sample for 48 instead of 24 hours; 3)

use a convenient continuous sampling schedule, i.e., noon-to-noon or 9a.m.-9a.m., etc.; (4) follow the AREAL approved procedure for composting up to 8 filters in a single analysis; and (5) report monthly averages which will be averaged together to produce the quarterly concentration to compare with the standard. This rule serves as both a regulation and as a guideline for State and local agencies in establishing and maintaining their ambient air monitoring networks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3650.

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RIN: 2060–AG23

3469. CONSOLIDATED FEDERAL AIR RULE FOR THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY

Regulatory Plan: This entry is Seq. No. 124 in Part II of this issue of the Federal Register.

RIN: 2060–AG28

3470. ACID RAIN PROGRAM: CONTINUOUS EMISSION MONITORING RULE REVISIONS FOR TECHNICAL ISSUES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 75 (Revision)

Legal Deadline: None

Abstract: On January 11, 1993, EPA promulgated the final core acid rain rules, including the CEM regulation at 40 CFR part 75. Since the rule was promulgated, the 263 Phase I and 783 Phase II utility units have already begun to comply with this regulation by installing and completing certification testing by the January 1, 1995 statutory deadline.

As a result of ongoing 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 has gained from 1993 to the present. Industry views this action as positive because it provides industry with more implementation flexibility.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3808.

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RIN: 2060–AG46

3471. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF PETITION CRITERIA/INCORPORATION OF 1995 PROTOCOL DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This action would reconsider a certain reporting requirement in the petition process to import previously used ozone-depleting substances in response to a legal stay. In addition, technical changes that reflect international decisions made in Vienna, Austria in 1995 by countries that are signatories of the Montreal Protocol.

Timetable:

Action	Date	FR Cite
Notice of Stay	01/31/96	61 FR 3316
Proposed Extension	01/31/96	61 FR 3361
NPRM	10/00/97	
Direct Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3810.

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RIN: 2060–AG48

3472. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR SCRAP METAL FROM NUCLEAR FACILITIES

Priority: Other Significant

Legal Authority: 42 USC 2011 et seq

Legal Deadline: None

Abstract: EPA is considering developing standards that apply to the recycling of scrap metal that is salvaged from nuclear facilities which use radioactive materials. One of EPA's goals is setting recycling standards would be to ensure that scrap metal from a nuclear facility can be recycled and used safely regardless of how the metal is handled, processed or is ultimately used in recycled products. The Agency recognizes that, under the existing Federal regulatory framework, scrap metal is currently being recycled

after being salvaged from nuclear facilities such as those within the Department of Energy's nuclear weapons complex. These regulations would replace the existing multi-agency regulatory framework with one health-based set of protective standards; establish a more definite health basis for regulation of metals recycling; and correct the regulatory gaps in the existing framework.

The regulated entities affected by these regulations would be facilities licensed by the Nuclear Regulatory Commission (NRC) to use radioactive materials and federal facilities that use radioactive materials, such as those of the Department of Energy and the Department of Defense, in particular at facilities undergoing environmental clean-up and restoration. These regulations would affect these facilities only with respect to the transfer of scrap metal within their control to possession of 1) parties not licensed by the NRC or an Agreement State; and 2) Federal facilities not authorized to use or possess radioactive materials. These regulations would not restrict the subsequent use of scrap metal once this transfer has occurred. The Agency wishes to emphasize that the need to demonstrate compliance with these regulations would rest entirely on the NRC-licensed facility or Federal facility, and not on the persons receiving scrap metal for the purposes of recycling it.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final	07/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 491 Electric Services; 963 Regulation and Administration of Communications, Electric, Gas, and Other Utilities; 331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3812.

ABSTRACT CONT: (3) potentially reduce mining and processing of virgin ore and the accompanying environmental consequences by making metal scrap available to industry.

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RIN: 2060–AG51

3473. REVISION OF PSI (PART 58 APPENDIX G)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7403; 42 USC 7410; 42 USC 7511a

CFR Citation: 40 CFR 58

Legal Deadline: None

Abstract: Revision of appendix G to part 58 (Pollutant Standards Index or PSI) is needed to reflect changes in the PM and Ozone standards set by the standards review process. The main focus is the revision of the PSI function for both PM and Ozone.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3832.

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RIN: 2060–AG62

3474. 1998 REVISION OF ACID RAIN ALLOWANCE ALLOCATIONS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 73

Legal Deadline:
Final, Statutory, June 1, 1998.

Abstract: Title IV of the Clean Air Act directs the EPA to establish an acid rain program to reduce adverse effects of acidic deposition. The centerpiece of this control program is allocation of allowances, or authorizations to emit SO2, that are distributed by the Administrator in limited quantities to utility units and must be held by all affected units to cover their SO2 emissions. In 1993, EPA finalized the allowance allocations and provided, in the regulation, the methodology for revising the allocations in 1998 based on several statutory provisions. This rulemaking will implement that methodology, eliminate unaffected units, and eliminate unnecessary sections of regulation. This rulemaking will affect only utility units affected by the acid rain program requirements and does not affect small businesses or government entities.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3898.

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RIN: 2060–AG86

3475. ADDITION OF METHOD 207 TO APPENDIX M OF 40 CFR PART 51—METHOD FOR MEASURING ISOCYANATES IN STATIONARY SOURCE EMISSIONS,

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Clean Air Act Amendments of 1990 listed certain isocyanate compounds as hazardous air pollutants (HAPs). The Agency does not have any published test methods that would measure air emissions of these isocyanate compounds from stationary sources. This action would add a validated test method to measure isocyanate emissions to appendix M of part 51. Test methods in part 51 can be adopted by any State for use in any regulation that requires the measurement of any of the isocyanate compounds on the HAP list. This action would not impose any new regulatory requirements that do not

already exist. It should benefit State governments by providing them with a validated test procedure for measuring the emissions of isocyanate compounds.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3900.

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RIN: 2060–AG88

3476. REVISION TO THE LIGHT-DUTY VEHICLE EMISSION COMPLIANCE PROCEDURE

Priority: Other Significant

Legal Authority: Clean Air Act

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	10/00/97	
Final	03/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3913.

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RIN: 2060–AH05

3477. PROTECTION OF STRATOSPHERIC OZONE: CONTROL OF METHYL BROMIDE EMISSIONS THROUGH USE OF TARPS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7671g/Clean Air Act section 608

CFR Citation: 40 CFR 82

Legal Deadline:
NPRM, Judicial, December 15, 1997.
Final, Judicial, December 15, 1998.

Abstract: This action would require the use of tarps to control ozone-depleting emissions of methyl bromide where it is used on agricultural fields as a soil fumigant. Reduced emissions of methyl bromide would help prevent human health impacts such as skin cancer caused by increased ultraviolet radiation penetrating a weakened stratospheric ozone layer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3982.

OAR has proposed that this be considered non-significant under E.O. 12866 because annual compliance costs would be less than $25 million. Although the cost of installing tarps once per growing season on all affected acreage in the U. S. would be significant, the net annual compliance cost would be less than $25 million because of (1) reduced chemical costs attributable to reduced emissions of methyl bromide, and (2) the value of preventing skin cancer fatalities caused by ozone depletion.

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RIN: 2060–AH26

3478. REVIEW OF DEFINITION OF VOLATILE ORGANIC COMPOUNDS—EXCLUSION OF METHYL ACETATE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7641

CFR Citation: 40 CFR 51.100(2)

Legal Deadline: None

Abstract: EPA has received a petition to add methyl acetate to the list of compounds considered negligibly reactive in the definition of VOC in 40 CFR 51.100(s). This would remove this compound from regulation as a VOC. Since available data supports classification as "negligibly reactive", EPA plans to propose the action. This action will be deregulatory since this compound would no longer be required to be controlled as a VOC. There should be no impact on small businesses or State/local/tribal governments since no new requirement will be imposed on them.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 286 Industrial Organic Chemicals; 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products

Additional Information: SAN No. 3943.

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RIN: 2060–AH27

3479. REVISIONS TO SERVICE INFORMATION AVAILABILITY REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521

CFR Citation: 40 CFR 9; 40 CFR 86

Legal Deadline: None

Abstract: Since publication of the final rule for service information availability in August of 1995, the Agency has gained experience and information that make it necessary to revise some of the requirements set forth by this regulation. This action will mainly impact automobile manufacturers and the automotive aftermarket industry, with minimal impact on small entities.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 551 Motor Vehicle Dealers (New and Used); 753 Automotive Repair Shops

Additional Information: SAN No. 3978.

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RIN: 2060–AH28

3480. REVISIONS FOR OPTING INTO THE ACID RAIN PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7601 and 7651 et seq

CFR Citation: 40 CFR 74.4

Legal Deadline:
NPRM, Judicial, September 9, 1997, Settlement Agreement.
Final, Judicial, April 9, 1998, Settlement Agreement.

Abstract: In fulfilling the settlement of litigation, the Acid Rain Program is proposing to allow nonutility combustion or process sources located with affected utility units a limited exception to the general requirement that there be only one designated representative for all affected units at a source. We are also proposing language to clarify that a thermal energy plan may become effective quarterly rather than only on January 1. These revisions are intended to promote participation in the opt-in program and clarify the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3981.

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RIN: 2060–AH36

3481. REVIEW OF NEW SOURCES AND MODIFICATIONS IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51.165; 40 CFR 51.166; 40 CFR 52.10; 40 CFR 52.21

Legal Deadline: None

Abstract: Consistent with its trust responsibility to Indian Tribes, EPA proposes to develop a permit program that would extend to Indian country some of the same protections that States afford their citizens through minor new source review and non-attainment major new source review programs. The proposed rule would require that stationary air sources located in Indian country obtain a permit prior to construction or undergoing modification, in certain cases. Permits would be required of minor sources that exceed a specified emissions threshold if they propose to construct or make a modification that will increase emissions from the source. Major sources in non-attainment areas would be required to obtain pre-construction permits. The proposed rule would allow existing stationary sources to accept federally enforceable limits in order to be considered as minor sources for the applicability of source requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	
Final	03/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3975.

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RIN: 2060–AH37

3482. REVISIONS TO CLARIFY THE PERMIT CONTENT REQUIREMENTS FOR STATE OPERATING PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 41 USC 7661 et seq

CFR Citation: 40 CFR 70.6

Legal Deadline: None

Abstract: The proposed rule will revise the permit content requirements for state operating permits programs to clarify EPA's existing regulations and policy that require all applicable requirements to be included in title V operating permits. This action will also require a few approved State programs that are inconsistent with this policy, and that EPA did not identify as such during program approval actions, to be revised. In addition, this action will take comment on allowing an exemption from permit content requirements for insignificant activities that are subject to certain applicable requirements that are found only in State Implementation Plans and will finalize such provisions if it is convinced by comments that such a policy is appropriate. The benefit of the proposed action is that it will clarify existing permit content requirements. There is no anticipated impact on small businesses as this rulemaking only clarifies existing requirements and takes comment on exemptions that may further streamline permits. Impact on State or local governments is limited to a small number of State programs where certain applicable requirements are exempt from permit content requirements in conflict with existing EPA requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	
Final	09/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3977.

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RIN: 2060–AH46

3483. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR YUCCA MOUNTAIN, NEVADA

Regulatory Plan: This entry is Seq. No. 125 in Part II of this issue of the **Federal Register**.

RIN: 2060–AG14

EPA—CAA

Proposed Rule Stage

3484. AMBIENT AIR QUALITY SURVEILLANCE: CHANGES TO ACCOMMODATE REVISED OZONE NAAQS & IMPLEMENTATION STRATEGIES

Priority: Other Significant

Legal Authority: 42 USC 7403; 42 USC 7410; 42 USC 7511a; 42 USC 7619

CFR Citation: 40 CFR 58

Legal Deadline: None

Abstract: This regulatory action will revise the ambient air monitoring regulation contained in 40 CFR 58 to accommodate the revised ozone National Ambient Air Quality Standard (NAAQS). The final 8-hour ozone NAAQS was published in the Federal Register on July 18, 1997. It is now necessary to review and to provide minor revisions to the existing ozone monitoring network requirements. These revisions will include ozone monitoring seasons for use with the new ozone NAAQS, and other monitoring program adjustments as appropriate for a revised ozone NAAQS.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 951 Administration of Environmental Quality Programs

Additional Information: SAN No. 3974.

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RIN: 2060–AH30

3485. NEXT REVISION OF APPENDIX W TO 40 CFR PART 51

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 110(a)(2); Clean Air Act Amendments of 1990 sec 165(e); Clean Air Act Amendments of 1990 sec 172(a); Clean Air Act Amendments of 1990 sec 172(c); Clean Air Act Amendments of 1990 sec 301(a)(1); Clean Air Act Amendments of 1990 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 regulatory requirements for air quality models. Such models are used to predict ambient concentrations of pollutants for programs ranging from Prevention of Significant Deterioration (PSD) to State Implementation Plans (SIPs) for controlling air pollution sources. Appendix W to 40 CFR part 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	12/00/97	
Final	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3470.

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RIN: 2060–AF01

3486. INTEGRATED NESHAP AND EFFLUENT GUIDELINES: PULP AND PAPER

Regulatory Plan: This entry is Seq. No. 126 in Part II of this issue of the Federal Register.

RIN: 2060–AD03

3487. NESHAP FOR FORMALDEHYDE-BASED RESINS (POLYMERS AND RESINS GROUP III)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

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

Abstract: Title III of the amended Clean Air Act requires development of emission standards for all major sources, and selected area sources, emitting any of the 189 hazardous air pollutants identified in section 112(b) of the Act. Amino, acetal, and phenelic resins productions have been listed as categories of major sources based on documented emissions of phenol and/or formaldehyde. The purpose of the Formaldehyde-based Resin (Polymers and Resins Group III) project is to initiate the regulatory process for sources engaged in the production of amino, acetal, and phenolic resins, and to ultimately develop a NESHAP based on candidate Maximum Achievable Control Technology. This standard is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final	01/00/99	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3228.

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RIN: 2060–AE36

3488. NESHAP: STEEL PICKLING, HC1 PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

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

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.

EPA—CAA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3345.

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RIN: 2060–AE41

3489. NESHAP: PRIMARY COPPER SMELTING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

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

Abstract: The primary copper smelting industry is known to emit a number of the hazardous air pollutants listed in section 112 of the Clean Air Act, as amended November 1990. Most smelters have extensive control systems for oxides of sulfur and HAPs. However, fugitive emissions may cause several smelters to exceed major source levels.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3340.

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RIN: 2060–AE46

3490. NESHAP: SECONDARY ALUMINUM INDUSTRY

Priority: Other Significant

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

CFR Citation: 40 CFR 63

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

Abstract: The Act requires EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the Act, to promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAP emission sources, and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the secondary aluminum industry may reasonably be anticipated to emit several of the 189 HAPs listed in Section 112(b) of the Act. As a consequence, the source category is included on the initial list of HAP emitting categories and is on the list of categories scheduled for standards promulgation within seven years of enactment of the Act. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
Final	01/00/99	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 334 Secondary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3078.

Agency Contact: Juan E. Santiago, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-1084

RIN: 2060–AE77

3491. NESHAP: PORTLAND CEMENT MANUFACTURING

Priority: Other Significant

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

CFR Citation: 40 CFR 63

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

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that most plants in the Portland cement manufacturing industry 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	10/00/97	
Final Action	09/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 324 Cement, Hydraulic

Additional Information: SAN No. 3079.

Agency Contact: Joseph P. Wood, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5446

RIN: 2060–AE78

3492. NESHAP: POLYETHER POLYOLS PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

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

Abstract: Title III of the CAA requires development of emission standards for all major sources emitting any of the 189 hazardous air pollutants (HAPs) identified in section 112(b) of the CAA. Polyether Polyol Production has been listed as a category of major sources based on documented emissions of propylene oxide and ethylene oxide. This action will 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
Final	08/00/98	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3408.

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RIN: 2060–AE81

3493. NESHAP: PHARMACEUTICALS PRODUCTION

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63GGG

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

Abstract: This regulation would control emissions of hazardous air pollutants from production of pharmaceuticals. Pharmaceuticals production was included on the initial list of categories of sources that was published by EPA in July 1992. Emissions from process vents, equipment leaks, storage tanks, and wastewater systems will be addressed by this regulation for both new and existing facilities.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 283 Drugs

Additional Information: SAN No. 3451.

Agency Contact: Randy McDonald, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5402

RIN: 2060–AE83

3494. NESHAP: PESTICIDE ACTIVE INGREDIENT PRODUCTION (PRODUCTION OF AGRICULTURAL CHEMICALS)

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

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 112

CFR Citation: Not yet determined

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

Abstract: The following ten source categories (which are all pesticide active ingredients) are listed under the Production of Agricultural Chemicals (PAC) industry group: 1) 2,4-D Salts and Esters Production; 2) 4-Chloro-2-Methylphenoxyacetic Acid Production; 3) 4, 6-Dinitro-o-Cresol Production; 4) Captafol Production; 5) Captan Production; 6) Chloroneb Production; 7) Chlorothalonil Production; 8) Dacthal (tm) Production; 9) Sodium Pentachlorophenate Production; 10) Tordon (tm) Acid Production.

The EPA will propose to develop standards for all pesticide active ingredient producers including the 10 categories listed above. Any other pesticide active ingredient production plant which produces or uses any of the 189 listed hazardous air pollutants will also be included. A variety of HAPs are emitted including, toluene, formaldehyde, methanol, chlorinated compounds, etc.

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3450.

Agency Contact: Lalit Banker, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5420

RIN: 2060–AE84

3495. NESHAP: PRIMARY LEAD SMELTERS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

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

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final	03/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3467.

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2364

RIN: 2060–AE97

3496. NESHAP: MANUFACTURE OF TETRAHYDROBENZALDEHYDE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 112(d)

CFR Citation: 40 CFR 63

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

Abstract: The purpose of this action is to develop a MACT standard for the production of Tetrahydrobenzaldehyde. (Referred to in the initial Source Category List as Butadiene Dimmers). The emissions sources that will be controlled are process vents (e.g. reactors); storage; equipment leaks and other fugitive sources; transfer operations; and wastewater operations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	11/00/97	

EPA—CAA

Proposed Rule Stage

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 286 Industrial Organic Chemicals

Additional Information: SAN No. 3469.

Agency Contact: John M. Schaefer, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-0296

RIN: 2060–AE99

3497. NESHAP: ACRYLIC/MODACRYLIC FIBERS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 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.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3378.

Agency Contact: Tony Wayne, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5439

RIN: 2060–AF06

3498. NESHAP: POLYCARBONATES PRODUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401; Clean Air Act 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 included in the General MACT Standard. The schedule below reflects the schedule of that rulemaking.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3465.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060–AF09

3499. NESHAP: PUBLICLY OWNED TREATMENT WORKS (POTW)

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990 sec 112(e)(5); Clean Air Act Amendments of 1990 sec 112(n)(3)

CFR Citation: 40 CFR 63

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

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

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Local

Additional Information: SAN No. 3377.

Agency Contact: Bob Lucas, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AF26

3500. NESHAP: BAKER'S YEAST MANUFACTURING INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112 (d)

CFR Citation: 40 CFR 63

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

Abstract: Section 112 of the Act requires major sources of hazardous air pollutants to achieve a maximum degree of emission reduction based on the maximum achievable control technology (MACT). This regulatory action will establish this level of control for both new and existing sources in the baker's yeast manufacturing industry. This industry is currently comprised of 11 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. It is likely that regulatory options will be based on improved process control to reduce formation of this by-product.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 209 Miscellaneous Food Preparations and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3550.

Agency Contact: Tony Wayne, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5439

RIN: 2060–AF30

3501. AMENDMENTS TO SUBPART A AND B FOR 40 CFR 63

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549; Clean Air Act section 112

CFR Citation: 40 CFR 63.1; 40 CFR 63.51

Legal Deadline: None

Abstract: The General Provisions (subpart A) were promulgated on March 16, 1994 (59 FR 12408). The General Provisions create the technical and administrative framework and establish general procedures and criteria for implementing MACT standards. On May 16, 1994, six litigants filed petitions for EPA to review certain provisions of the General Provisions. subpart B, the procedures for implementing section 112(j), were promulgated on May 26, 1994. In June, 1994 litigants filed petitions for EPA to review the promulgated procedures. As a result of the litigation, it is anticipated that a number of technical and administrative amendments to subpart A and B will be proposed.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	03/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: Multiple

Additional Information: SAN No. 3551.

Agency Contact: James Szykman, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
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RIN: 2060–AF31

3502. REVISIONS TO THE REGULATION FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHORITIES

Priority: Other Significant

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

Legal Authority: Clean Air Act sec 112(l)

CFR Citation: 40 CFR 63, subpart 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 part 70 permits; and mechanisms and requirements for approval of State air toxics programs.

Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
Final Action	12/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: Multiple

Additional Information: SAN No. 3829.

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RIN: 2060–AG60

3503. GENERIC MACT FOR SOURCE CATEGORIES WITH FEW SOURCES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 112

CFR Citation: Not yet determined

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

Abstract: Several of the source categories that are subject to MACT (maximum available control technology) standards contain only a few sources (e.g. less than 5). For such source categories, EPA plans to develop the underlying information through its MACT Partnership Program and then allow the affected sources and states to develop the detailed MACT requirements. To do this, EPA needs to develop a generic MACT standard for these source categories. This reinvention to the MACT standards development process will allow for proper participation by all stakeholders. Given the relatively few affected sources caught by the generic standard, the overall cost and environmental effects of this action are expected to be small, nationally.

The MACT program addresses hazardous air pollutants. This action will only affect major sources of these HAPs.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass; 286 Industrial Organic Chemicals

Additional Information: SAN No. 3901.

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RIN: 2060–AG91

3504. NESHAP: HYDROGEN FLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000.
Other, Statutory, November 15, 2000, 10 year source category BIN.

Abstract: This rule will establish maximum achievable control technology (MACT) for hydrogen fluoride (HF) production facilities. The rule will affect 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.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3654.

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RIN: 2060–AG94

3505. 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	03/00/98	
Final Action	03/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3908.

Agency Contact: Dave Salman, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AH00

3506. 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
Final	08/11/97	
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 2841.

Agency Contact: Phil Mulrine, Environmental Protection Agency, Air and Radiation, Washington, DC 20460
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RIN: 2060–AH08

3507. NATIONAL STRATEGY FOR URBAN AREA SOURCES OF TOXIC AIR EMISSIONS

Priority: Other Significant

Legal Authority: 42 USC 7412(k); Clean Air Act sec 112(k); 42 USC 7412(c)(3); Clean Air Act sec 112(c)(3)

CFR Citation: Not yet determined

Legal Deadline:
Final, Statutory, November 15, 1995.
NPRM, Judicial, April 30, 1998.
Final, Judicial, December 18, 1998.

Abstract: Congress directed EPA, in the 1990 Amendments to the Clean Air Act to study the nature and magnitude of air toxic emissions, exposures and risks in U.S. cities. This was in response to growing evidence that an "urban soup" existed that was causing cancer and other effects, and which may not adequately be addressed by the MACT program on major sources. The 1990 Amendments call for EPA to appraise the sources and pollutants which contribute most to the "urban soup" phenomenon, and to publish a national strategy by 1995 that summarizes these findings and identifies actions to mitigate the problem. This strategy will contain (1) general and specific recommendations for additional research, (2) an accounting of actions and measures undertaken by the EPA and state and local agencies that reduce emissions of the hazardous substances of particular concern, and (3) a call for additional measures needed to complete sufficient mitigation of the problem. This action is not considered deregulatory. This action has no direct impacts on small businesses; however, as the strategy is subsequently implemented through later actions and specific rules, some small businesses may be regulated as a consequence of carrying out the regulatory recommendations in the strategy.

Timetable:

Action	Date	FR Cite
Announcement of Availability	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3959.

Agency Contact: Laurel McKelvey, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
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RIN: 2060–AH21

3508. NESHAP: FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990, section 112

CFR Citation: 40 CFR 63 (Revision)

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

Abstract: The Clean Air Act (CAA) requires development of emission standards for sources emitting any of the hazardous air pollutants HAP listed in section 112(b) of the CAA. Flexible Polyurethane Foam Fabrication Operations is listed as a category of major sources based on documented

omissions of the following HAP: methylene chloride, trichlorethane, hydrogen cyanide, and hydrogen chloride. This source category covers emissions from various polyurethane foam bonding operations, including foam gluing and flame lamination. This action will explore alternative for reducing HAP emissions from the following emission sources located at foam fabrication plants: process vents, raw material storage and transfer operations, and equipment leaks. Ultimately, a NESHAP for this source category will be developed based on Maximum Achievable Control Technology. The NESHAP is required by statute to be promulgated by November 2000.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final	09/00/99	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 306 Fabricated Rubber Products, Not Elsewhere Classified; 308 Miscellaneous Plastics Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3973.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AH42

3509. NESHAP FOR GROUP I POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.480 to 506 (Revision); 40 CFR 63.1310 to 1335 (Revision)

Legal Deadline: None

Abstract: During the development of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for elastomers (Group I Polymers and resins) and thermoplastics (Group IV polymers and resins) (RINs 2060-AD56 and 2060-AE37), many of the provisions contained in the Hazardous Organic NESHAP (HON) were referenced directly by these polymers and resins regulations due to similarities in processes, emission characteristics, and control technologies. On 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 ANPR, 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	01/00/98	
Final	11/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 3939.

Agency Contact: Robert E. Rosentsteel, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AH47

3510. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY: PERMIT APPLICATION REVIEW PROCEDURES FOR NON-FEDERAL CLASS I AREAS

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

Legal Authority: 42 USC 7670 to 7479; Clean Air Act sec 160; Clean Air Act sec 161; Clean Air Act sec 162; Clean Air Act sec 163; Clean Air Act sec 164; Clean Air Act sec 165; Clean Air Act sec 166; Clean Air Act sec 167; Clean Air Act sec 168; Clean Air Act sec 169

CFR Citation: 40 CFR sec 51.166; 40 CFR Sec 52.21

Legal Deadline:
Other, Judicial, July 16, 1996.

Abstract: Under the Clean Air Act's prevention of significant deterioration (PSD) program, a State or Tribe may redesignate their lands as class I areas to provide enhanced protection for their air quality resources. This rule will clarify the PSD permit review procedures for new and modified major stationary sources near these non-Federal class I areas. EPA seeks to develop clarifying PSD permit application procedures that are effective, efficient, and equitable.

Timetable:

Action	Date	FR Cite
ANPRM	05/16/97	62 FR 27158
NPRM	10/00/97	
Final Action	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Tribal, Federal

Additional Information: SAN No. 3919.

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RIN: 2060–AH01

3511. TRANSPORTATION CONFORMITY PILOT APPROVAL; CONFORMITY SIP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7671g

CFR Citation: 40 CFR 51 and 93

Legal Deadline: None

Abstract: This action would approve the conformity procedures developed by an area that has been selected to participate in the transportation conformity pilot program. Because EPA may select up to six areas to participate in the pilot program there may be six separate approval actions. These approval actions will be in the form of conformity SIP approvals.

The purpose and anticipated impact of the pilot program itself were discussed in the rulemaking that established the pilot program (see "Transportation Conformity Rule Amendment and Solicitation for Participation in the Conformity Pilot Program").

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3914.

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RIN: 2060–AH32

3512. REDUCTION OF VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS FROM COATINGS USED IN THE AEROSPACE, WOOD FURNITURE, AND SHIPBUILDING INDUSTRIES UNDER CLEAN AIR ACT SECTION 183(E)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline:
Final, Statutory, March 1997.

Abstract: This action would result in the reduction of volatile organic compound (VOC) emissions from the coatings used by the Aerospace, Wood Furniture and Shipbuilding industries. The Agency will study the various VOC pollutants contained in these coatings and will evaluate pollution prevention and control techniques which can reduce these emissions; Control Techniques Guidelines can be issued in lieu of regulations if they are significantly as effective in reducing VOC emissions from the use of these coatings in ozone nonattainment areas. This rulemaking will be conducted in accordance with statutory requirements for VOC emission reduction under section 183(e) of the Clean Air Act. The development of these VOC rules will use data recently gathered for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for these industries. This will maximize resources and avoid duplication of data gathering efforts. There are small businesses in these industries, but at this time it is not known how many will be affected by these rules or guidelines.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Sectors Affected: 37 Transportation Equipment; 45 Transportation by Air; 243 Millwork, Veneer, Plywood, and Structural Wood Members; 25 Furniture and Fixtures

Additional Information: SAN No. 3828.

Agency Contact: Daniel Brown, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
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RIN: 2060–AG59

3513. AMENDMENT CONCERNING THE LOCATION OF SELECTIVE ENFORCEMENT AUDITS OF FOREIGN MANUFACTURED VEHICLES AND ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7525/CAA 206(b)

CFR Citation: 40 CFR 86 subpart G (Revision); 40 CFR 86 subpart K (Revision)

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to include ports of entry as a location for EPA selection of foreign produced vehicles and engines for SEA emissions testing at laboratories in the U.S. While the regulations do not specify EPA authority to conduct such port selections, the increased flexibility provided by port selections warrants amending the regulations. Presently, EPA must travel overseas to conduct SEA audits of foreign manufactured vehicles and engines, even though most manufacturers now have access to laboratory facilities in the U.S. The benefits include a reduction in Agency cost since fewer overseas trips would be necessary. Also, EPA would be able to conduct more audits of foreign manufactured vehicles and engines.

Separate from the provisions proposed in this NPRM for amendments to allow port selection for SEAs, EPA is also proposing to make two other amendments to 40 CFR part 86. The first would amend current Selective Enforcement Auditing regulations to change the minimum annual limit of Selective Enforcement Audits per manufacturer to two (2) per year. Currently, the minimum annual limit is one audit per manufacturer. Under the proposed amendments EPA would be able to perform a second audit on those manufacturers that might otherwise be limited to one audit.

The second additional proposed amendment to part 86 would delete from subparts A and E references to the Agency representation in certain types of administrative hearings. The two provisions state that the Office of General Counsel will represent the Agency in administrative procedures governing hearings on certification for light-duty vehicles, light-duty trucks, heavy-duty engines and motorcycles. The Agency is proposing to delete these two provisions in order to be consistent with other hearing procedures in part 86.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3139.

Agency Contact: Richard Gezelle, Environmental Protection Agency, Air and Radiation, 6403-J), Washington, DC 20460
Phone: 202 233-9267

RIN: 2060–AD90

3514. REVIEW OF FEDERAL TEST PROCEDURES FOR EMISSIONS FROM MOTOR VEHICLES; TEST PROCEDURE ADJUSTMENTS TO FUEL ECONOMY AND EMISSION TEST RESULTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549

CFR Citation: 40 CFR 86; 40 CFR 600

Legal Deadline: None

Abstract: This action considers potential adjustments to fuel economy and emission test results to compensate for test procedure changes previously adopted; it applies to light duty vehicles and light duty trucks. This aspect of the previous rulemaking (SAN-3323, RIN: 2060-AE27) was deferred.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3979.

Agency Contact: R. W. Nash, Environmental Protection Agency, Air and Radiation, VPCD, Ann Arbor, MI 48105
Phone: 313 668-4412

RIN: 2060–AH38

3515. SPECIFICATION OF SUBSTANTIALLY SIMILAR DEFINITION FOR DIESEL FUELS

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

Legal Authority: 42 USC 7545; Clean Air Act sec 211(f)

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: EPA is proposing a definition of the term substantially similar, as used in section 211(f)(1)(B) of the Clean Air Act (CAA), with respect to diesel fuel and fuel additives. The prohibitions of section 211(f)(1)(A) apply to fuels and fuel additives which are not substantially similar to fuels or additives used to certify vehicles to emissions standards. This definition will enable manufacturers to determine whether their diesel fuels and additives are covered by, or excluded from, the section 211(f)(1)(B) prohibitions. This definition will also reduce potential burdens on manufacturers and EPA for processing waivers for fuels and additives under 211(f)(4).

Timetable:

Action	Date	FR Cite
ANPRM	05/30/91	56 FR 24362
NPRM	10/00/97	
Final	03/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3091.

Agency Contact: David Korotney, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4507

RIN: 2060–AD77

3516. AMENDMENT TO THE REFRIGERANT RECYCLING RULE TO INCLUDE ALL REFRIGERANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-54; Clean Air Act sec 608; 42 USC 7401 et seq

CFR Citation: 40 CFR 82F

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 no-venting prohibition. Requirements would parallel those of the current section 608 regulations, expanding applicability, where appropriate, to all refrigerants.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3560.

Agency Contact: Debbie Ottinger, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9149
Fax: 202 233-9577

RIN: 2060–AF37

3517. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF SECTION 608 SALES RESTRICTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; Clean Air Act sec 608

CFR Citation: 40 CFR 82F

Legal Deadline: None

Abstract: The rule will include the reconsideration of the sales restriction as it relates to split systems. The Agency was petitioned to reconsider the part of the sales restriction that included the sale of pre-charged split systems. It restricted such sales to certified technicians. Since then, EPA stayed that portion of the sales restriction in response to the petition. This rule will include the determination of the Agency related to the reconsideration. It addresses environmental problems of ozone depletion resulting from emissions of CFCs, HCFCs, and other ozone-depleting substances. Through restricting sales of certain pre-charged items to persons certified as technicians, emissions to the atmosphere are decreased. The impact on small businesses and governments would be negligible, since persons can become certified if the EPA determination is a full restriction. Most businesses and governments will have at least one certified technician on board. Also, this amendment will include corrections and clarifications concerning leak repair requirements. This action has no impact on small business and state, local, tribal and governments.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final	07/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 358 Refrigeration and Service Industry Machinery; 52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers

Additional Information: SAN No. 3673.

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

EPA—CAA

Proposed Rule Stage

Agency Contact: Sue Stendebach, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9117
Fax: 202 233-9665

RIN: 2060–AG20

3518. SERVICING OF MOTOR VEHICLE AIR CONDITIONERS: STANDARDS FOR EQUIPMENT THAT RECOVERS AND RECYCLES REFRIGERANTS OTHER THAN CFC-12 AND HCF-134A

Priority: Substantive, Nonsignificant

Legal Authority: 42 USCA 7671

CFR Citation: 40 CFR 82B (Revision)

Legal Deadline: None

Abstract: This rule serves to amend the regulations initially promulgated on July 14, 1992 under section 609 of the CAA. By promoting the recycling and reclamation of ozone-depleting refrigerants from motor vehicle air conditioners, this rule will serve to inhibit venting of there refrigerants into the atmosphere, which is prohibited under the Act.

This rule fulfills the statutory mandate set forth in Section 609 requiring the Administrator to promulgate regulations for the proper recycling in motor vehicle air conditioners (MVACs) of any refrigerants that substitute for CFC-12 Specifically, Section 609 requires EPA to establish standards for refrigerant recycling equipment and for the proper use of such equipment. This rule will provide flexibility for service technicians to meet Section 609 requirements, because in addition to using equipment that recovers and recycles CFC-12 and HFC-134a refrigerants, technicians will now be permitted to use equipment that recovers and recycles other substitute refrigerants listed as acceptable under EPA's SNAP program.

This rule will affect, although not adversely affect, small entities such as independent repair shops, server station, truck fleet shops, collision repair shops, new car and truck dealers, car and truck rental shops, and radiator repair shops. Specifically it will allow them to use equipment to recycle other substitute refrigerants listed as acceptable under the SNAP program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 75 Automotive Repair, Services, and Parking; 55 Automotive Dealers and Gasoline Service Stations

Additional Information: SAN No. 3983.

Agency Contact: Christine Dibble, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9147
Email: dibble.christine@epamail.epa.gov

RIN: 2060–AH29

3519. 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 82F

Legal Deadline: None

Abstract: Friends of the Earth submitted and withdrew a petition to expand EPA's labeling requirements to include products containing or manufactured with HCFCs. EPA anticipates that for Friends of the Earth will submit a revised petition later this year. We are bound by statute to respond by 180 days. If EPA grants the petition, the proposed rulemaking will be the response.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 3640.

Agency Contact: Sue Stendebach, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9117
Fax: 202 233-9665

RIN: 2060–AF93

3520. • FEDERAL IMPLEMENTATION PLAN FOR A FIFTEEN PERCENT REDUCTION IN VOLATILE ORGANIC COMPOUNDS IN THE DISTRICT OF COLUMBIA

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 52

Legal Deadline:
Final, Statutory, January 18, 1996, See Additional Information.
Other, Statutory, May 31, 1998, Consent decree requires signature of NPRM by 5/31/98.
Other, Judicial, December 31, 1998, Consent decree requires signature of final by 12/31/98.

Abstract: EPA will propose federal rulemaking for sources within the District of Columbia to correct any shortfall in volatile organic compound (VOC) control measures needed to achieve a fifteen percent reduction in VOC emissions. Title I of the Clean Air Act (CAA) requires moderate and worse ozone nonattainment areas to have an implementation plan to achieve a fifteen percent reduction in VOC emissions. Clean Air Act specifies that federal implementation plans are to be promulgated two year s after a EPA makes a finding that a State failed to submit a required element. On January 18, 1994, EPA made a finding that the District of Columbia failed to submit the required plan to achieve a fifteen percent reduction of volatile organic compounds. VOC reduction measures may affect mobile sources, stationary sources and area sources within the District of Columbia.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final	01/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 4038.

Clean Air Act specifies that federal implementation plans are to be promulgated two year s after a EPA makes a finding that a State failed to submit a required element. On January 18, 1994, EPA made a finding that the District of Columbia failed to submit

EPA—CAA — Proposed Rule Stage

the required plan to achieve a fifteen percent reduction of volatile organic compounds. EPA did not promulgate the required federal implementation plan by the statutory deadline. On June 18, 1996 suit was filed to require EPA to promulgate the required federal implementation plan. A consent decree was entered with the Court on December 21, 1996 that requires signature of the NPRM by May 30, 1998 and signature of the final rulemaking by December 31, 1998.

Agency Contact: Sally Brooks, Environmental Protection Agency, Air and Radiation, 3AT00, Philadelphia, PA 19107
Phone: 215 566-2056

RIN: 2060–AH51

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Final Rule Stage

Clean Air Act (CAA)

3521. • EXPANDED ENGINE FAMILY DEFINITIONS FOR ALTERNATIVE FUELED VEHICLES AND ENGINES MEETING LOW-EMISSION (LEV) EXHAUST EMISSION STANDARDS, FEE EXEMPTION, AND RELATED PROVISIONS

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 aftermarket 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 the Executive Order 13031.

Timetable:

Action	Date	FR Cite
Direct Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 4030.

Agency Contact: Clifford Tyree, Environmental Protection Agency, Air and Radiation, Ann Arbor, MI 48105
Phone: 313 668-4310
Fax: 313 741-7869
Email: tyree.clifford@epa.gov

RIN: 2060–AH52

3522. COMPLIANCE ASSURANCE MONITORING RULE (PREVIOUSLY ENHANCED MONITORING PROGRAM)

Regulatory Plan: This entry is Seq. No. 137 in Part II of this issue of the **Federal Register.**

RIN: 2060–AD18

3523. LOCOMOTIVE EMISSION STANDARDS

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7547

CFR Citation: 40 CFR 92

Legal Deadline:
Final, Statutory, November 15, 1995.
NPRM, Judicial, January 31, 1997.

Abstract: The Clean Air Act Amendments of 1990 require EPA to promulgate emission standards for railroad locomotives. It is likely that railroad locomotives are significant contributors of pollution in some areas of the country for some pollutants. This rulemaking may allow for uniform control of locomotive emissions on the national level.

Timetable:

Action	Date	FR Cite
NPRM	02/11/97	62 FR 6366
Final Action	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2961.

Agency Contact: Charles Maulis, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7826

RIN: 2060–AD33

3524. NEW SOURCE REVIEW (NSR) REFORM

Regulatory Plan: This entry is Seq. No. 138 in Part II of this issue of the **Federal Register.**

RIN: 2060–AE11

3525. NSPS: SYNTHETIC ORGANIC CHEMICALS MANUFACTURING INDUSTRY—WASTEWATER

Priority: Other Significant

Legal Authority: Clean Air Act Amendments of 1990

CFR Citation: 40 CFR 60

Legal Deadline:
NPRM, Judicial, August 31, 1994.

Abstract: This rule will develop a new source performance standard to control air emissions of volatile organic compounds from wastewater treatment operations at the synthetic chemical manufacturing industry.

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46780
Supplemental NPRM	10/11/95	60 FR 52889
Final	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 28 Chemicals and Allied Products

Additional Information: SAN No. 3380.

Agency Contact: Mary Tom Kissell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

EPA—CAA

Final Rule Stage

Phone: 919 541-4516

RIN: 2060–AE94

3526. ACID RAIN PROGRAM: REVISIONS TO THE ADMINISTRATIVE APPEAL REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7601

CFR Citation: 40 CFR 78.1

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

Abstract: Revisions to clarify whether administrative appeals are prerequisite for judicial review of final actions by the administrator under the Acid Rain Program.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Final Action	10/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3570.

Agency Contact: Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9151

RIN: 2060–AF43

3527. ACID RAIN PROGRAM: DELETION OF CERTAIN UNITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7651 et seq

CFR Citation: 40 CFR 73.10

Legal Deadline: None

Abstract: The Acid Rain Program requires affected utility units to hold allowances sufficient to cover emissions of SO2, have an Acid Rain Permit under part 72, and meet appropriate monitoring requirements under part 75. Many affected units are listed in 40 CFR 73.10 tables 2 and 3. In the process of implementing the Acid Rain Program, EPA has learned that several units listed in the tables should not be affected by the Acid Rain Program requirements. This action would delete specific named units from the tables.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3573.

Agency Contact: Kathy Barylski, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9074

RIN: 2060–AF46

3528. ACID RAIN PROGRAM: REVISIONS TO THE PERMITS REGULATIONS UNDER TITLE IV OF THE CLEAN AIR ACT TO MAKE TECHNICAL CORRECTIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7601; 42 USC 7651g

CFR Citation: 40 CFR 72

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

Abstract: This action would make technical corrections in order to improve issuance of Phase I acid rain permits and facilitate approval of State or local permitting authorities' Phase II acid rain permitting programs.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68340
Final Action	10/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Sectors Affected: 491 Electric Services

Additional Information: SAN No. 3574.

Agency Contact: Dwight C. Alpern, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460
Phone: 202 233-9151

RIN: 2060–AF47

3529. CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES; EMISSION STANDARDS AND TEST PROCEDURES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 231

CFR Citation: 40 CFR 87

Legal Deadline: None

Abstract: This action proposes to establish CO and NOx standards for aircraft gas turbine engines with equal to or greater than 26.7 kilonewtons rated thrust. These standards, which most of the affected engines are already achieving, will be added to current federal aircraft engine standards for HC emission so as to align federal standards with the standards established by the international community.

Timetable:

Action	Date	FR Cite
NPRM	05/08/97	62 FR 25368
Direct Final	05/08/97	62 FR 25356
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3576.

Agency Contact: Bryan Manning, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7832

RIN: 2060–AF50

3530. OPERATING PERMITS: REVISIONS (PART 70)

Regulatory Plan: This entry is Seq. No. 139 in Part II of this issue of the **Federal Register.**

RIN: 2060–AF70

3531. METHODS FOR MEASUREMENT OF VISIBLE EMISSIONS—ADDITION OF METHODS 203A, 203B, AND 203C TO APPENDIX M OF PART 51

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401(b)(1); 42 USC 7410; 42 USC 7470 to 7479; 42 USC 7501 to 7508; 42 USC 7601(a)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking adds Test Methods 203A, 203B, and 203C to 40 CFR Part 51, Appendix M (entitled Example Test Methods for State Implementation Plans). These methods describe procedures for estimating the opacity of visible emissions. States have requested that EPA promulgate these methods so that they can use

them in State Implementation Plans in enforcing visible emissions regulations from Stationary Sources.

Timetable:

Action	Date	FR Cite
NPRM	11/22/93	51 FR 61639
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 2915.

Agency Contact: Frederick J. Thompson, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-2707

RIN: 2060–AF83

3532. SALES VOLUME LIMIT PROVISIONS FOR SMALL-VOLUME MANUFACTURE CERTIFICATION FOR CLEAN FUEL AND CONVENTIONAL VEHICLE CONVERSIONS AND RELATED PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 202; Clean Air Act sec 203; Clean Air Act sec 247; Clean Air Act sec 301(a)

CFR Citation: 40 CFR 85; 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will temporarily raise the 10,000 vehicle sales volume limit for vehicle converters seeking certification under the small volume manufacturers provisions. In addition this action will adopt provisions to provide flexibility in assigned deterioration factors for alternative fuel vehicles. fuel vehicles.

Timetable:

Action	Date	FR Cite
NPRM	01/03/96	61 FR 140
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3643.

Agency Contact: Cliff Tyree, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4310

RIN: 2060–AF87

3533. AMENDMENT TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; MONITORING REQUIREMENTS (PS-1)

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act, section 407

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: This action proposes to clarify and update requirements for source owners and operators who must install and use continuous stack or duct opacity monitoring equipment. This action also proposes amendments regarding design and performance validation requirements for continuous opacity monitoring system (COMS) equipment in appendix B, PS-1. These amendments to subpart A and PS-1 will not change the affected facilities' applicable emission standards or requirement to monitor. The amendments will: (1) clarify owner and operator and monitor vender obligations, (2) reaffirm and update COMS design and performance requirements, and (3) provide EPA and affected facilities with equipment assurances for carrying out effective monitoring. The specifications shall apply to all COMS's installed or replaced after the date of promulgation. Following promulgation, a source owner, operator, or manufacturer will be subject to these performance specifications if installing a new COMS, relocating a COMS, replacing a COMS, recertifying a COMS that has undergone substantial refurbishing, or has been specifically required to recertify the COMS with these revisions.

Timetable:

Action	Date	FR Cite
NPRM	11/24/94	59 FR 60585
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3744.

Agency Contact: Solomon Ricks, Environmental Protection Agency, Air and Radiation, MD-19, Research Triangle Park, NC 27711
Phone: 919 541-5242
Fax: 919 541-1039

RIN: 2060–AG22

3534. REGULATION REVIEW/BURDEN REDUCTION

Priority: Substantive, Nonsignificant

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

Legal Authority: Clean Air Act sec 407

Legal Deadline: None

Abstract: On March 16, 1995, President Clinton issued a report entitled, Reinventing Environmental Regulation, that identified 25 initiatives to improve the current regulatory system. This action is part of the regulatory review process to reduce unnecessary recordkeeping and reporting requirements. Existing rules are being reviewed for excess and/or duplicative requirements. The Agency will publish a list of those regulations that will be revised or amended to reduce unnecessary recordkeeping and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/11/96	61 FR 47840
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3750.

Agency Contact: Dave Markwordt, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0837
Fax: 919 541-0942

RIN: 2060–AG30

3535. TRANSITIONAL LOCK-IN PROCEDURES FOR PHASE II REFORMULATED GASOLINE (RFG) PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7545

CFR Citation: 40 CFR 80.2; 40 CFR 80.70; 40 CFR 80.72

Legal Deadline: None

Abstract: This action will provide proposed procedures for states to opt-out of the Reformulated Gasoline (RFG) Program before implementation of Phase II RFG. States will be required to announce by July 1997 whether their

voluntary opt-in area(s) will remain in the RFG program. If a state decides to keep an opt-in area in the program, the area will be required to remain in the program for a specified period of time (i.e., lock-in to the program) to enable refiners to recover a portion of the capital investments associated with complying with Phase II gasoline requirements. This action provides the states the flexibility to opt-out of the program before implementation of Phase II while providing incentives to industry to supply Phase II RFG which provides environmental and health benefits (e.g., Phase II RFG reduces NOx, a precursor to ozone).

Timetable:

Action	Date	FR Cite
NPRM	03/28/97	62 FR 15077
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3845.

Agency Contact: Christine Hawk, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460
Phone: 202 233-9672
Fax: 202 233-9557

RIN: 2060–AG43

3536. AMENDMENT TO THE USER FEES FOR RADON PROFICIENCY PROGRAMS RULE

Priority: Other Significant

Legal Authority: 15 USC 2661 to 2665

CFR Citation: 40 CFR 195 and 700 (revision)

Legal Deadline: None

Abstract: The User Fees for Radon Proficiency Programs Final Rule established fees in 1994 that EPA will collect annually to support its voluntary Radon Proficiency Programs. The rule requires individuals and organizations applying to or participating in the Radon Proficiency Program (RPP) to pay annual fees. The final rule states that EPA shall adjust the fees over the next two years to a level that will ultimately be sufficient to recover the full annual costs of the program. Through this technical amendment, EPA will revise its fee schedule to collect a larger percentage of its annual (FY 96) operating costs. The annual fees will also reflect changes in the proficiency programs, participation, inflation, etc. In the calculation of the annual fees, the Agency will take into consideration the impact of the third year of fee collection on the radon industry.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Sectors Affected: 152 General Building Contractors-Residential Buildings; 171 Plumbing, Heating and Air-Conditioning; 382 Laboratory Apparatus and Analytical, Optical, Measuring, and Controlling Instruments; 873 Research, Development, and Testing Services

Additional Information: SAN No. 3835.

Agency Contact: James W. Long, Environmental Protection Agency, Air and Radiation, 6604J, Washington, DC 20460
Phone: 202 233-9433
Fax: 202 233-9652
Email: long.james@epamail.epa.gov

RIN: 2060–AG64

3537. REVISION TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS (VOC)—EXCLUSION OF 16 COMPOUNDS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 to 7671q

Legal Deadline: None

Abstract: This action is deregulatory in nature as it removes compounds from control as volatile organic compounds for purposes of preparing State Implementation Plans (SIPs) to attain the national ambient air quality standards for ozone under title 1 of the Clean Air Act. These compounds are being deregulated because of scientific evidence of their low photochemical reactivity. States will no longer include control provisions for these compounds in their SIPs. Small businesses will not be affected, except that they may more freely use these compounds.

Timetable:

Action	Date	FR Cite
NPRM	03/17/97	62 FR 12583
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: State

Sectors Affected: 367 Electronic Components and Accessories; 372 Aircraft and Parts

Additional Information: SAN No. 3838.

Agency Contact: William L. Johnson, Environmental Protection Agency, Air and Radiation, OAQPS (MD-15), Research Triangle Park, NC 27711
Phone: 919 541-5245
Fax: 919 541-0824
Email: johnson.williaml@epamail.epa.gov

RIN: 2060–AG70

3538. FEDERAL OPERATING PERMITS PROGRAM IN INDIAN COUNTRY

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

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

CFR Citation: 40 CFR 71.4

Legal Deadline:
Other, Statutory, November 15, 1997, See additional information.

Abstract: Recognizing its trust responsibilities to Indian Tribes, EPA plans to exercise its regulatory authority to issue permits to sources of air pollution in Indian country where sources are not regulated by Indian Tribes. The Federal operating permits program for stationary air sources should extend to all of Indian country, but the regulation that created the program inadvertently created a regulatory gap. A change in regulations is needed to assure that each major source in Indian country is subject to either a State, Tribal, or Federal permit program.

The regulatory change would create a level playing field for industry. Also, the regulatory change would assure that EPA can regulate sources that create air pollution problems in Indian country or that are located in Indian country and generate air pollution problems for other areas.

There are no anticipated impacts on small businesses or State or local governments. The regulatory change would eliminate a burden on Tribal governments. They would not need to demonstrate their jurisdiction over an area in order for EPA to administer a permit program for the area.

EPA—CAA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	03/21/97	62 FR 13748
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3868.

Change needed prior to default effective date of programs in the Indian country set by 40 CFR 71.

Agency Contact: Candace Carraway, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711
Phone: 919 541-3189
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RIN: 2060–AG90

3539. TIER II (PHASE II) STUDY TO ASSESS FURTHER REDUCTIONS IN LOV AND LDT TAILPIPE EMISSION STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

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

Legal Authority: PL 91-190; Clean Air Act sec 203(i)

CFR Citation: 40 CFR 86

Legal Deadline:
Other, Statutory, June 1, 1997, Report to Congress.

Abstract: EPA is mandated by the Clean Air Act Amendments of 1990 to study whether or not further reductions in emissions from light-duty vehicles and light-duty trucks should be required through lowering tailpipe emissions standards. EPA is required to submit a report to Congress not later than June 1, 1997. The report will consider whether there is a need for further reductions in emissions, whether the technology is available to meet the more stringent standards, and whether further reductions in emissions will be needed and cost effective taking into consideration alternative means of attaining or maintaining national ambient air quality standards.

Timetable:

Action	Date	FR Cite
Final	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3911.

Agency Contact: John German, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4214
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RIN: 2060–AH04

3540. EMISSION REGULATIONS FOR 1978 AND LATER NEW MOTORCYCLES—PROPOSED CHANGES TO THE DEFINITION OF WEIGHT LIMITATIONS FOR MOTORCYCLES

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This rule will propose changes to the present regulatory definition of a motorcycle to allow two- or three-wheeled vehicles weighing up to 1749 pounds to be considered motorcycles. The proposed changes could reduce administrative burden on the motor cycle industry.

Timetable:

Action	Date	FR Cite
NPRM	06/02/97	62 FR 30291
Final Action	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3912.

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RIN: 2060–AH06

3541. BAN THE SALE OF HALON BLENDS AND THE INTENTIONAL RELEASE OF HALONS DURING TESTING AND TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990

CFR Citation: 40 CFR 82

Legal Deadline:
NPRM, Judicial, June 30, 1997.

Abstract: This rule is in response to a lawsuit filed by the Sierra Club. EPA and the Sierra Club have reached a consent decree that contains provisions for the agency to propose rules banning the sale of halon blend and relative to the release of halons during testing and training as well as the disposal of halon containing equipment at the end of its useful life. These rules must be promulgated by June 30, 1997.

Timetable:

Action	Date	FR Cite
NPRM	07/07/97	62 FR 36428
Final	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3984.

Agency Contact: Sue Stendebach, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9117

RIN: 2060–AH44

3542. INDIAN TRIBES: AIR QUALITY PLANNING AND MANAGEMENT

Priority: Other Significant

Legal Authority: 42 USC 7405; Clean Air Act sec 105

CFR Citation: 40 CFR 35

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

Abstract: The Clean Air Act of 1990 requires EPA to promulgate regulations identifying those provisions of the CAA for which it is appropriate to treat tribes in the same manner as States. For the provisions specified, a Tribe may develop and implement one or more of its own air quality programs. In addition to specifying the CAA provisions for which it is appropriate to treat Tribes in the same manner as States, the rule also establishes the requirements that Indian Tribes must meet if they choose to seek such treatment, and provides for awards of Federal financial assistance to the Tribes.

Timetable:

Action	Date	FR Cite
NPRM	08/25/94	59 FR 43956
Final	12/00/97	

Small Entities Affected: None

Government Levels Affected: Tribal

Additional Information: SAN No. 3087.

Agency Contact: David R. LaRoche, Environmental Protection Agency, Air and Radiation, 6102, Washington, DC 20460
Phone: 202 260-7652

RIN: 2060–AF79

EPA—CAA

Final Rule Stage

3543. NAAQS: SULFUR DIOXIDE (REVIEW AND IMPLEMENTATION)

Regulatory Plan: This entry is Seq. No. 140 in Part II of this issue of the **Federal Register**.

RIN: 2060–AA61

3544. NESHAP: MINERAL WOOL PRODUCTION INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

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

Abstract: The Clean Air Act, as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the mineral wool production industry emits several of the 188 HAPs listed in Section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the mineral wool production industry to promulgate emission standards within 7 years of enactment of the Clean Air Act Amendments.

Timetable:

Action	Date	FR Cite
NPRM	05/08/97	62 FR 25370
Final Action	04/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3461.

Agency Contact: Mary K. Johnson, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5025

RIN: 2060–AE08

3545. NESHAP: PHOSPHORIC ACID MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000, Clean Air Act Amendments of 1990.

Abstract: The CAAA required EPA to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAAA and, to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the phosphoric acid manufacturing industry 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 such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final	02/00/98	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: SAN No. 3303.

Agency Contact: David F. Painter, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5515

RIN: 2060–AE40

3546. NESHAP: PHOSPHATE FERTILIZERS PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2000, Clean Air Act Amendments of 1990.

Abstract: EPA is required to publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAAA and, to establish dates for the promulgation of emission standards for each of the listed categories of HAP emission sources and develop emission standards for each source of HAPs such that the schedule is met. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the phosphate fertilizer production industry 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 such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final	02/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3304.

Agency Contact: David F. Painter, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711 Phone: 919 541-5515

RIN: 2060–AE44

3547. NESHAP: WOOL FIBERGLASS MANUFACTURING INDUSTRY

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 4 USC 605; EO 12866

CFR Citation: 40 CFR 63

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

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in Section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emissions standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for

each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the wool fiberglass manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the wool fiberglass manufacturing industry to promulgate emission standards within 7 years of enactment of the CAA amendments.

Timetable:

Action	Date	FR Cite
NPRM	03/31/97	62 FR 15228
Final	03/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 327 Concrete, Gypsum, and Plaster Products

Additional Information: SAN No. 3123.

Agency Contact: William J. Neuffer, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5435

RIN: 2060–AE75

3548. NESHAP: PRIMARY ALUMINUM PLANTS

Priority: Other Significant

Legal Authority: 42 USC 1857 et seq

CFR Citation: 40 CFR 63

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

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of EPA. The EPA has determined that plants in the Primary Aluminum industry are major sources for one or more hazardous air pollutants. As a consequence, a regulatory development program is being conducted such that emission standards will be proposed and promulgated by November 15, 1997.

Timetable:

Action	Date	FR Cite
NPRM	09/26/96	61 FR 50585
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 333 Primary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3072.

Agency Contact: Steve Fruh, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2837

RIN: 2060–AE76

3549. NESHAP: FLEXIBLE POLYURETHANE FOAM PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 sec 112

CFR Citation: 40 CFR 63

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

Abstract: Title III of the amended Clean Air Act (CAA) requires development of emission standards for all major sources, and selected area sources, emitting any of the 189 hazardous air pollutants (HAP) identified in section 112(b) of the CAA. Flexible Polyurethane Foam Production has been listed as a category of major sources based on documented emissions of methylene chloride and 2,4-toluene diisocyanate. This action will regulate the release of HAP from the following emission sources located at slabstock, rebond, and molded polyurethane foam production facilities: process vents, storage, equipment leaks and other fugitive sources, and transfer operations. This action, however, will not cover emissions from foam fabrication (i.e., gluing and flame lamination). In June 1996 the Agency added a separate source category to address HAP from fabrication operations.

Ultimately, a NESHAP for foam production will be developed based on candidate Maximum Achievable Control Technology. This is a 7-year standard, required to be promulgated by November 1997.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68406
Correction Notice	02/03/97	62 FR 05074
Final	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Sectors Affected: 308 Miscellaneous Plastics Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3338.

Agency Contact: David Svendsgaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2380
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RIN: 2060–AE86

3550. NATIONAL EMISSION STANDARD FOR RADON EMISSIONS FROM PHOSPHOGYPSUM STACKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; Clean Air Act sec 112

CFR Citation: 40 CFR 61

Legal Deadline: None

Abstract: EPA has granted a petition for reconsideration for the portion of the rule which regulates phosphogypsum for research and development uses. This regulatory proceeding would result in a final rule which may increase the limit and reduce the certification requirements for that use.

Timetable:

Action	Date	FR Cite
NPRM Notice of Reconsideration	05/08/96	61 FR 20775
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 2547.

Agency Contact: Martin Offit, Environmental Protection Agency, Air and Radiation, 6602J, Washington, DC 20460
Phone: 202 233-9766

RIN: 2060–AF04

EPA—CAA

Final Rule Stage

3551. REVISION OF INITIAL LIST OF CATEGORIES OF SOURCES AND SCHEDULE FOR STANDARDS UNDER SECTION 112(C) AND (E) OF THE CLEAN AIR ACT AMENDMENTS OF 1990

Priority: Info./Admin./Other

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Section 112 of the Clean Air Act requires the EPA to publish a list of major and area source categories which emit one or more of the 189 hazardous air pollutants identified in Section 112. The list of source categories was finalized in July 1992, and contained 174 categories. Section 112 further requires the Agency to prioritize the listed categories such that standards are promulgated for 40 source categories within 2 years of enactment, 25% of all initially listed categories within 4 years, 50% within 7 years, and 100% within 10 years. The schedule for the promulgation of emissions standards was published in December 1993.

This action revises the initial list of source categories and the corresponding schedule for emission standards. This is in accordance with the statute, which requires the Agency to periodically amend the list in response to public comment or new information, and no less often than every eight years. As a result of several additions and deletions of source categories, the list now contains 175 categories. Categories may be added at any time contingent upon showing that the category is a category of major sources or that a category of area sources poses a threat of adverse effect and warrants regulation under Section 112. Actions to add or remove area source categories are handled through separate Federal Register notices in order to provide the opportunity for public comment on them. Actions included within this action are: 1) adding categories of major sources, where major sources have been identified; 2) deleting categories of major sources which, upon further study, have been found to not contain major sources; 3) moving categories to different, more appropriate industry groups for purposes of clarity; 4) modifying titles and definitions of listed source categories to clarify applicability; and 5) reporting other relevant source category actions that were published independently of this action.

Timetable:

Action	Date	FR Cite
Notice of Revision	06/04/96	61 FR 28197
Correction Notice	07/18/96	61 FR 37542
ANPRM Listing Research and Development Facilities	05/12/97	62 FR 25877
Notice of Revision	11/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3791.

Agency Contact: David J. Svendsqaard, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-2380
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RIN: 2060–AG42

3552. TECHNICAL AMENDMENTS TO AEROSPACE NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The NESHAP for Aerospace Manufacturing and Rework Facilities was promulgated in August of 1995. Afterwards, we discovered a few problems with the rule and still need to publish the CTG for this industry. This action would correct these problems and announce the CTG. An additional set of amendments will be proposed at the same time which will address issues with General Aviation.

Timetable:

Action	Date	FR Cite
NPRM	10/29/96	61 FR 55842
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: 372 Aircraft and Parts

Additional Information: SAN No. 3836.

Agency Contact: Barbara Driscoll, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-0164
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RIN: 2060–AG65

3553. WOOD FURNITURE MANUFACTURING OPERATIONS NESHAP: TECHNICAL CORRECTIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63 subpart JJ

Legal Deadline: None

Abstract: This action will amend and make technical corrections and clarifications to the final Wood Furniture Manufacturing Operations NESHAP, which was promulgated on December 7, 1996 (60 FR 62930). This action will address litigation issues brought up after promulgation of the standards, as well as, the resolution of these issues. In addition, this action will clarify aspects for the final rule such as applicability, emission limits, and will make editorial corrections to the final rule as was published in the Federal Register.

This action revises the definition of wood furniture in the NESHAP to exclude foam seat cushions not made at wood furniture manufacturing facilities. The revisions clarify the applicability of the final rule to eliminate potential overlapping requirements with other NESHAPs (direct final/proposal).

Timetable:

Action	Date	FR Cite
NPRM	06/09/97	62 FR 31405
Interim Final	10/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 2965.

Agency Contact: Paul Almodovar, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AG95

3554. NESHAP: SECONDARY LEAD SMELTER AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7402 et seq; Clean Air Act sec 112

CFR Citation: 40 CFR 63 subpart X

Legal Deadline: None

EPA—CAA

Final Rule Stage

Abstract: Final standards under section 112(d) for hazardous air pollutants emissions from new and existing lead smelters (40 CFR 63, Subpart X) were promulgated on June 23, 1995 and revised on June 13, 1997.

This action amends these national emission standards for hazardous air pollutants (NESHAP) for new and existing secondary lead smelters. Changes to the NESHAP are being made to address comments received in petitions to reconsider sent to the EPA following promulgation of the final rule. Though minor, these changes affect several aspects of the final rule including applicability of the THC limit for collocated blast and reverberatory furnaces, minimum baghouse standard operating procedures (SOP) requirements, and bag leak detection systems specifications and requirements. Several minor changes are also being made to clarify the intent of the rule.

The action will not result in increased burden on industry, nor will it result in decreased environmental benefits.

Timetable:

Action	Date	FR Cite
NPRM	06/13/97	62 FR 32266
Direct Final	06/13/97	62 FR 32266
Final Action	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State

Sectors Affected: 334 Secondary Smelting and Refining of Nonferrous Metals

Additional Information: SAN No. 3193.

Agency Contact: Kevin Cavender, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AH07

3555. SPECIFIC POLLUTANTS: LIST OF CATEGORIES EMITTING 7 SPECIFIED HAZARDOUS AIR POLLUTANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412(c)(6); Clean Air Act sec 112(c)(6)

Legal Deadline:
NPRM, Judicial, June 11, 1997.
Final, Judicial, December 19, 1997.

Abstract: Under CAA section 112(c)(6), special studies are required to identify, for potential standards development, sources and national emissions of seven specific air toxics. These seven are alkylated lead compounds, polycyclic organic matter (POM), hexachlorobenzene, mercury, polychlorinated biphenyls (PCBs), 2,3,7,8-tetrachlorodibenzofurans (2,3,7,8-TCDF), and 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD). EPA is required to identify the sources accounting for 90% of the emissions of these pollutants and assure that those sources are subject to standards.

Timetable:

Action	Date	FR Cite
Announcement of Availability	06/11/97	62 FR 33625
Final	12/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: SAN No. 3960.

Agency Contact: Laurel Driver, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-2859
Fax: 919 541-7690

RIN: 2060–AH20

3556. STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE, INDIVIDUAL BASELINE FUEL ADJUSTMENTS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7414; Clean Air Act sec 114; 42 USC 7545(c); Clean Air Act sec 211(c); 42 USC 7601; Clean Air Act sec 301

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: This rule would establish criteria by which a refiner could receive an adjustment to its baseline under certain circumstances. Baseline adjustments reduce the cost of compliance (primarily with the anti-dumping requirements of the reformulated gasoline program) for those refiners which would otherwise be extremely burdened.

Baseline adjustments under certain circumstances were provided for in the December 1993 final Reformulated Gasoline and Anti-Dumping rule. However, baseline adjustments are only allowed under certain narrowly defined circumstances; broad adjustments are beyond EPA's discretion. The circumstances for which baseline adjustments would be allowed under this rule are as follows: 1) production of JP-4 in 1990; 2) use of an extremely low-sulfur crude in 1990; 3) having extremely low baseline values for sulfur and solefins. Refiners must meet specific criteria in order to qualify for one or more of these adjustments.

Timetable:

Action	Date	FR Cite
NPRM	08/04/95	60 FR 40009
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3604.

Agency Contact: Christine M. Brunner, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 668-4287
Fax: 313 741-7869

RIN: 2060–AG80

3557. FUELS AND FUEL ADDITIVES; ELIMINATION OF OXYGENATED PROGRAM REFORMULATED GASOLINE CATEGORY FROM THE REFORMULATED GASOLINE REGULATIONS

Priority: Substantive, Nonsignificant

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

Legal Authority: Clean Air Act sec 114; Clean Air Act sec 211; Clean Air Act sec 301(a)

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: EPA is proposing to amend the RFG regulations to eliminate separate treatment for a category of gasoline used in averaging. EPA does not believe the category is necessary

any more. This proposed action would increase flexibility and reduce compliance costs. No negative environmental impact is expected.

Timetable:

Action	Date	FR Cite
NPRM	03/17/97	62 FR 12586
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3948.

Agency Contact: Anne-Marie Cooney Pastorkovich, Environmental Protection Agency, Air and Radiation, 6406J, Washington, DC 20460
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RIN: 2060–AH43

3558. TRANSPORTATION CONFORMITY RULE AMENDMENT AND SOLICITATION FOR PARTICIPATION IN THE TRANSPORTATION CONFORMITY PILOT PROGRAM

Priority: Other Significant

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

Legal Authority: 42 USC 7401 to 7671; Clean Air Act 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	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3610.

Agency Contact: Meg Patulski, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
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RIN: 2060–AG79

3559. NATIONAL VOLATILE ORGANIC COMPOUND EMISSION STANDARDS FOR AUTOMOBILE REFINISH COATINGS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act Amendments of 1990 sec 183(e)

CFR Citation: 40 CFR 59

Legal Deadline:
Final, Statutory, March 1997.

Abstract: Section 183(e) requires EPA to study the emissions of volatile organic compounds (VOC) from consumer and commercial products, list those categories of products that account for at least 80 percent of the total VOC emissions from consumer and commercial products in areas classified as nonattainment for ozone, divide the list into four groups, and regulate one group every 2 years using best available controls (BAC). Based on the criteria described in the consumer and commercial product study (March 1995), and category listing (March 1995), EPA has determined that VOC emissions from automobile refinish coatings should be regulated. Automobile refinish coatings can be generally classified as primers and topcoats, each consisting of several different types. The proposed rule divides automobile refinish coatings into 6 categories, and contains VOC content limits for each category. Automobile refinish coatings are used by body shops and by do-it-yourselfers. However, the proposed rule does not directly affect these small businesses. Rather, the rule would apply to coating manufacturers and importers, and would limit the VOC content of coatings that are produced for sale in the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/30/96	61 FR 19005
Final	01/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3281.

Agency Contact: Mark Morris, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5416

RIN: 2060–AE35

3560. VOC REGULATION FOR ARCHITECTURAL COATINGS

Regulatory Plan: This entry is Seq. No. 141 in Part II of this issue of the **Federal Register.**

RIN: 2060–AE55

3561. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS

Regulatory Plan: This entry is Seq. No. 142 in Part II of this issue of the **Federal Register.**

RIN: 2060–AF62

3562. OPEN-MARKET TRADING GUIDANCE

Regulatory Plan: This entry is Seq. No. 143 in Part II of this issue of the **Federal Register.**

RIN: 2060–AF60

EPA—CAA

Final Rule Stage

3563. REVISED CARBON MONOXIDE (CO) STANDARD FOR CLASS I AND II NONHANDHELD NEW NONROAD PHASE I SMALL SPARK-IGNITED ENGINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521; Clean Air Act sec 201

CFR Citation: 40 CFR 90

Legal Deadline: None

Abstract: This direct final rule revises the existing new nonroad Phase I small spark-ignited (SI) engine regulations. Briggs and Stratton Corporation submitted a petition to the Administrator on March 4, 1996, asking the Agency to reconsider the existing regulation and to either allow the use of oxygenated certification fuels with the current CO standard or revise the existing carbon monoxide (CO) emission standard for class I and II nonhandheld engines. Briggs and Stratton argues that the majority of nonhandheld engines sold in the United States can not meet the current CO standard when tested on the monoxygenated certification test fuel specified in the regulations. EPA has finalized the CO standard on the basis of data provided to the Agency by Briggs and Stratton. The Agency had assumed that the data was collected using Indolene (a monoxygenated, nonreformulated gasoline) as the test fuel. In fact, Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton had used California's Phase II Reformulated Gasoline (RFG) in the testing, but had not informed EPA of this before the rule was finalized. The use of an oxygenated fuel has an effect on the emissions from these engines, particularly CO, and Briggs and Stratton had used California's Phase II Reformulated Gasoline

Timetable:

Action	Date	FR Cite
NPRM	07/03/96	61 FR 34778
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3300.

EPA staff are analyzing new data provided by Briggs and Stratton concerning the amount of the CO emission offset between Indolene and RFG for nonhandheld engines. Based on data analysis and documentation provided by Briggs and Stratton in support of their petition, EPA intends to determine the amount of the emission offset and consider raising the Phase I CO emission standard for nonhandheld engines accordingly. In their petition to EPA, Briggs and Stratton assert that raising the CO standard should result in reduced emissions of hydrocarbons and oxides of nitrogen, which are the primary pollutants of concern under the Phase I small SI rule.

Agency Contact: Laurel Horne, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105
Phone: 313 741-7803
Fax: 313 741-7816

RIN: 2060–AG81

3564. VOLUNTARY STANDARDS FOR LIGHT-DUTY VEHICLES (NATIONAL 49 STATE LOW-EMISSION VEHICLES PROGRAM)

Regulatory Plan: This entry is Seq. No. 144 in Part II of this issue of the Federal Register.

RIN: 2060–AF75

3565. CONTROL OF EMISSIONS OF AIR POLLUTION FROM HIGHWAY HEAVY-DUTY ENGINES AND DIESEL ENGINES

Regulatory Plan: This entry is Seq. No. 145 in Part II of this issue of the Federal Register.

RIN: 2060–AF76

3566. MODIFICATIONS TO STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7545; Clean Air Act sec 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act, as amended in 1990, EPA promulgated regulations to require a cleaner burning reformulated gasoline (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as covered areas, (e.g., areas in which non-RFG (conventional gasoline) is prohibited from being sold or dispensed to the ultimate consumers of the gasoline. Other ozone nonattainment areas may opt-in to the RFG program upon petition by the Governor of the state in which the area is located.

Since the RFG program became effective in January 1995, many enforcement related issues have been raised concerning the implementation of the program. Some of these issues have required the exercise of enforcement discretion through the use of informal question and answer guidance documents. This action will codify those guidances which are appropriate for incorporation into the RFG regulations. This action will also streamline, the regulations where appropriate, and include certain typographical and other minor corrections.

Timetable:

Action	Date	FR Cite
NPRM	07/11/97	62 FR 37338
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3844.

Agency Contact: Karen Smith, Environmental Protection Agency, Air and Radiation, 6406J, Washington, DC 20460
Phone: 202 233-9006
Fax: 202 233-9557

RIN: 2060–AG76

3567. REVISION TO THE COVERED AREAS PROVISION FOR REFORMULATED GASOLINE

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

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7545/CAA 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: Under authority of the Clean Air Act as amended in 1990, EPA promulgated regulations to require a cleaner burning reformulated gasoline (RFG) in nine mandated areas of the country with the worst ozone air pollution problems. These areas are designated as covered areas, (e.g., areas in which non-RFG (conventional gasoline) is prohibited from being sold or dispensed to the ultimate consumers of the gasoline.

The RFG regulations also include a provision which allows a State, upon petition by the Governor, to have other areas designated as nonattainment for ozone included as covered areas under the Federal RFG program (the opt-in provision).

This action will expand the opt-in provision to include areas that that formerly were in nonattainment for ozone as well as areas presently in nonattainment for ozone. This action will give States the flexibility to use the RFG program in their maintenance plans and as contingency measures for those areas that have been redesignated to attainment status, but are in need of ozone controls to maintain that status.

Timetable:

Action	Date	FR Cite
Direct Final Action	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3843.

Agency Contact: Marylin Bennett, Environmental Protection Agency, Air and Radiation, (6406J), Washington, DC 20460
Phone: 202 233-9006
Fax: 202 233-9557

RIN: 2060–AG77

3568. AMENDMENT CONCERNING APPLICABILITY OF ON HIGHWAY HEAVY-DUTY CERTIFIED ENGINES FOR USE IN NONROAD HEAVY-DUTY VEHICLES AND EQUIPMENT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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

Legal Authority: 42 USC 7521; 42 USC 7522; 42 USC 7523; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7543; 42 USC 7547

CFR Citation: 40 CFR 9; 40 CFR 89

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to allow the use of on-highway heavy-duty certified engines in nonroad heavy-duty vehicles and equipment. This will eliminate hardships caused by the imposition of nonroad heavy-duty rules of specialty vehicles and equipment that have historically elected to use cleaner on-highway heavy-duty engines.

Timetable:

Action	Date	FR Cite
NPRM	11/12/96	61 FR 58102
Final Action	10/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3842.

Agency Contact: John Guy, Environmental Protection Agency, Air and Radiation, (6403J), Washington, DC 20460
Phone: 202 233-9276
Fax: 202 233-9596

RIN: 2060–AG78

3569. OUTER CONTINENTAL SHELF AIR REGULATIONS DELEGATION REMAND

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 328

CFR Citation: 40 CFR 55

Legal Deadline: None

Abstract: The EPA promulgated the Outer Continental Shelf (OCS) Air Regulations on September 4, 1992. The regulations allowed States to request delegation of the authority to implement and enforce the regulations for sources located within 25 miles of the State's seaward boundary, but prohibited such delegation of the authority for sources locating beyond that limit. Since section 328(a)(3) of the Clean Air Act requires EPA to allow delegation for both types of sources, EPA requested and received a remand on this issue. The notice revises the OCS Air Regulations to allow delegation of the implementation and enforcement authority to State and local air pollution control agencies for sources locating beyond 25 mile of the States' seaward boundaries.

Timetable:

Action	Date	FR Cite
NPRM	05/20/96	61 FR 25173
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3789.

Agency Contact: David H. Stonefield, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5350

RIN: 2060–AG39

3570. OUTER CONTINENTAL SHELF AIR REGULATIONS OFFSET REMAND

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Clean Air Act sec 328

CFR Citation: 40 CFR 55

Legal Deadline: None

Abstract: The EPA promulgated the Outer Continental Shelf (OCS) Air Regulations on September 4, 1992. As a result of a challenge, the court vacated the special offset provision

which EPA had included in the OCS regulations and remanded that issue to EPA for reconsideration. The interim final rule revised the OCS regulations to require that new or modified OCS sources meet the same offset requirements as imposed in the corresponding onshore area. The final action is to respond to public comment on the interim final rule. As a result some OCS sources may be required to obtain additional offset credits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/96	61 FR 25149
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3790.

Agency Contact: David H. Stonefield, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711
Phone: 919 541-5350

RIN: 2060–AG40

3571. NSPS: NITROGEN OXIDE EMISSIONS FROM FOSSIL-FUEL FIRED STEAM GENERATING UNITS—REVISION

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: Clean Air Act Amendments of 1990 sec 407(c)

CFR Citation: 40 CFR 60.40

Legal Deadline:
NPRM, Judicial, July 1, 1997.
Final, Judicial, September 3, 1998, Deadlines may be revised.

Abstract: The current NSPS for electric utility and nonutility steam generating units were promulgated in 1979 and 1986, respectively. A major feature of the NSPS is NOx control through the use of low NOx burners or overfired air. Section 407 of the Clean Air Act requires the EPA to revise existing NSPS for NOx emissions from fossil-fuel fired steam generating units, including both electric utility and nonutility units. These revised standards are to reflect improvements in methods for the reduction of NOx emissions.

Timetable:

Action	Date	FR Cite
NPRM	07/09/97	62 FR 36948
Final Action	09/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: None

Sectors Affected: 491 Electric Services; 20 Food and Kindred Products

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3352.

Agency Contact: James A. Eddinger, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-5426
Fax: 919 541-5450

RIN: 2060–AE56

3572. AMENDMENT TO THE MVAC RULE TO INCLUDE ALL REFRIGERANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; Clean Air Act sec 609, title VI

CFR Citation: 42 CFR 82 subpart B

Legal Deadline:
Final, Statutory, November 15, 1994.

Abstract: This action would facilitate fulfillment of two statutory requirements; the extension of the no-venting prohibition to all refrigerants under section 608 and the section 609 requirement that the term refrigerant, after November 15, 1995, include substitute refrigerants. The action would extend the applicable current requirements of the motor vehicle air-conditioning rule to the substitute refrigerants. This would require recovery and recycling of these refrigerants, in addition to the class I and class II refrigerants already covered under the MVAC rule. It would also require approved recycling equipment and specific certifications of equipment and technicians. The MVAC refrigerant definition was expanded to cover all refrigerants, beginning November 15, 1995, according to sections 608 and 609 of the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	03/06/96	61 FR 9014
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 75 Automotive Repair, Services, and Parking

Analysis: Regulatory Flexibility Analysis

Additional Information: SAN No. 3555.

Agency Contact: Christine Dibble, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9147
Fax: 202 233-9577

RIN: 2060–AF35

3573. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE REGARDING A RECYCLING STANDARD UNDER SECTION 608

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; Clean Air Act sec 608

CFR Citation: 40 CFR 82F

Legal Deadline:
Other, Statutory, May 15, 1995, See Additional Information.

Abstract: The current rule sunsets the requirement that a reclamation standard be met, as of May 1, 1995. Several members of the regulated community have approached EPA requesting that the requirement not be sunsetted or that it be replaced with a somewhat less stringent standard. This amendment will incorporate a level of continued required reclamation and/or recycling standard that the majority of the affected industry agrees is beneficial in order to encourage compliance.

Timetable:

Action	Date	FR Cite
NPRM	02/29/96	61 FR 7858
Final	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3556.

Additional SANs 3895, 3896

The current rule sunsets the reclamation standard after May 15, 1995. Industry is requesting a change to that sunset, which would require a final rule by that 5/15/95 date.

Agency Contact: Michael Forlini, Environmental Protection Agency, Air

EPA—CAA

Final Rule Stage

and Radiation, 6205J, Washington, DC 20460
Phone: 202 233-9475
Fax: 202 233-9665

RIN: 2060–AF36

3574. TECHNICAL AMENDMENTS TO HAZARDOUS WASTE TSDF AND HAZ. WASTE GENERATORS: ORGANIC AIR EMISSION STNDS. FOR TANKS, SURFACE IMPOUNDMENTS AND CONTAINERS

Priority: Substantive, Nonsignificant

Legal Authority: Resource Conservation Recovery Act sec 3002; Resource Conservation Recovery Act sec 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Legal Deadline: None

Abstract: These standards were promulgated on December 6, 1994 and were effective on December 6, 1996. The final standards control organic air emissions from hazardous waste TSDF and generator sites. These emissions have been shown to contribute greatly to ground-level ozone formation and to cancer incidence among exposed populations.

Following promulgation, the EPA identified certain provisions for which the intended emission reductions can be achieved with less burdensome standards. The EPA has amended the final rule to include several revised provisions, including the following: certain fixed-roof tanks may be equipped with pressure relief devices that vent to the atmosphere; containers may be vented during loading and emptying operations; a facility may comply with the final rule using an implementation schedule in several different circumstances; and the frequency of monitoring for certain equipment shall be semi-annual rather than annual. A technical correction notice is planned that will clarify the intent and effect of a few amendment provisions which were not clear in the 11/25/96 amendment notice.

Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41870
Technical Amendments	02/09/96	61 FR 4903
Final Action	11/25/96	61 FR 59931
Technical Correction Notice	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3792.

Agency Contact: Michele Aston, Environmental Protection Agency, Air and Radiation, OAQPS (MD-13), Research Triangle Park, NC 27711
Phone: 919 541-2363

RIN: 2060–AG44

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Clean Air Act (CAA)

3575. NESHAP FOR MISCELLANEOUS CELLULOSE PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Bill Schrock
Phone: 919 541-5032
Fax: 919 541-3470

RIN: 2060–AH11

3576. NESHAP FOR MUNICIPAL SOLID WASTE LANDFILLS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Martha Smith
Phone: 919 541-2421

RIN: 2060–AH13

3577. TRANSPORTATION CONFORMITY RULE AMENDMENT: CLARIFICATION OF TRADING PROVISIONS

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

CFR Citation: 40 CFR 51; 40 CFR 93

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Laura Voss
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Fax: 313 668-4531
Email: voss.laura@epamail.epa.gov

RIN: 2060–AH31

3578. • NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR COKE OVENS: PUSHING, QUENCHING, AND BATTERY STACKS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline:
Final, Statutory, November 15, 2020.

Abstract: There are currently 27 active domestic coke plants, 22 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 polycylic 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. This NESHAP is scheduled for promulgation by November 15, 2000.

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Federal

Sectors Affected: 331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills

Additional Information: SAN No. 4022.

Agency Contact: Alfred (Al) Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
Phone: 919 541-5602
Fax: 919 541-5600

RIN: 2060–AH55

3579. METHOD 301: FIELD VALIDATION OF POLLUTION MEASUREMENT METHODS FOR VARIOUS MEDIA

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 60; 40 CFR 63

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Gary McAlister
Phone: 919 541-1062

RIN: 2060–AF00

3580. RADIATION WASTE MANAGEMENT REGULATIONS

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

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
Final Action	10/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Al Colli
Phone: 202 233-9445

RIN: 2060–AF41

3581. SERVICE INFORMATION AVAILABILITY

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 86

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David Dickinson
Phone: 202 233-9256
Fax: 202 233-9596
Email: dickinson.david@epa.gov.com

RIN: 2060–AG13

3582. RADIONUCLIDE DOSE METHODOLOGY UPDATE

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 141

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: John Karhnak
Phone: 202 233-9761
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Email: karhnak.jogn@epamail.epa.gov

RIN: 2060–AG49

3583. NSPS FOR SEWAGE SLUDGE INCINERATORS

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

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
ANPRM	01/14/97	61 FR 1868
NPRM	05/00/99	
Final	05/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Federal

Agency Contact: Eugene P. Crumpler
Phone: 919 541-0881
Fax: 919 541-5600

RIN: 2060–AG50

3584. NESHAP FOR PLYWOOD AND PARTICLE BOARD MANUFACTURING

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Penny E. Lassiter
Phone: 919 541-5396
Fax: 919 541-0246

RIN: 2060–AG52

3585. REVISED PERMIT REVISION PROCEDURES FOR THE FEDERAL OPERATING PERMITS PROGRAM

Priority: Other Significant

Unfunded Mandates: Undetermined

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

CFR Citation: 40 CFR 71.1

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Scott Voorhees
Phone: 919 541-5348
Fax: 919 541-5509

RIN: 2060–AG92

3586. STORAGE TANK RULE REVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 60 (Revision); 40 CFR 61 (Revision); 40 CFR 63 (Revision); 40 CFR 264 (Revision); 40 CFR 265 (Revision)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Mark Morris

Phone: 919 541-5416

RIN: 2060–AH15

3587. ADDITION OF OPACITY METHOD TO APPENDIX M OF 40 CFR PART 51 (METHOD 203)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 51

Timetable:

Action	Date	FR Cite
NPRM	10/07/92	57 FR 46114
Final	10/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Solomon O. Ricks
Phone: 919 541-5242
Fax: 919 541-1039

RIN: 2060–AH23

3588. NESHAP/NSPS: INTERNAL COMBUSTION ENGINE

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60; 40 CFR 63

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local, Tribal

Agency Contact: Amanda Agnew
Phone: 919 541-5268
Fax: 919 541-5450

RIN: 2060–AG63

3589. COMBUSTION TURBINE NESHAP/NSPS

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

Unfunded Mandates: Undetermined

CFR Citation: 44 CFR 60

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final Action	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sims Roy
Phone: 919 541-5263
Fax: 919-541-5450

RIN: 2060–AG67

3590. NESHAP: OIL AND NATURAL GAS PRODUCTION

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Martha Smith
Phone: 919 541-2421

RIN: 2060–AE34

3591. NESHAP—IRON FOUNDRIES AND STEEL FOUNDRIES

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

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: James H. Maysilles
Phone: 919 541-3265

RIN: 2060–AE43

3592. NESHAP—CYANIDE CHEMICAL MANUFACTURING

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Philip B. Mulrine
Phone: 919 541-5289

RIN: 2060–AE45

3593. NESHAP: INTEGRATED IRON AND STEEL

Priority: Economically Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Phil Mulrine
Phone: 919 541-5289

RIN: 2060–AE48

3594. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Madeleine Strum
Phone: 919 541-2383
Fax: 919 541-5689
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strum.madeleine@epamail.epa.gov

RIN: 2060–AE79

3595. NESHAP: MISCELLANEOUS ORGANIC CHEMICAL PRODUCTION AND PROCESSES

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Randy McDonald
Phone: 919 541-5402

RIN: 2060–AE82

3596. NESHAP: CHLORINE PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Iliam D. Rosario
Phone: 919 541-5308

RIN: 2060–AE85

3597. NATIONAL EMISSION STANDARD FOR HAZARDOUS AIR POLLUTANTS FOR PAINT STRIPPER USERS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steve Fruh
Phone: 919 541-2837
Fax: 919 541-0942

RIN: 2060–AG26

3598. NESHAP FOR BOAT MANUFACTURING

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Madeleine Strum
Phone: 919 541-2383
Fax: 919 541-5689
Email: strum.madeleine@epamail.epa.gov

RIN: 2060–AG27

3599. NESHAP FOR TIRE MANUFACTURING

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
Phone: 919 541-5439
Fax: 919 541-0942

RIN: 2060–AG29

3600. NESHAP FOR AEROSOL CAN FILLING FACILITIES

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Conran Chin
Phone: 919 541-1512
Fax: 919 541-5600

RIN: 2060–AG32

3601. PETROLEUM SOLVENT DRY CLEANERS MACT STANDARD

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Jim Szykman
Phone: 919 541-2452
Fax: 919 541-0942

RIN: 2060–AG34

3602. NESHAP FOR ETHYLENE PROCESSES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
Final Action	11/00/99	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Warren R. Johnson, Jr.
Phone: 919 541-5124
Fax: 919 541-0072
Email: johnson.warren@epamail.epa.gov

RIN: 2060–AG53

3603. LARGE APPLIANCE COATINGS INTEGRATED REGULATION

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Mohamed Serageldin
Phone: 919 541-2379
Fax: 919 541-5689
Email: serageldin.mohamed@epamail.epa.gov

RIN: 2060–AG54

3604. ASPHALT ROOFING AND PROCESSING NESHAP

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Juan E. Santiago
Phone: 919 541-1084

RIN: 2060–AG66

3605. NESHAP REFRACTORIES MANUFACTURING

Priority: Other Significant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final	11/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Susan Zapata
Phone: 919 541-5167

RIN: 2060–AG68

3606. NESHAP FOR INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS AND PROCESS HEATERS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Eddinger
Phone: 919 541-5426
Fax: 919 541-5450

RIN: 2060–AG69

3607. NESHAP: LIME MANUFACTURING

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Joseph Wood
Phone: 919 541-5446

RIN: 2060–AG72

3608. INDUSTRIAL COMBUSTION COORDINATED RULEMAKING—ICCR PROJECT

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: Not yet determined

Timetable:

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

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Agency Contact: Fred Porter
Phone: 919 541-5251
Fax: 919 541-5450
Email: porter.fred@epamail.epa.gov

RIN: 2060–AG84

3609. NESHAP: FRICTION PRODUCTS MANUFACTURING

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

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
Final	11/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Susan Zapata
Phone: 919 541-5167
Fax: 919 541-5600
Email: zapata.susan@epamail.epa.gov

RIN: 2060–AG87

3610. NESHAP: SEMICONDUCTOR PRODUCTION

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
Final Action	12/00/99	

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Tony Wayne
Phone: 919 541-5439
Fax: 919 541-0942

RIN: 2060–AG93

3611. NESHAP: METAL CAN (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Gail Lacy
Phone: 919 541-5261
Fax: 919 541-5689
Email: lacy.gail@epamail.epa.gov

RIN: 2060–AG96

3612. NESHAP: METAL COIL (SURFACE COATING) INDUSTRY

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Agency Contact: Gail Lacy
Phone: 919 541-5261
Fax: 919 541-5689
Email: lacy.gail@epamail.epa.gov

RIN: 2060–AG97

3613. NESHAP: FABRIC PRINTING, COATING AND DYEING

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: Paul Almodovar
Phone: 919 541-0283
Fax: 919 541-5689
Email:
almodovar.paul@epamail.epa.gov

RIN: 2060–AG98

3614. AUTOMOBILE AND LIGHT-DUTY TRUCK MANUFACTURING INTEGRATED RULE DEVELOPMENT

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Dave Salman
Phone: 919 541-0859
Fax: 919 541-5689
Email: salman.dave@epamail.epa.gov

RIN: 2060–AG99

3615. NESHAP: PRIMARY MAGNESIUM REFINING

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Iliam D. Rosario
Phone: 919 541-5308
Fax: 919 541-5600
Email: rosario.iliam@epamail.epa.gov

RIN: 2060–AH03

3616. NESHAP FOR SITE REMEDIATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bob Lucas
Phone: 919 541-0884
Fax: 919 541-0246

RIN: 2060–AH12

3617. NESHAP: SPANDEX PRODUCTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Mary Tom Kissell
Phone: 919 541-4516
Fax: 919 541-0246

RIN: 2060–AH14

3618. NESHAP FOR LEATHER TANNING AND FINISHING OPERATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William Schrock
Phone: 919 541-5032
Fax: 919 541-3076

RIN: 2060–AH17

3619. NESHAP FOR CELLULOSE PRODUCTION CATEGORIES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: William Schrock
Phone: 919 541-5032
Fax: 919 541-3076

RIN: 2060–AH18

3620. NESHAP FOR THE MANUFACTURE OF CARBON BLACK

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: John Schaefer
Phone: 919 541-0296
Fax: 919 541-3470

RIN: 2060–AH19

3621. NESHAP: VEGETABLE OIL PRODUCTION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Federal

Agency Contact: James F. Durham
Phone: 919 541-5672
Fax: 919 541-0246

RIN: 2060–AH22

3622. ROCKET ENGINE TEST FIRING/ENGINE TEST FACILITIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: George F. Smith

Phone: 919 541-1549
Fax: 919 541-5450

RIN: 2060–AH35

3623. NESHAP FOR ORGANIC LIQUID DISTRIBUTION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Stephen A. Shedd
Phone: 919 541-5397
Fax: 919 541-0246

RIN: 2060–AH41

3624. NEW SOURCE PERFORMANCE STANDARDS (NSPS) AND EMISSION GUIDELINES FOR INDUSTRIAL AND COMMERCIAL WASTE INCINERATORS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Richard Crume
Phone: 919 541-5294
Fax: 919 541-5450

RIN: 2060–AF91

3625. NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR OTHER SOLID WASTE INCINERATORS

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 60

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Richard Crume
Phone: 919 541-5294
Fax: 919 541-5450

RIN: 2060–AG31

3626. METAL FURNITURE COATINGS INTEGRATED REGULATION

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Agency Contact: Dr. Mohamed Serageldin
Phone: 919 541-2379
Fax: 919 541-5689
Email: serageldin.mohamed@epamail.epa.gov

RIN: 2060–AG55

3627. FLATWOOD PANELING (SURFACE COATING) INTEGRATED RULE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Paul Almodovar
Phone: 919 541-0283
Fax: 919 541-5689

RIN: 2060–AH02

3628. SURFACE COATING OF MISCELLANEOUS METAL PARTS AND PRODUCTS—INTEGRATED

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Bruce Moore
Phone: 919 541-5460
Fax: 919 541-5689
Email: moore.bruce@epamail.epa.gov

RIN: 2060–AG56

3629. PLASTIC PARTS COATING INTEGRATED RULE FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND HAZARDOUS AIR POLLUTANTS (HAPS)

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 59; 40 CFR 63

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Ellen Ducey
Phone: 919 541-5408
Fax: 919 541-5689
Email: ducey.ellen@epamail.epa.gov

RIN: 2060–AG57

3630. INTEGRATED RULE FOR PAPER, AND OTHER WEB COATING AND COATINGS: MACT FOR NESHAP; AND BAC FOR NATIONAL VOC RULE

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

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 63; 40 CFR 59

EPA—CAA

Long-Term Actions

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Daniel Brown
Phone: 919 541-5303
Fax: 919 541-5689
Email: brown.dan@epamail.epa.gov

RIN: 2060–AG58

3631. NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS (25 HORSEPOWER) (PHASE 2)

Priority: Other Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 90

Timetable:

Action	Date	FR Cite
ANPRM	03/27/97	62 FR 14740
NPRM Hand-held engines	12/00/98	
NPRM Non-hand-held engines	12/00/98	
Final Hand-held engines	12/00/99	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Betsy McCabe
Phone: 313 668-4344

RIN: 2060–AE29

3632. UPDATE OF THE ACCEPTABILITY LIST UNDER THE SIGNIFICANT NEW ALTERNATIVES POLICY (SNAP) PROGRAM

Priority: Other Significant

CFR Citation: 40 CFR 9; 40 CFR 82

Timetable:

Action	Date	FR Cite
ANPRM	01/16/92	57 FR 1984
NPRM	05/12/93	58 FR 28094
Final Rule	03/18/94	59 FR 13044
Notice-1	08/26/94	59 FR 44240
NPRM - 1	09/26/94	59 FR 49108
Notice - 2	01/13/95	60 FR 3318
Final Rule	06/13/95	60 FR 31092
Notice - 3	07/28/95	60 FR 38729
NPRM - 2	10/02/95	60 FR 51383
Notice - 4	02/08/96	61 FR 4736
NPRM - 3	05/22/96	61 FR 25604
Final Rule	05/22/96	61 FR 25585
Notice - 5	09/05/96	61 FR 47012
Final 3	10/16/96	61 FR 54030
Notice - 6	03/10/97	62 FR 10700
NPRM - 4	05/21/97	62 FR 27874
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Carol Weisner
Phone: 202 233-9193
Fax: 202 233-9665

RIN: 2060–AG12

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Completed Actions

Clean Air Act (CAA)

3633. REQUIREMENTS FOR DESIGNATION OF REFERENCE AND EQUIVALENT METHODS FOR PM 2.5 AND AMBIENT AIR QUALITY SURVEILLANCE PARTICULATE MATTER

Priority: Other Significant

Unfunded Mandates: Undetermined

Completed:

Reason	Date	FR Cite
NPRM	12/13/96	61 FR 65780
Incorporated Into RIN 2060-AE66	03/26/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Haines
Phone: 919 541-5533

RIN: 2060–AH09

3634. • INDIVIDUAL FOREIGN REFINERY BASELINE REQUIREMENTS FOR REFORMULATED GAS

Priority: Other Significant

Legal Authority: Clean Air Act sec 211

CFR Citation: 40 CFR 80

Legal Deadline: None

Abstract: This rule revises the requirements for imported conventional gasoline. The Agency has revised the rules for conventional gasoline (59 FR 7716, February 16, 1994) to allow a foreign refiner to choose to petition EPA to establish an individual baseline reflecting the quality and quantity of gasoline produced at a foreign refinery in 1990 that was shipped to the United States. The foreign refiner is required to meet the same requirements relating to the establishement and use of individual refinery baslines as are met by domestic refiners. This final action also includes additional requirements that address issues that are unique to refiners.

Timetable:

Action	Date	FR Cite
NPRM	05/06/97	62 FR 24776
Final Action	08/28/97	62 FR 45533

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3524.

Agency Contact: Karen Smith, Environmental Protection Agency, Air and Radiation, 5404D
Phone: 202 233-9674

RIN: 2060–AH48

3635. NAAQS: PARTICULATE MATTER (REVIEW)

Priority: Economically Significant

CFR Citation: 40 CFR 50.6

Completed:

Reason	Date	FR Cite
Final Action	07/18/97	62 FR 38652

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Haines
Phone: 919 541-5533

RIN: 2060–AE66

3636. ADDITION OF METHODS 204, 204A - 204F FOR MEASUREMENT OF VOC EMISSIONS FROM STATIONARY SOURCES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 51

Completed:

Reason	Date	FR Cite
Final Action	06/16/97	62 FR 32500

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Candace Sorrell
Phone: 919 541-1064

RIN: 2060–AF02

3637. FOURIER TRANSFORM INFRARED SPECTROSCOPY (FTIR) EXTRACTIVE TEST METHOD—SELF-VALIDATING PROCEDURE AND CEM PERFORMANCE SPECIFICATION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63 app A; 40 CFR 60 app F

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action	08/26/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Rima Dishakjian
Phone: 919 541-0443

RIN: 2060–AG08

3638. TRANSPORTATION CONFORMITY RULE AMENDMENTS: FLEXIBILITY AND STREAMLINING

Priority: Economically Significant

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

CFR Citation: 40 CFR 51; 40 CFR 93

Completed:

Reason	Date	FR Cite
Final Action	08/15/97	62 FR 43780

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Kathryn Sargeant
Phone: 313 668-4441

RIN: 2060–AG16

3639. ACID RAIN PROGRAM: ELIMINATION OF DIRECT SALE PROGRAM AND IPP WRITTEN GUARANTEE; AND ANPRM TO MODIFY ALLOWANCE AUCTION

Priority: Other Significant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 73

Completed:

Reason	Date	FR Cite
Withdrawn - The Agency plans no further action on this rule	08/26/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Eugene Casey
Phone: 202 233-9194

RIN: 2060–AG41

3640. GUIDANCE FOR THE IMPLEMENTATION OF EPA'S RADIATION PROTECTION STANDARDS FOR THE MANAGEMENT AND STORAGE OF TRANSURANIC RADIOACTIVE WASTE AT THE WASTE ISOLATION PILOT PLANT (WIPP)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 191

Completed:

Reason	Date	FR Cite
Publication of Guidance	02/28/97	62 FR 09188

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Betsy Forinash
Phone: 202 233-9233
Fax: 202 233-9626
Email: forinash.betsy@epamail.epa.gov

RIN: 2060–AG74

3641. STATE IMPLEMENTATION PLANS; MILESTONE COMPLIANCE DEMONSTRATION

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 51

Completed:

Reason	Date	FR Cite
Withdrawn- No further action will be taken on this regulation.	08/25/97	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Ted Creekmore
Phone: 919 541-5699
Fax: 919 541-0824

RIN: 2060–AG89

3642. ADDITION OF METHOD 14A TO 40 CFR PART 60, APPENDIX A

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 120.2(d)(4); 40 CFR 63

Completed:

Reason	Date	FR Cite
Withdrawn- The Agency plans no further action. Combined into 2060-AE76.	08/26/97	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Terry Harrison
Phone: 919 541-5233
Fax: 919 541-1039
Email: harrison.terry@epamail.epa.gov

RIN: 2060–AH24

3643. NAAQS: OZONE (REVIEW)

Priority: Economically Significant

CFR Citation: 40 CFR 50.9

Completed:

Reason	Date	FR Cite
Final Action	07/18/97	62 FR 38856

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: John Haines
Phone: 919 541-5533

RIN: 2060–AE57

3644. HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

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

Completed:

Reason	Date	FR Cite
Final Action	09/15/97	62 FR 48348

EPA—CAA

Completed Actions

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Rick Copland
Phone: 919 541-5265
Fax: 919 541-5450

RIN: 2060–AC62

3645. REVISION TO NSPS: NONMETALLIC MINERALS PROCESSING

Priority: Routine and Frequent

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

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	06/09/97	62 FR 31351

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Agency Contact: Bill Neuffer
Phone: 919 541-5435
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RIN: 2060–AG33

3646. NSPS REVISIONS FOR PHOSPHATE FERTILIZER INDUSTRY: GRANULAR TRIPLE SUPERPHOSPHATE STORAGE FACILITIES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 60 subpart X

Completed:

Reason	Date	FR Cite
Direct Final	04/15/97	61 FR 18277

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: David Painter
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RIN: 2060–AH16

3647. AMENDMENTS TO PARTS 51, 52, 63, 70 AND 71 REGARDING THE PROVISIONS FOR DETERMINING POTENTIAL TO EMIT

Priority: Other Significant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Withdrawn. EPA is withdrawing this rule and will instead issue guidance.	08/25/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tim Smith
Phone: 919 541-4718

RIN: 2060–AE63

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Superfund (CERCLA)

Proposed Rule Stage

3648. STREAMLINING THE PREAUTHORIZATION MIXED FUNDING FOR APPLICATION AND IMPLEMENTATION OF CLAIMS AGAINST SUPERFUND

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9601

CFR Citation: 40 CFR 307

Legal Deadline: None

Abstract: Current regulations at 40 CFR part 307 provide for the preauthorization of claims against the Superfund in instances where the Agency makes a determination that mixed funding is appropriate. This process has been labeled by many stakeholders as overly burdensome. The Agency has reviewed the current process in order to identify areas in which burdens may be lessened and requirements may be streamlined. As a result, the Agency proposes to amend the current regulation to: streamline the application process by eliminating duplicative information requirements; minimize the requirements related to management, oversight, and reporting of the cleanup, by removing the requirement to be guided by the Federal Acquisition Requirements, and replacing the requirement of maximum free and open competition with a bright-line standard; allow claimants to provide independent certification of claims and supporting documentation; streamline the actual payment process by taking advantage of the electronic funds transfer process; ensure that cost recovery concerns are addressed by requiring claimants, within a settlement document, to reimburse the Fund for costs not recovered (only in the event cost recovery is initiated), due to claimants' failure to provide adequate documentary support or upon a determination that response costs expended (and claimed) were not reasonable or not incurred consistent with the NCP; and ensure proper accounting by requiring offsets for funds owed to the Agency by claimants.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3885.

Agency Contact: Seth Bruckner, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
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Email: bruckner.seth@epamail.epa.gov

RIN: 2050–AE38

3649. MODIFICATION OF THE EXTREMELY HAZARDOUS SUBSTANCE (EHS) LIST

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 11002; 42 USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355 app A; 40 CFR 355 app B

Legal Deadline: None

Abstract: EPA has received a petition to remove Phosmet from the extremely hazardous substance (EHS) list under the Emergency Planning and Community Right-to-Know Act (EPCRA). This rulemaking will address the petitioner's claims.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 3994.

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, 5104, Washington, DC 20460
Phone: 202 260-4043
Fax: 202 260-0927

RIN: 2050–AE42

3650. 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 contain three main components that will simplify the application and administrative processes. The first component to the TAG Rule would eliminate the requirement that budget periods may not exceed 3 years. Budget periods would be negotiated with TAG applicants so that they have flexibility to synchronize the period of time during which the recipient anticipates having a technical advisor involved with the schedule of work at a site. A second component would eliminate the 20 percent ceiling for administrative costs of a grant so that recipients do not need to differentiate between programmatic and administrative cost. This will reduce information collection burden. A third component to the TAG Rule is the elimination of the distinction between sole and multiple applicants, since both must meet identical criteria. The requirement that the applicant demonstrate that there is an actual or potential health threat posed to group members by the site would also be deleted since EPA believes that there is a potential health threat at all Superfund sites. EPA also believes that all Superfund sites pose potential economic and recreational threats to adjacent communities, and that there is no need for the applicant to provide evidence of those threats. Furthermore, EPA may already have sufficient information from various sources concerning the potential health, economic, and recreational threats posed by Superfund sites. This proposed rule also includes two new provisions that allow for communities to receive cash advances of up to $5,000 and that permit communities to use up to $1,000 for site-related training.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3806.

Agency Contact: Lois Gartner, Environmental Protection Agency, Solid Waste and Emergency Response, 5204G, Washington, DC 20460
Phone: 703 603-8889

RIN: 2050–AE33

3651. 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	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3423.

Agency Contact: Frank Avvisato, Environmental Protection Agency, Solid Waste and Emergency Response, (5202G), Washington, DC 20460
Phone: 703 603-8949

RIN: 2050–AE12

3652. 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 proposes to revise the sites included on the National Priorities List (NPL) of uncontrolled waste sites in the National Contingency Plan (NCP). CERCLA requires that the Agency revise the NPL at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substance releases and to delete sites that have been cleaned up.

EPA—CERCLA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM Proposal 17	08/23/94	59 FR 43314
Final 13	12/16/94	59 FR 65206
NPRM Proposal 18	02/13/95	60 FR 8212
Final 14	04/25/95	60 FR 20330
Final (Southern Shipbuilding)	05/26/95	60 FR 27896
Final 15	09/29/95	60 FR 50435
NPRM Proposal 19	10/02/95	60 FR 51390
NPRM Proposal 20	06/17/96	61 FR 30575
Final 16	06/17/96	61 FR 30510
NPRM Proposal 21	12/23/96	61 FR 67678
Final 17	12/23/96	61 FR 67656
NPRM Proposal 22	04/01/97	62 FR 15594
Final 18	04/01/97	62 FR 15572
NPRM Proposal 23	09/25/97	62 FR 50450
Final 19	09/25/97	62 FR 50442
NPRM 24	01/00/98	
Final 20	01/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Federal

Additional Information: SAN No. 3439.

Agency Contact: Terry Keidan, Environmental Protection Agency, Solid Waste and Emergency Response, 5204G, Washington, DC 20460
Phone: 703 603-8852

RIN: 2050–AD75

3653. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS: RISK MANAGEMENT PROGRAMS UNDER THE CLEAN AIR ACT, SECTION 112(R)(7): AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412(r); 42 USC 7601(a)(1); 42 USC 7661 to 7661f

CFR Citation: 40 CFR 68

Legal Deadline: None

Abstract: The Clean Air Act section 112(r) required EPA to publish regulations focusing on the prevention of chemical accidents, building on the chemical safety work begun under the Emergency Planning and Community Right-to-Know Act (EPCRA). On June 20, 1996, EPA published the final rule for Risk Management Programs. An estimated 66,000 facilities are subject to this regulation based on the quantity of regulated substances they have on-site. These facilities will be required to implement a Risk Management facilities will be required to implement a Risk Management Program and submit a summary of the program (the risk management plan, or RMP) to a central location specified by EPA. The RMP data will assist State and local government entities responsible for chemical emergency preparedness and prevention. It will also be useful to environmental and community organizations and the public in understanding the chemical risks in their communities. EPA will use the RMP data to set priorities, target resources, and measure the success of the Risk Management Program in accordance with the Government Performance and Results Act (GPRA). In addition, EPA hopes the availability of this information will stimulate a dialogue between industry and the practices at the local level.

We expect to propose the following modifications to the RMP final rule: (1) Clarify how Confidential Business Information (CBI) should be submitted to EPA; (2) Add 2 required and 4 voluntary data elements to the previous requirements; and (3) Replace Standard Industrial Classification (SIC) codes with the North American Industry Classification System (NAICS).

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Sectors Affected: 261 Pulp Mills; 281 Industrial Inorganic Chemicals; 282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers, Except Glass

Additional Information: SAN No. 4029.

Agency Contact: Sicy Jacob, Environmental Protection Agency, Solid Waste and Emergency Response, 5104, Washington, DC 20460
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RIN: 2050–AE46

3654. AMENDMENTS TO THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT, SECTIONS 302 THROUGH 312

Priority: Other Significant

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

Legal Authority: PL 99-499

CFR Citation: 40 CFR 355; 40 CFR 370

Legal Deadline: None

Abstract: This proposal is intended to modify the regulations addressing the chemical inventory reporting forms under section 312 of the Emergency Planning and Community Right-to-Know Act, as well as other regulatory modifications under the law.

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3215.

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, (5104), Washington, DC 20460
Phone: 202 260-4043

RIN: 2050–AE17

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

Superfund (CERCLA)

3655. MODIFICATION OF THRESHOLD PLANNING QUANTITY FOR ISOPHORONE DIISOCYANATE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11002; 42 USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355 app A and B

Legal Deadline: None

Abstract: On October 12, 1994 (59 FR 51816), EPA proposed to modify the listing of several chemicals on the extremely hazardous substances (EHS) list under the Emergency Planning and Community Right-to-Know Act. One petitioner requested the removal of isophorone diisocyanate (IPDI). EPA rejected the petitioner's request. However, in the review of the petition, EPA noticed that there was an error in the setting of the threshold planning quantity (TPQ) for IPDI, and proposed to correct the error in the October 12, 1994 notice of proposed rulemaking. The other modifications to the EHS list were made final on May 7, 1996; however, the TPQ for IPDI was not included in that final rule. This rule will finalize the TPQ for IPDI.

Timetable:

Action	Date	FR Cite
Final	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3993.

Agency Contact: John Ferris, Environmental Protection Agency, Solid Waste and Emergency Response, SE., Washington, DC 20460
Phone: 202 260-4043
Fax: 202 260-0927

RIN: 2050–AE43

3656. AMENDMENTS TO THE LIST OF REGULATED SUBSTANCES AND THRESHOLDS FOR ACCIDENTAL RELEASE PREVENTION—MODIFICATIONS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 7412(r); 42 USC 7601

CFR Citation: 40 CFR 68

Legal Deadline: None

Abstract: On April 15, 1996 (61 FR 16598), the Environmental Protection Agency (EPA) proposed several modifications to provisions of the rule listing regulated substances and threshold quantities under section 112(r) of the Clean Air act as Amended. EPA proposed to delete the category of explosives listed by DOT as Division 1.1 from the list of regulated substances. Flammable substances in gasoline used as fuel and in naturally occurring hydrocarbon mixtures prior to initial processing were proposed for exemption under the threshold quantity determinations. Modifications to the definition of stationary source were proposed to clarify the exemption of transportation and storage incident to transportation and to clarify that naturally occurring hydrocarbon reservoirs are not stationary sources or parts of stationary sources. EPA proposed to clarify that 40 CFR part 68 does not apply to facilities located on the Outer Continental Shelf. This rule will finalize the proposed changes. EPA believes these changes will better focus on the high hazard/high risk substances and operations covered under the Risk Management Program rule for accidental release prevention. In addition, in August 1997, EPA took final action in vacating the listing and related thresholds for hydrochloric acid solutions with less than 37% concentrations of hydrogen chloride. Together, these changes will reduce the number of stationary sources subject to the requirements of the risk management program rule and decrease the burden on the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	04/15/96	61 FR 16598
Final HCl solutions	08/25/97	62 FR 45130
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3787.

Agency Contact: Vanessa Rodriguez, Environmental Protection Agency, Solid Waste and Emergency Response, (5104), Washington, DC 20460
Phone: 202 260-7913
Fax: 202 260-0927

RIN: 2050–AE35

3657. REVISION OF THE LOCAL GOVERNMENT REIMBURSEMENT REGULATION

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9600

CFR Citation: 40 CFR 310

Legal Deadline: None

Abstract: Local governments play an important role in protecting human health and the environment. Local governments are usually the first government representatives on the scene of an environmental emergency response action. They play a critical role in carrying out temporary emergency measures to prevent or mitigate releases or threatened releases of hazardous substances. Conducting such measures has placed a significant financial burden on local governments. EPA is charged with alleviating that burden by reimbursing governments for certain emergency response activities. The rules for reimbursement were originally set forth by the Agency in January of 1993. This rulemaking will revise those rules by: 1) eliminating several requirements that may broaden the number of eligible local governments and Indian Tribes; 2) streamlining the application process; and 3) reducing the burden on eligible local governments and Indian Tribes. There are a number of requirements that may change with this rulemaking; for example, EPA intends to eliminate the requirement that the local government contact the Agency within 24 hours. EPA will reduce the reporting burden on applicants by requesting that they certify in many cases rather than provide detailed documentation of compliance with the program requirements. The anticipated impact of this action is to provide a greater number of local governments and Indian Tribes with easier access to Federal funding, thereby improving their ability to protect human health and the environment.

Timetable:

Action	Date	FR Cite
Interim Final	10/00/97	

Small Entities Affected: Governmental Jurisdictions

EPA—CERCLA

Final Rule Stage

Government Levels Affected: Local, Tribal, Federal

Additional Information: SAN No. 3884.

Agency Contact: Lisa Boynton, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703 603-9052
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RIN: 2050–AE36

3658. ADMINISTRATIVE REPORTING EXEMPTIONS FOR CERTAIN RADIONUCLIDE RELEASES

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 9602 to 9604; 42 USC 9615; 33 USC 1321; 33 USC 1361

CFR Citation: 40 CFR 302.6(c); 40 CFR 355.40(a)(2)(vi)

Legal Deadline: None

Abstract: This rule affects the requirement in Superfund and the Emergency Planning and Community Right-to-Know Act that facilities immediately report to State, local and federal authorities the release of a hazardous substances in an amount that equals or exceeds a reportable quantity. In 1989, the Environmental Protection Agency (EPA) set reportable quantities for radionuclides (a category of hazardous substances) by regulation. In that same rule, EPA also established four exemptions to the general reporting requirement, to exclude from it certain releases of naturally occurring radionuclides for which the government does not need reports. These exemptions are for releases from: (1) large land holdings; (2) disturbances of land for purposes other than mining; (3) the dumping of coal and coal ash at utility and industrial facilities with coal-fired boilers; and (4) coal and ash piles at those facilities.

Later, a court ruled that the Agency had promulgated the four exemptions without giving the public adequate notice and opportunity to comment. The Agency subsequently provided the opportunity for public notice and comment on these exemptions. Based on those comments, the Agency sought further comments on the possibility of broadening the exemptions. Depending upon the Agency's analysis of comments received, it could in a final rule reaffirm and/or modify the exemptions. Modification of the exemptions would further reduce the burden on facilities which must report, and on the State and local authorities which must receive and evaluate reports to determine whether reported releases pose a threat to human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	11/30/92	57 FR 56726
Supplemental Notice	08/04/95	60 FR 40042
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Sectors Affected: 49 Electric, Gas, and Sanitary Services; 16 Heavy Construction Other Than Building Construction-Contractors; 01 Agricultural Production-Crops; 10 Metal Mining

Additional Information: SAN No. 3054.

Agency Contact: Lynn Beasley, Environmental Protection Agency, Solid Waste and Emergency Response, (5204G), Washington, DC 20460
Phone: 703 603-9086

RIN: 2050–AD46

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Long-Term Actions

Superfund (CERCLA)

3659. REPORTING EXEMPTIONS FOR FEDERALLY PERMITTED RELEASES OF HAZARDOUS SUBSTANCES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 355

Timetable:

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27268
Supplemental Notice	07/11/89	54 FR 29306
Final	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
Phone: 703 603-9086

RIN: 2050–AB82

3660. DELETION OF SACCHARIN FROM THE LIST OF HAZARDOUS WASTES UNDER RCRA AND THE LIST OF HAZARDOUS SUBSTANCES UNDER CERCLA

Priority: Substantive, Nonsignificant

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

CFR Citation: 40 CFR 261.33(f); 40 CFR 261; 40 CFR 302.4

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Wanda L. Levine
Phone: 703 308-0458

RIN: 2050–AD45

3661. REPORTABLE QUANTITY ADJUSTMENT FOR RADON-222

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 302

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Beasley
Phone: 703 603-9086

RIN: 2050–AE20

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Proposed Rule Stage

General

3662. • NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATIONAL PROGRAMS RECEIVING FEDERAL ASSISTANCE

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 7 subpart F

Legal Deadline: None

Abstract: The President Plans to invigorate enforcement of title IX of the Education Amendments to the 1972 Civil Rights Act in federally assisted educational programs, and to issue an Executive Order that will expand prohibition of discrimination on the basis of sex, race, color, and national origin in federally conducted education programs. This is part of a common rule being developed by the Department of Justice.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4021.

Agency Contact: Rosezella Canty-Letsome, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 1205, Washington DC 20460
Phone: 202 260-4567

RIN: 2020–AA36

3663. IMPLEMENTATION OF CHANGES TO 40 CFR PART 32 AS A RESULT OF THE FEDERAL ACQUISITION STREAMLINING ACT (FASA)

Priority: Info./Admin./Other

Legal Authority: EO 12549; EO 12689 and FASA

CFR Citation: 40 CFR 32

Legal Deadline: None

Abstract: Periodically OMB amends the Government-wide Common Rule for suspension and debarment of contractors and assistance participants who threaten the integrity of Federal programs because of criminal misconduct or poor performance. All agencies must issue changes to their individual codified versions to conform to the Common Rule. Recently, the Interagency Suspension and Debarment Coordinating Committee prepared recommendations for comprehensive changes to the Common Rule to conform to changes made in the Federal Acquisition Regulation (FAR) as a result of the Federal Acquisition Streamlining Act (FASA). In addition, several other proposals to improve or change the rule were recommended by various agencies. In December, 1996, OMB declined to implement the changes at this time due to differences with some agencies about some changes unrelated to those occasioned by FASA.

Among other things, FASA replaced the small purchase threshold ($25,000) with the simplified acquisition amount ($100,000). That change unintentionally exposed certain EPA programs to participation by contractors who may have been debarred for serious misconduct already. OMB has agreed to permit agencies to amend the coverage section of their individual agency rules to reduce or eliminate exposure to suspended or debarred persons.

EPA intends to issue a notice of proposed rulemaking to amend 40 CFR 32.110 to reduce EPA exposure to such consequences.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

Additional Information: SAN No. 3817.

Agency Contact: Robert F. Meunier, Environmental Protection Agency, Administration and Resource Management, (3901F), Washington, DC 20460
Phone: 202 260-8030
Fax: 202 260-9575

RIN: 2030–AA48

3664. INCORPORATION OF CLASS DEVIATION INTO EPAAR

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1506; 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

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

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3580.

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 564-4368
Fax: 202 260-1203

RIN: 2030–AA37

3665. 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	04/00/98	
Final Action	08/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3629.

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 564-4368
Fax: 202 260-1203

RIN: 2030–AA40

3666. 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	10/00/97	
Final Action	02/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3876.

Agency Contact: Frances Smith, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 260 564-4368
Fax: 202 260-1203

RIN: 2030–AA50

3667. REVISION OF EPA ACQUISITION REGULATIONS FOR QUALITY SYSTEMS FOR ENVIRONMENTAL PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1546.2

Legal Deadline: None

Abstract: EPA is updating the quality assurance requirements in its Acquisition Regulation (EPAAR). The Agency relies on environmental measurement data in many of its activities, including regulatory development, the application of regulations (e.g., permitting, enforcement actions), and research programs. The Agency must be ensured that the data are of appropriate type and quality to support the proposed use (that data meet the needs for rule-making, enforcement action, etc.) The extramural community has been using the existing EPAAR QA requirements since 1984 and recognizes the need to update these requirements to reflect the current understanding of quality systems.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	03/00/98	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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

Additional Information: SAN No. 3874.

Agency Contact: Linda Avellar, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 564-4356
Fax: 202 260-1203

RIN: 2030–AA51

3668. AGENCY IMPLEMENTATION OF FEDERAL ACQUISITION STREAMLINING ACT (FASA) CHANGES TO TRUTH IN NEGOTIATIONS ACT (TINA)

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 390; EPA Acquisition Regulation sec 205

CFR Citation: 48 CFR 1523

Legal Deadline: None

Abstract: The Federal Acquisition Streamlining Act (FASA), P.L. 103-355, changed the nature of contract pricing information that contractors must submit in their proposals. Specifically, the term cost or pricing information is being introduced and differentiated from the current requirements for cost or pricing data. This action will amend EPA's acquisition rules and provide guidance for contractors.

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

Additional Information: SAN No. 3816.

Agency Contact: Larry Wyborski, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 564-4369
Fax: 202 260-1203

RIN: 2030–AA47

3669. VALUE ENGINEERING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); EPA Acquisition Regulation sec 205(c), 63 Stat.390 as amended

CFR Citation: 48 CFR 1548; 48 CFR 1552

Legal Deadline:
NPRM, Statutory, February 10, 1997.
Final, Statutory, March 10, 1997.

Abstract: This rulemaking will add coverage in the EPA Acquisition Regulation on policy for using value engineering technique in Agency contracts, as required by the Federal Acquisition Streamlining Act.

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: None

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

Additional Information: SAN No. 3854.

Agency Contact: Paul Schaffer, Environmental Protection Agency,

Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 564-4366
Fax: 202 260-1203

RIN: 2030–AA49

3670. AMENDMENTS TO PART 22 CONSOLIDATED PROCEDURAL RULES

Priority: Info./Admin./Other

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

Legal Authority: 7 USC 136l; 15 USC 2615(a); 15 USC 2647; 33 USC 1319(g); 33 USC 1415(a); 33 USC 1418; 42 USC 6912; 42 USC 7413(d)(1); 42 USC 7601; 42 USC 7607(a); 42 USC 9609; 42 USC 11045; 42 USC 300g-3(b)

CFR Citation: 40 CFR 22

Legal Deadline: None

Abstract: The Agency is proposing amendments to the Consolidated Rules of Practice under 40 CFR part 22 which are the procedural rules used in administrative hearings and practice. These amendments will include technical corrections as well as substantive amendments. The proposed substantive amendments pertain to the handling and use of Confidential Business Information, burdens of proof, motion practice, cross appeals, and more.

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: SAN No. 2662.

Agency Contact: Scott Garrison, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2201A), Washington, DC 20460
Phone: 202 564-4047

RIN: 2020–AA13

3671. 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 without duplicating the entire GLP standard in two places.

This action is intended to consolidate EPA's GLPS into one rule. Program-specific requirements will be addressed in either separate sections of the consolidated rule, or in separate rules as is determined appropriate. This action is not intended to change the requirements, applicability, or enforceability of GLPS with respect to any statute.

EPA has received comments from stakeholders regarding the understandability of many aspects of the GLPS, and over the years has issued numerous clarifications. EPA believes that some clarifications, if included directly in the rule, would make the rule easier to understand and enhance compliance. Therefore, EPA intends to include such clarifications where appropriate in this rulemaking. Finally, in the interest of maintaining consistency between EPA's and Food and Drug Administration's regulations, EPA will determine any modifications that have occurred to the FDA GLP rule and consider incorporation of such changes into the EPA rule. This action will serve to reduce the total regulatory text in the Code of Federal Regulations by an estimated ten pages, by consolidating 23 pages of text to approximately 13. In the process it will provide a generic GLP rule that may be used by other programs in the Agency.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3807.

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, (2225A), Washington, DC 20460
Phone: 202 564-4162
Fax: 202 564-0028

RIN: 2020–AA26

3672. SAFE DRINKING WATER PUBLIC WATER SUPPLY SYSTEM PROGRAM: CITIZEN COLLECTION ACTION; NOTICE OF COMPLAINT SEEKING REVIEW OF PENALTY ORDER

Priority: Substantive, Nonsignificant

Legal Authority: Safe Drinking Water Act sec 1447; Safe Drinking Water Act sec 1449

CFR Citation: 40 CFR 135

Legal Deadline: None

Abstract: The 1996 SDWA modified section 1449 by authorizing how and when persons may sue federal agencies to collect outstanding penalties assessed by EPA. In addition, section 1447 was modified to authorize interested persons to obtain review of administrative penalty orders by filing complaints with a U.S. District Court within the thirty day period beginning on the date the penalty order becomes final. The proposed rule will govern the manner in which both amendments are implemented.

EPA—GENERAL

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/97	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 3936.

Agency Contact: David Drelich, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2243-A, Washington, DC 20460
Phone: 202 564-2949

RIN: 2020–AA35

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Final Rule Stage

General

3673. • COMMON RULEMAKING ON ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS

Priority: Other Significant

Legal Authority: 7 USC 135 et seq; 15 USC 2601 et seq; 33 USC 1251 et seq; 42 USC 241; 42 USC 242(b); 42 USC 243; 42 USC 246; 42 USC 300f; 42 USC 300j-1; 42 USC 300j-2; 42 USC 300j-3; 42 USC 1857 et seq; 42 USC 7401 et seq; 42 USC 6901 et seq; 42 USC 9601 et seq

CFR Citation: 40 CFR 30.26; 40 CFR 31.26

Legal Deadline: None

Abstract: EPA is participating in the Grants Management Common Rulemaking along with the Office of Management and Budget and other Federal Agencies. This rulemaking codifies for EPA the requirements of the Single Audit Act Amendments of 1996 and the revised and re-titled OMB Circular A-133, "Audits of State, Local Governments, and Non-Profit Organizations."

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/29/97	62 FR 45937
Interim Final Rule Effective	09/29/97	
Interim Final Rule Comment Period End	10/28/97	

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: SAN No. 4037.

The interim final rule would result in some savings to organizations administering grants and subgrants primarily due to the increase in the threshold that triggers an audit requirement.

Agency Contact: Peggy Anthony, Environmental Protection Agency, Administration and Resource Management, 3903R, Washington, DC 20460
Phone: 202 564-5364

RIN: 2030–AA54

3674. PROPOSED GUIDELINES FOR ECOLOGICAL RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Deadline: None

Abstract: The Guidelines for Ecological Risk Assessment are intended to guide Agency evaluations of ecological risks in line with the policies and procedures established in the statutes administered by EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines expand on the general ecological risk assessment process described in the Agency report Framework for Ecological Risk Assessment, (EPA/630/R-92/001) and covers a broad range of ecological concerns. The Guideline stresses the need for sound initial planning of the ecological risk assessment as well as appropriate characterization of the risks, including identification of the major assumptions, uncertainties, and limitations of the assessment.

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

Timetable:

Action	Date	FR Cite
Proposed Guidelines	09/09/96	61 FR 47552
Final Guidelines	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3670.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, Risk Assessment Forum (8101), Washington, DC 20460
Phone: 202 260-6743

RIN: 2080–AA07

3675. GUIDELINES FOR NEUROTOXICITY RISK ASSESSMENT

Priority: Other Significant

Legal Deadline: None

Abstract: These proposed Guidelines for Neurotoxicity Risk Assessment (hereafter Guidelines) are intended to guide Agency evaluation of suspect neurotoxicants in line with the policies and procedures established in the statutes administered by the EPA. These Guidelines set forth principles and procedures to guide EPA scientists in the conduct of Agency risk assessments and to inform Agency decision makers and the public about these procedures. In particular, the Guidelines emphasize that risk assessments will be conducted on a case-by-case basis, giving full consideration to all relevant scientific information. This case-by-case approach means that Agency experts study scientific information on each chemical under review and use the most scientifically appropriate interpretation to assess risk. The Guidelines also stress that this information will be fully presented in Agency risk assessment documents, and that Agency scientists will identify the strengths and weaknesses of each assessment by describing uncertainties, assumptions, and limitations, as well as the scientific basis and rationale for each assessment.

Timetable:

Action	Date	FR Cite
NPRM Guidelines	10/04/96	61 FR 52032
Final Guidelines	11/00/97	

EPA—GENERAL

Final Rule Stage

Small Entities Affected: None

Government Levels Affected: None

Additional Information: SAN No. 3624.

Agency Contact: William P. Wood, Environmental Protection Agency, Office of Research and Development, 8103, Washington, DC 20460
Phone: 202 260-6743

RIN: 2080–AA08

3676. FIELD CITATION PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7413(d); Clean Air Act sec 113(d)

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: The Clean Air Act Amendments gives EPA the authority to issue on-the-spot field citations for minor violations of the Clean Air Act, with penalties of up to $5,000 per day of violation. Section 113(d) of the Act requires the field citation program to be implemented through regulations which provide the informal hearing procedures. These hearing procedures are not required to be as rigorous as those imposed by the Administrative Procedure Act (APA), but nevertheless must provide due process. Agency guidance providing appropriate penalties for specific minor violations will be prepared for EPA employees and made available to the regulated community. Training on the issuance of field citations will also be developed.

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22776
Final	02/00/98	

Small Entities Affected: None

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
Phone: 202 260-8661

RIN: 2020–AA32

3677. UPDATE PROCEDURES FOR MAKING PROFIT/FEE DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 390; EPA Acquisition Regulation sec 205(c)

CFR Citation: 48 CFR 1558

Legal Deadline: None

Abstract: This rule will revise elements of EPA's structured approach for contracting officer profit/fee determinations. Such determinations apply to certain EPA contracting actions.

Timetable:

Action	Date	FR Cite
NPRM	05/21/97	62 FR 27712
Final	10/00/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

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

Additional Information: SAN No. 3879.

Agency Contact: Larry Wyborski, Environmental Protection Agency, Administration and Resource Management, 3802F, Washington, DC 20460
Phone: 202 564-4369
Fax: 202 260-1203

RIN: 2030–AA53

3678. 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	11/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: SAN No. 3240.

Agency Contact: Donald A. Sadowsky, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2379, Washington, DC 20460
Phone: 202 260-5469

RIN: 2020–AA21

3679. PESTICIDE MANAGEMENT AND DISPOSAL

Priority: Other Significant

Legal Authority: 7 USC 136 et seq

CFR Citation: 40 CFR 165

Legal Deadline: None

Abstract: This action develops procedures for mandatory and voluntary recall actions under section 19(b) of FIFRA and would establish criteria for acceptable storage and disposal plans which registrants may submit to this Agency to become eligible for reimbursement of storage costs. This action establishes procedures for indemnification of owners of suspended and cancelled pesticides for disposal.

Timetable:

Action	Date	FR Cite
NPRM	05/05/93	58 FR 26856
Final	06/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: SAN No. 3432.

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance

EPA—GENERAL — Final Rule Stage

Assurance, 2225A, Washington, DC 20460
Phone: 202 564-4162

RIN: 2020–AA33

ENVIRONMENTAL PROTECTION AGENCY (EPA) — Long-Term Actions

General

3680. GUIDELINES FOR CARCINOGEN RISK ASSESSMENT

Priority: Info./Admin./Other

Timetable:

Action	Date	FR Cite
Reproposed Guidelines	04/23/96	61 FR 17960
Implementation Policy	06/25/96	61 FR 32799
Final Guidelines	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William P. Wood
Phone: 202 260-6743

RIN: 2080–AA06

3681. REGULATIONS GOVERNING AWARDS UNDER SECTION 113(F) OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 40 CFR 65

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22795
Final	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Cary Secrest
Phone: 202 564-8661

RIN: 2020–AA31

3682. REGULATIONS GOVERNING PRIOR NOTICE OF CITIZEN SUITS BROUGHT UNDER SECTION 304 OF THE CLEAN AIR ACT

Priority: Info./Admin./Other

CFR Citation: 40 CFR 54

Timetable:

Action	Date	FR Cite
NPRM	02/10/93	58 FR 7870
Final	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Rhonda Maddox
Phone: 202 564-7026
Jerry MacLaughlin
Phone: 202 564-6947

RIN: 2020–AA30

3683. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION

Priority: Other Significant

CFR Citation: 40 CFR 168

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: David Stangel
Phone: 202 569-4162

RIN: 2020–AA29

3684. FIFRA BOOKS AND RECORDS OF PESTICIDE PRODUCTION AND DISTRIBUTION (REVISION)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 169

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Steve Howie
Phone: 703 308-8383
Email: howie.steven@epamail.epa.gov

RIN: 2020–AA28

3685. ENVIRONMENTAL IMPACT ASSESSMENT OF NONGOVERNMENTAL ACTIVITIES IN ANTARCTICA

Priority: Other Significant

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/30/97	62 FR 25537
Final	10/00/98	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Joe Montgomery
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RIN: 2020–AA34

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ENVIRONMENTAL PROTECTION AGENCY INDEX TO ENTRIES THAT MAY AFFECT SMALL ENTITIES

The Regulatory Flexibility Act (5 U.S.C. 601) requires that agencies publish regulatory agendas identifying those rules that may have a significant economic impact on a substantial number of small entities. Agencies meet that requirement by including the information in their submissions for The Regulatory Plan and the Unified Agenda.

The following index lists the regulatory actions in this joint publication that agencies believe may have such effects on small businesses, small governmental jurisdictions, or small organizations. The Sequence Number (Seq. No.) of the entry identifies the location of the entry in this edition. For further information, see the Regulatory Information Service Center's Introduction to The Regulatory Plan and the Unified Agenda in Part II of this issue.

Small Businesses

Seq. No.	Title
	EPA
107	Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know
108	Toxics Release Inventory (TRI): Review of Chemicals on Original TRI List
109	TRI Chemical Expansion; Finalization of Deferred Chemicals
110	TSCA Inventory Update Rule Amendments
111	Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know
112	TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory
113	TRI; Pollution Prevention Act Information Requirements
114	Selected Rulemakings for Abating Lead Hazards
115	NPDES Streamlining Rule -- Round III
116	Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution
117	Revision of NPDES Industrial Permit Application Requirements and Form 2C -- Wastewater Discharge Information
118	Comprehensive NPDES Stormwater Phase II Regulations
119	Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act
123	Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations
126	Integrated NESHAP and Effluent Guidelines: Pulp and Paper
127	Pesticides; Self-Certification
128	Pesticides and Ground Water State Management Plan Regulation
129	Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review)**
131	NPDES Streamlining Rule -- Round II
132	NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
135	Revised Standards for Hazardous Waste Combustion Facilities
136	Requirements for Management of Hazardous Contaminated Media Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media
141	VOC Regulation for Architectural Coatings
142	National VOC Emission Standards for Consumer Products
3258	Tolerance Processing Fees; Tolerances and Exemption From Tolerances for Pesticide Chemicals
3259	Antimicrobial Pesticide Registration Reform
3260	Pesticide Data Requirements for Registration (Revision)
3261	Pesticide Worker Protection Standards; Pesticide Hazard Communication
3262	Pesticide Worker Protection Standard Exceptions
3263	Pesticides Worker Protection Standards; Scope and Clarification of the Exceptions Process
3265	Regulation of Plant-Produced Pesticides Under FIFRA and FFDCA
3266	Pesticide Flammability Labeling Requirements for Total Release Foggers
3269	Modifications to Pesticide Worker Protection Standard--Glove Amendment
3272	Endangered Species Protection Program
3274	Pesticide Labeling Claims
3275	Pesticide Management and Disposal: Standards for Pesticide Containers and Containment
3276	Child-Resistant Packaging Regulations (Revision)
3277	Pesticide Export Policy
3278	Cross-Contamination of Pesticide Products
3279	Reporting Requirements for Risk/Benefit Information (Revision)
3286	TRI: Responses to Petitions Received To Add or Delete Chemicals From the Toxic Release Inventory
3289	Lead-Based Paint Disclosure Requirements at Renovation of Target Housing
3291	Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris
3293	TSCA Biotechnology Follow-up Rules
3301	Polychlorinated Biphenyls (PCBs): Exemptions From the Prohibitions Against Manufacturing, Processing, and Distribution in Commerce
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**
3304	Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**
3305	Amendments to TSCA Section 8(d) Health and Safety Data Model Reporting Rule
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3309	Use of Acrylamide for Grouting
3315	Notice of TSCA Section 4 Reimbursement Period and TSCA Section 12(b) Export Notification Period Sunset Dates for TSCA Section 4 Substances
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3320	Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use
3324	Significant New Use Rules on National Program Chemicals; Asbestos, Lead, and Refractory Ceramic Fibers
3326	Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know
3328	OPPT Generic Reinvention Evaluations
3330	Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3336	Effluent Guidelines and Standards for the Centralized Waste Treatment Industry
3337	Effluent Guidelines and Standards for the Industrial Laundries Point Source Category
3338	Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category
3339	Effluent Guidelines and Standards for Landfills
3343	Amendment to Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3353	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase One
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act

Small Businesses—Cont.

Seq. No.	Title
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3367	Shore Protection Act, Section 4103(b) Regulations
3368	Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3371	Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2
3378	Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3404	Underground Injection Control Program Streamlining Rule
3408	Revisions to the Oil Pollution Prevention Regulation
3412	Hazardous Waste Management System: Post-Closure Requirements
3416	Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes
3418	Land Disposal Restrictions--Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues
3426	Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards
3429	Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste
3433	Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps
3434	Hazardous Waste Manifest Regulation
3435	Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities
3436	Underground Storage Tanks Containing Hazardous Substances--Financial Responsibility Requirements
3446	Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matter
3449	Regulation of Fuels and Fuel Additives: Proposed Minor Revisions to Selected Recordkeeping and Enforcement Provisions Under the Regulation of Deposit Control Gasoline Additives
3452	Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act
3476	Revision to the Light-Duty Vehicle Emission Compliance Procedure
3479	Revisions to Service Information Availability Requirements
3481	Review of New Sources and Modifications in Indian Country
3491	NESHAP: Portland Cement Manufacturing
3493	NESHAP: Pharmaceuticals Production
3501	Amendments to Subpart A and B for 40 CFR 63
3502	Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities
3503	Generic MACT for Source Categories with Few Sources
3508	NESHAP: Flexible Polyurethane Foam Fabrication Operations
3512	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)
3515	Specification of Substantially Similar Definition for Diesel Fuels
3518	Servicing of Motor Vehicle Air Conditioners: Standards for Equipment that Recovers and Recycles Refrigerants Other Than CFC-12 and HCF-134a
3526	Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act
3528	Acid Rain Program: Revisions to the Permits Regulations Under Title IV of the Clean Air Act To Make Technical Corrections
3536	Amendment to the User Fees for Radon Proficiency Programs Rule
3539	Tier II (Phase II) Study to Assess Further Reductions in LOV and LDT Tailpipe Emission Standards
3541	Ban the Sale of Halon Blends and the Intentional Release of Halons During Testing and Training
3544	NESHAP: Mineral Wool Production Industry
3546	NESHAP: Phosphate Fertilizers Production
3549	NESHAP: Flexible Polyurethane Foam Production
3551	Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990
3553	Wood Furniture Manufacturing Operations NESHAP: Technical Corrections and Clarifications
3554	NESHAP: Secondary Lead Smelter Amendment
3559	National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings
3568	Amendment Concerning Applicability of On Highway Heavy-Duty Certified Engines for Use in Nonroad Heavy-Duty Vehicles and Equipment
3581	Service Information Availability
3588	NESHAP/NSPS: Internal Combustion Engine
3590	NESHAP: Oil and Natural Gas Production
3603	Large Appliance Coatings Integrated Regulation
3608	Industrial Combustion Coordinated Rulemaking--ICCR Project
3609	NESHAP: Friction Products Manufacturing
3613	NESHAP: Fabric Printing, Coating and Dyeing
3621	NESHAP: Vegetable Oil Production
3626	Metal Furniture Coatings Integrated Regulation
3627	Flatwood Paneling (Surface Coating) Integrated Rule
3628	Surface Coating of Miscellaneous Metal Parts and Products--Integrated
3629	Plastic Parts Coating Integrated Rule for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs)
3630	Integrated Rule for Paper, and other Web Coating and Coatings: MACT for NESHAP; and BAC for National VOC Rule
3631	Nonroad Spark-Ignition Engines at or Below 19 Kilowatts (25 Horsepower) (Phase 2)
3642	Addition of Method 14A to 40 CFR Part 60, Appendix A
3644	Hospital/Medical/Infectious Waste Incinerators
3649	Modification of the Extremely Hazardous Substance (EHS) List
3650	Grants for Technical Assistance Rule Reform--40 CFR Part 35 Subpart M
3653	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment
3654	Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3664	Incorporation of Class Deviation Into EPAAR
3665	EPA Mentor-Protege Program
3666	Incrementally Funding Fixed Price Contracts
3667	Revision of EPA Acquisition Regulations for Quality Systems for Environmental Programs
3669	Value Engineering
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3677	Update Procedures for Making Profit/Fee Determinations
3679	Pesticide Management and Disposal
3684	FIFRA Books and Records of Pesticide Production and Distribution (Revision)

Small Businesses—Cont.

Seq. No.	Title
3685	Environmental Impact Assessment of Non-governmental Activities in Antarctica

Small Governmental Jurisdictions

Seq. No.	Title
	EPA
107	Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know
108	Toxics Release Inventory (TRI): Review of Chemicals on Original TRI List
111	Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know
112	TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory
113	TRI; Pollution Prevention Act Information Requirements
114	Selected Rulemakings for Abating Lead Hazards
115	NPDES Streamlining Rule -- Round III
116	Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution
118	Comprehensive NPDES Stormwater Phase II Regulations
119	Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act
123	Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations
128	Pesticides and Ground Water State Management Plan Regulation
131	NPDES Streamlining Rule -- Round II
132	NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
139	Operating Permits: Revisions (Part 70)
3258	Tolerance Processing Fees; Tolerances and Exemption From Tolerances for Pesticide Chemicals
3272	Endangered Species Protection Program
3275	Pesticide Management and Disposal: Standards for Pesticide Containers and Containment
3290	Amendments to the Asbestos Worker Protection Rule **(Section 610 Review)**
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**
3304	Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3326	Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know
3330	Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)
3332	Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3341	Streamlining 301(h) Waiver Renewal Requirements
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3353	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase One
3354	Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3367	Shore Protection Act, Section 4103(b) Regulations
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3406	Revisions to the Oil Pollution Prevention Regulation
3422	Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials
3436	Underground Storage Tanks Containing Hazardous Substances--Financial Responsibility Requirements
3437	Flexibility in Management Criteria for Small Municipal Solid Waste Landfills
3452	Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act
3482	Revisions to Clarify the Permit Content Requirements for State Operating Permits
3526	Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act
3528	Acid Rain Program: Revisions to the Permits Regulations Under Title IV of the Clean Air Act To Make Technical Corrections
3536	Amendment to the User Fees for Radon Proficiency Programs Rule
3582	Radionuclide Dose Methodology Update
3583	NSPS for Sewage Sludge Incinerators
3588	NESHAP/NSPS: Internal Combustion Engine
3608	Industrial Combustion Coordinated Rulemaking--ICCR Project
3638	Transportation Conformity Rule Amendments: Flexibility and Streamlining
3644	Hospital/Medical/Infectious Waste Incinerators
3654	Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312
3657	Revision of the Local Government Reimbursement Regulation
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3673	Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments

Small Organizations

Seq. No.	Title
	EPA
114	Selected Rulemakings for Abating Lead Hazards
118	Comprehensive NPDES Stormwater Phase II Regulations
131	NPDES Streamlining Rule -- Round II
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
3260	Pesticide Data Requirements for Registration (Revision)
3289	Lead-Based Paint Disclosure Requirements at Renovation of Target Housing
3291	Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris
3293	TSCA Biotechnology Follow-up Rules

Small Organizations—Cont.

Seq. No.	Title
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3330	Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3434	Hazardous Waste Manifest Regulation
3436	Underground Storage Tanks Containing Hazardous Substances--Financial Responsibility Requirements
3536	Amendment to the User Fees for Radon Proficiency Programs Rule
3650	Grants for Technical Assistance Rule Reform--40 CFR Part 35 Subpart M
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3673	Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments
3677	Update Procedures for Making Profit/Fee Determinations
3685	Environmental Impact Assessment of Nongovernmental Activities in Antarctica

ENVIRONMENTAL PROTECTION AGENCY INDEX TO ENTRIES THAT MAY AFFECT GOVERNMENT LEVELS

Executive Order 12866 entitled "Regulatory Planning and Review" (October 4, 1993; 58 FR 51735) and the Unfunded Mandates Reform Act of 1995 (P.L. 104-4) direct agencies to assess the effects of Federal regulations on State, local, and tribal governments. In addition, Executive Order 12875 entitled "Enhancing the Intergovernmental Partnership" (October 26, 1993; 58 FR 58093) directs agencies to reduce the imposition of unfunded mandates upon State, local, and tribal governments. In keeping with these efforts, agencies include in their submissions for The Regulatory Plan and the Unified Agenda information on whether their regulatory actions have an effect on various levels of government.

The following index lists the regulatory actions in this joint publication that agencies believe may have effects on State, local, tribal, or Federal levels of government. The Sequence Number (Seq. No.) of the entry identifies the location of the entry in this edition. For further information, see the Regulatory Information Service Center's Introduction to The Regulatory Plan and the Unified Agenda in Part II of this issue.

State Government

EPA

Seq. No.	Title
108	Toxics Release Inventory (TRI): Review of Chemicals on Original TRI List
109	TRI Chemical Expansion; Finalization of Deferred Chemicals
112	TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory
113	TRI; Pollution Prevention Act Information Requirements
114	Selected Rulemakings for Abating Lead Hazards
115	NPDES Streamlining Rule -- Round III
116	Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution
117	Revision of NPDES Industrial Permit Application Requirements and Form 2C -- Wastewater Discharge Information
118	Comprehensive NPDES Stormwater Phase II Regulations
119	Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act
120	Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General
123	Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations
124	Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry
126	Integrated NESHAP and Effluent Guidelines: Pulp and Paper
127	Pesticides; Self-Certification
128	Pesticides and Ground Water State Management Plan Regulation
129	Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review)**
130	Streamlining the State Sewage Sludge Management Regulations
131	NPDES Streamlining Rule -- Round II
132	NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
135	Revised Standards for Hazardous Waste Combustion Facilities
136	Requirements for Management of Hazardous Contaminated Media Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media
138	New Source Review (NSR) Reform
139	Operating Permits: Revisions (Part 70)
140	NAAQS: Sulfur Dioxide (Review and Implementation)
141	VOC Regulation for Architectural Coatings
142	National VOC Emission Standards for Consumer Products
143	Open-Market Trading Guidance
144	Voluntary Standards for Light-Duty Vehicles (National 49 State Low-Emission Vehicles Program)
3258	Tolerance Processing Fees; Tolerances and Exemption From Tolerances for Pesticide Chemicals
3261	Pesticide Worker Protection Standards; Pesticide Hazard Communication
3265	Regulation of Plant-Produced Pesticides Under FIFRA and FFDCA
3267	Restricted Use Criteria for Pesticides in Groundwater
3270	Tolerances for Pesticide Emergency Exemptions
3272	Endangered Species Protection Program
3273	The 10-Acre Limitation for Pesticide Small-Scale Field Testing
3275	Pesticide Management and Disposal: Standards for Pesticide Containers and Containment
3278	Cross-Contamination of Pesticide Products
3289	Lead-Based Paint Disclosure Requirements at Renovation of Target Housing
3290	Amendments to the Asbestos Worker Protection Rule **(Section 610 Review)**
3291	Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**
3304	Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3309	Use of Acrylamide for Grouting
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3326	Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know
3328	OPPT Generic Reinvention Evaluations
3330	Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)
3331	Water Quality Standards Regulation -- Revision
3332	Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3335	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase Two
3336	Effluent Guidelines and Standards for the Centralized Waste Treatment Industry
3337	Effluent Guidelines and Standards for the Industrial Laundries Point Source Category
3338	Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category
3339	Effluent Guidelines and Standards for Landfills
3342	Effluent Guidelines and Standards for Industrial Waste Combustors
3343	Amendment to Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3348	Uniform National Discharge Standards for Armed Forces Vessels
3351	Amendment to the Pesticide Chemicals Manufacturing Effluent Limitations Guidelines; Pretreatment Standards; New and Existing Sources

State Government—Cont.

Seq. No.	Title
3353	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase One
3354	Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3357	Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System
3358	Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category
3360	Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance
3361	Withdrawal of Proposed Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3365	Clarification of the Application Requirements for States Wanting to Designate Drinking Water Intake Zones, Thereby Prohibiting the Discharge of Vessel Sewage Within Those Zones
3367	Shore Protection Act, Section 4103(b) Regulations
3368	Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3370	Standards for the Use or Disposal of Sewage Sludge (Round II)
3371	Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2
3373	Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category
3374	Streamlining Revisions to the Water Quality Planning and Management Regulations
3378	Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3379	Streamlined Procedures for Developing and Maintaining Approved Publicly Owned Treatment Works Pretreatment Programs
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3384	Environmental Protection Agency Radiation Site Cleanup Regulation
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper
3394	Reformatting of Drinking Water Regulations
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3397	Revisions to State Primacy Requirements to Implement Federal Drinking Water Regulations
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3404	Underground Injection Control Program Streamlining Rule
3406	Revisions to the Oil Pollution Prevention Regulation
3407	Removal of Requirement to Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)
3408	Standardized Permit for RCRA Hazardous Waste Management Facilities
3413	Listing Determination for Hazardous Wastes--Organobromines Chemical Industry
3415	Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments
3416	Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes
3418	Land Disposal Restrictions--Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues
3421	RCRA Subtitle D Solid Waste Facilities; State Permit Program -- Determination of Adequacy (State Implementation Rule)
3422	Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials
3423	Proposed Modifications to Hazardous Waste Storage and Disposal Regulation Related to Low Level Mixed Waste
3424	Facility Response Planning for Delegated Offshore Facilities
3426	Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards
3427	Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste
3429	Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste
3430	Spent Solvents Listing Determination
3431	Chlorinated Aliphatics Listing Determination
3433	Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps
3434	Hazardous Waste Manifest Regulation
3435	Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities
3437	Flexibility in Management Criteria for Small Municipal Solid Waste Landfills
3438	New and Revised Testing Methods Approved for RCRA Subtitle C, Hazardous Waste Testing Manual, SW-846, Third Edition, Update IV
3439	New and Revised Testing Methods Approved for RCRA Subtitle C, in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846), Third Edition, Update III
3440	Consolidated Emission Reporting Rule
3441	State Implementation Plan Calls for Certain States in the Ozone Transport Assessment Group (OTAG) for Purposes of Reducing Regional Transport Ozone
3444	Review of Definition of Volatile Organic Compounds--Exclusion of Chlorobromomethane
3446	Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matte
3450	Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations
3451	Transportation Conformity for Transitional Ozone Areas
3452	Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act
3456	Performance Warranty and Inspection/Maintenance Test Procedures
3459	NESHAP: Ferroalloy Production
3468	Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead
3472	Environmental Radiation Protection Standards for Scrap Metal from Nuclear Facilities
3478	Review of Definition of Volatile Organic Compounds--Exclusion of Methyl Acetate
3482	Revisions to Clarify the Permit Content Requirements for State Operating Permits
3484	Ambient Air Quality Surveillance: Changes to Accommodate Revised Ozone NAAQS & Implementation Strategies
3485	Next Revision of Appendix W to 40 CFR Part 51
3488	NESHAP: Steel Pickling, HC1 Process
3489	NESHAP: Primary Copper Smelting
3490	NESHAP: Secondary Aluminum Industry
3491	NESHAP: Portland Cement Manufacturing
3495	NESHAP: Primary Lead Smelters
3496	NESHAP: Manufacture of Tetrahydrobenzaldehyde
3497	NESHAP: Acrylic/Modacrylic Fibers Manufacturing
3500	NESHAP: Baker's Yeast Manufacturing Industry
3501	Amendments to Subpart A and B for 40 CFR 63

State Government—Cont.

Seq. No.	Title
3502	Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities
3505	Offset Lithographic Printing National VOC Rule
3506	NESHAP: Chromium Electroplating Amendment
3508	NESHAP: Flexible Polyurethane Foam Fabrication Operations
3509	NESHAP for Group I Polymers and Resins and Group IV Polymers and Resins and Group IV Polymers and Resins
3510	Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for non-Federal Class I Areas
3512	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)
3516	Amendment to the Refrigerant Recycling Rule To Include All Refrigerants
3518	Servicing of Motor Vehicle Air Conditioners: Standards for Equipment that Recovers and Recycles Refrigerants Other Than CFC-12 and HCF-134a
3520	Federal Implementation Plan for a Fifteen Percent Reduction in Volatile Organic Compounds in the District of Columbia
3525	NSPS: Synthetic Organic Chemicals Manufacturing Industry--Wastewater
3534	Regulation Review/Burden Reduction
3536	Amendment to the User Fees for Radon Proficiency Programs Rule
3537	Revision to Definition of Volatile Organic Compounds (VOC)--Exclusion of 16 Compounds
3544	NESHAP: Mineral Wool Production Industry
3545	NESHAP: Phosphoric Acid Manufacturing
3546	NESHAP: Phosphate Fertilizers Production
3547	NESHAP: Wool Fiberglass Manufacturing Industry
3548	NESHAP: Primary Aluminum Plants
3549	NESHAP: Flexible Polyurethane Foam Production
3551	Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990
3554	NESHAP: Secondary Lead Smelter Amendment
3558	Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program
3559	National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings
3569	Outer Continental Shelf Air Regulations Delegation Remand
3570	Outer Continental Shelf Air Regulations Offset Remand
3572	Amendment to the MVAC Rule To Include All Refrigerants
3575	NESHAP for Miscellaneous Cellulose Production
3576	NESHAP for Municipal Solid Waste Landfills
3578	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks
3579	Method 301: Field Validation of Pollution Measurement Methods for Various Media
3582	Radionuclide Dose Methodology Update
3583	NSPS for Sewage Sludge Incinerators
3584	NESHAP for Plywood and Particle Board Manufacturing
3586	Storage Tank Rule Revisions
3587	Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)
3591	NESHAP--Iron Foundries and Steel Foundries
3592	NESHAP--Cyanide Chemical Manufacturing
3593	NESHAP: Integrated Iron and Steel
3596	NESHAP: Chlorine Production
3599	NESHAP for Tire Manufacturing
3603	Large Appliance Coatings Integrated Regulation
3604	Asphalt Roofing and Processing NESHAP
3607	NESHAP: Lime Manufacturing
3610	NESHAP: Semiconductor Production
3612	NESHAP: Metal Coil (Surface Coating) Industry
3613	NESHAP: Fabric Printing, Coating and Dyeing
3614	Automobile and Light-Duty Truck Manufacturing Integrated Rule Development
3617	NESHAP: Spandex Production
3618	NESHAP for Leather Tanning and Finishing Operations
3619	NESHAP for Cellulose Production Categories
3620	NESHAP for the Manufacture of Carbon Black
3621	NESHAP: Vegetable Oil Production
3623	NESHAP for Organic Liquid Distribution
3626	Metal Furniture Coatings Integrated Regulation
3628	Surface Coating of Miscellaneous Metal Parts and Products--Integrated
3629	Plastic Parts Coating Integrated Rule for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs)
3630	Integrated Rule for Paper, and other Web Coating and Coatings: MACT for NESHAP; and BAC for National VOC Rule
3632	Update of the Acceptability List Under the Significant New Alternatives Policy (SNAP) Program
3636	Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources
3638	Transportation Conformity Rule Amendments: Flexibility and Streamlining
3641	State Implementation Plans; Milestone Compliance Demonstration
3642	Addition of Method 14A to 40 CFR Part 60, Appendix A
3643	NAAQS: Ozone (Review)
3644	Hospital/Medical/Infectious Waste Incinerators
3645	Revision to NSPS: Nonmetallic Minerals Processing
3646	NSPS Revisions for Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
3650	Grants for Technical Assistance Rule Reform--40 CFR Part 35 Subpart M
3651	Reportable Quantity Adjustments for Carbamates
3652	National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules
3653	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment
3654	Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312
3658	Administrative Reporting Exemptions for Certain Radionuclide Releases
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3673	Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments
3679	Pesticide Management and Disposal

Local Government

Seq. No.	Title
	EPA
114	Selected Rulemakings for Abating Lead Hazards
115	NPDES Streamlining Rule -- Round III
116	Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution
117	Revision of NPDES Industrial Permit Application Requirements and Form 2C -- Wastewater Discharge Information
118	Comprehensive NPDES Stormwater Phase II Regulations
119	Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act
123	Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations
126	Integrated NESHAP and Effluent Guidelines: Pulp and Paper
128	Pesticides and Ground Water State Management Plan Regulation
129	Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review)**
130	Streamlining the State Sewage Sludge Management Regulations
131	NPDES Streamlining Rule -- Round II
132	NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
138	New Source Review (NSR) Reform
139	Operating Permits: Revisions (Part 70)
141	VOC Regulation for Architectural Coatings
142	National VOC Emission Standards for Consumer Products
143	Open-Market Trading Guidance
3261	Pesticide Worker Protection Standards; Pesticide Hazard Communication
3267	Restricted Use Criteria for Pesticides in Groundwater
3272	Endangered Species Protection Program
3275	Pesticide Management and Disposal: Standards for Pesticide Containers and Containment
3289	Lead-Based Paint Disclosure Requirements at Renovation of Target Housing
3290	Amendments to the Asbestos Worker Protection Rule **(Section 610 Review)**
3291	Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**

Local Government—Cont.

Seq. No.	Title
3304	Amendments to the Asbestos-Containing Materials in Schools Rule (Section 610 Review)
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3309	Use of Acrylamide for Grouting
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3328	OPPT Generic Reinvention Evaluations
3330	Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)
3331	Water Quality Standards Regulation -- Revision
3332	Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3335	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase Two
3336	Effluent Guidelines and Standards for the Centralized Waste Treatment Industry
3337	Effluent Guidelines and Standards for the Industrial Laundries Point Source Category
3338	Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category
3339	Effluent Guidelines and Standards for Landfills
3342	Effluent Guidelines and Standards for Industrial Waste Combustors
3343	Amendment to Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3353	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase One
3354	Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3358	Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category
3361	Withdrawal of Proposed Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3367	Shore Protection Act, Section 4103(b) Regulations
3368	Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3370	Standards for the Use or Disposal of Sewage Sludge (Round II)
3371	Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2
3373	Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category
3378	Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3379	Streamlined Procedures for Developing and Maintaining Approved Publicly Owned Treatment Works Pretreatment Programs
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper
3394	Reformatting of Drinking Water Regulations
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3406	Revisions to the Oil Pollution Prevention Regulation
3407	Removal of Requirement to Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)
3422	Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials
3424	Facility Response Planning for Delegated Offshore Facilities
3433	Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps
3436	Underground Storage Tanks Containing Hazardous Substances--Financial Responsibility Requirements
3437	Flexibility in Management Criteria for Small Municipal Solid Waste Landfills
3441	State Implementation Plan Calls for Certain States in the Ozone Transport Assessment Group (OTAG) for Purposes of Reducing Regional Transport Ozone
3446	Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matte
3450	Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations
3451	Transportation Conformity for Transitional Ozone Areas
3452	Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act
3456	Performance Warranty and Inspection/Maintenance Test Procedures
3459	NESHAP: Ferroalloy Production
3468	Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead
3481	Review of New Sources and Modifications in Indian Country
3482	Revisions to Clarify the Permit Content Requirements for State Operating Permits
3484	Ambient Air Quality Surveillance: Changes to Accommodate Revised Ozone NAAQS & Implementation Strategies
3485	Next Revision of Appendix W to 40 CFR Part 51
3488	NESHAP: Steel Pickling, HC1 Process
3489	NESHAP: Primary Copper Smelting
3490	NESHAP: Secondary Aluminum Industry
3491	NESHAP: Portland Cement Manufacturing
3495	NESHAP: Primary Lead Smelters
3499	NESHAP: Publicly Owned Treatment Works (POTW)
3501	Amendments to Subpart A and B for 40 CFR 63
3502	Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities
3505	Offset Lithographic Printing National VOC Rule
3506	NESHAP: Chromium Electroplating Amendment
3508	NESHAP: Flexible Polyurethane Foam Fabrication Operations
3509	NESHAP for Group I Polymers and Resins and Group IV Polymers and Resins and Group IV Polymers and Resins
3518	Servicing of Motor Vehicle Air Conditioners: Standards for Equipment that Recovers and Recycles Refrigerants Other Than CFC-12 and HCF-134a
3520	Federal Implementation Plan for a Fifteen Percent Reduction in Volatile Organic Compounds in the District of Columbia
3525	NSPS: Synthetic Organic Chemicals Manufacturing Industry--Wastewater
3526	Acid Rain Program: Revisions to the Administrative Appeal Regulations Under Title IV of the Clean Air Act
3528	Acid Rain Program: Revisions to the Permits Regulations Under Title IV of the Clean Air Act To Make Technical Corrections
3536	Amendment to the User Fees for Radon Proficiency Programs Rule
3544	NESHAP: Mineral Wool Production Industry
3547	NESHAP: Wool Fiberglass Manufacturing Industry

Local Government—Cont.

Seq. No.	Title
3548	NESHAP: Primary Aluminum Plants
3549	NESHAP: Flexible Polyurethane Foam Production
3551	Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990
3558	Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program
3569	Outer Continental Shelf Air Regulations Delegation Remand
3570	Outer Continental Shelf Air Regulations Offset Remand
3575	NESHAP for Miscellaneous Cellulose Production
3576	NESHAP for Municipal Solid Waste Landfills
3579	Method 301: Field Validation of Pollution Measurement Methods for Various Media
3582	Radionuclide Dose Methodology Update
3583	NSPS for Sewage Sludge Incinerators
3584	NESHAP for Plywood and Particle Board Manufacturing
3586	Storage Tank Rule Revisions
3587	Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)
3588	NESHAP/NSPS: Internal Combustion Engine
3591	NESHAP--Iron Foundries and Steel Foundries
3592	NESHAP--Cyanide Chemical Manufacturing
3593	NESHAP: Integrated Iron and Steel
3596	NESHAP: Chlorine Production
3603	Large Appliance Coatings Integrated Regulation
3604	Asphalt Roofing and Processing NESHAP
3607	NESHAP: Lime Manufacturing
3612	NESHAP: Metal Coil (Surface Coating) Industry
3613	NESHAP: Fabric Printing, Coating and Dyeing
3614	Automobile and Light-Duty Truck Manufacturing Integrated Rule Development
3617	NESHAP: Spandex Production
3618	NESHAP for Leather Tanning and Finishing Operations
3619	NESHAP for Cellulose Production Categories
3621	NESHAP: Vegetable Oil Production
3623	NESHAP for Organic Liquid Distribution
3626	Metal Furniture Coatings Integrated Regulation
3628	Surface Coating of Miscellaneous Metal Parts and Products--Integrated
3629	Plastic Parts Coating Integrated Rule for Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs)
3636	Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources
3638	Transportation Conformity Rule Amendments: Flexibility and Streamlining
3644	Hospital/Medical/Infectious Waste Incinerators
3645	Revision to NSPS: Nonmetallic Minerals Processing
3650	Grants for Technical Assistance Rule Reform--40 CFR Part 35 Subpart M
3651	Reportable Quantity Adjustments for Carbamates
3652	National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules
3653	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment
3654	Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312
3657	Revision of the Local Government Reimbursement Regulation
3658	Administrative Reporting Exemptions for Certain Radionuclide Releases
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3673	Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments

Tribal Government

Seq. No.	Title
	EPA
114	Selected Rulemakings for Abating Lead Hazards
115	NPDES Streamlining Rule -- Round III
116	Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution
117	Revision of NPDES Industrial Permit Application Requirements and Form 2C -- Wastewater Discharge Information
118	Comprehensive NPDES Stormwater Phase II Regulations
119	Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act
120	Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General
123	Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations
128	Pesticides and Ground Water State Management Plan Regulation
129	Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review)**
130	Streamlining the State Sewage Sludge Management Regulations
131	NPDES Streamlining Rule -- Round II
132	NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
139	Operating Permits: Revisions (Part 70)
142	National VOC Emission Standards for Consumer Products
143	Open-Market Trading Guidance
3261	Pesticide Worker Protection Standards; Pesticide Hazard Communication
3270	Tolerances for Pesticide Emergency Exemptions
3272	Endangered Species Protection Program
3273	The 10-Acre Limitation for Pesticide Small-Scale Field Testing
3289	Lead-Based Paint Disclosure Requirements at Renovation of Target Housing
3290	Amendments to the Asbestos Worker Protection Rule **(Section 610 Review)**
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**
3304	Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3328	OPPT Generic Reinvention Evaluations
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3361	Withdrawal of Proposed Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3374	Streamlining Revisions to the Water Quality Planning and Management Regulations
3379	Streamlined Procedures for Developing and Maintaining Approved Publicly Owned Treatment Works Pretreatment Programs
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper

Tribal Government—Cont.

Seq. No.	Title
3394	Reformatting of Drinking Water Regulations
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3397	Revisions to State Primacy Requirements to Implement Federal Drinking Water Regulations
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3404	Underground Injection Control Program Streamlining Rule
3407	Removal of Requirement to Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)
3413	Listing Determination for Hazardous Wastes--Organobromines Chemical Industry
3415	Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments
3416	Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes
3424	Facility Response Planning for Delegated Offshore Facilities
3427	Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste
3430	Spent Solvents Listing Determination
3431	Chlorinated Aliphatics Listing Determination
3433	Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps
3434	Hazardous Waste Manifest Regulation
3437	Flexibility in Management Criteria for Small Municipal Solid Waste Landfills
3438	New and Revised Testing Methods Approved for RCRA Subtitle C, Hazardous Waste Testing Manual, SW-846, Third Edition, Update IV
3439	New and Revised Testing Methods Approved for RCRA Subtitle C, in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846), Third Edition, Update III
3441	State Implementation Plan Calls for Certain States in the Ozone Transport Assessment Group (OTAG) for Purposes of Reducing Regional Transport Ozone
3446	Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matte
3450	Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations
3481	Review of New Sources and Modifications in Indian Country
3482	Revisions to Clarify the Permit Content Requirements for State Operating Permits
3502	Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities
3508	NESHAP: Flexible Polyurethane Foam Fabrication Operations
3509	NESHAP for Group I Polymers and Resins and Group IV Polymers and Resins and Group IV Polymers and Resins
3510	Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for non-Federal Class I Areas
3518	Servicing of Motor Vehicle Air Conditioners: Standards for Equipment that Recovers and Recycles Refrigerants Other Than CFC-12 and HCF-134a
3520	Federal Implementation Plan for a Fifteen Percent Reduction in Volatile Organic Compounds in the District of Columbia
3536	Amendment to the User Fees for Radon Proficiency Programs Rule
3542	Indian Tribes: Air Quality Planning and Management
3548	NESHAP: Primary Aluminum Plants
3551	Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990
3570	Outer Continental Shelf Air Regulations Offset Remand
3575	NESHAP for Miscellaneous Cellulose Production
3576	NESHAP for Municipal Solid Waste Landfills
3586	Storage Tank Rule Revisions
3587	Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)
3588	NESHAP/NSPS: Internal Combustion Engine
3603	Large Appliance Coatings Integrated Regulation
3617	NESHAP: Spandex Production
3618	NESHAP for Leather Tanning and Finishing Operations
3623	NESHAP for Organic Liquid Distribution
3626	Metal Furniture Coatings Integrated Regulation
3638	Transportation Conformity Rule Amendments: Flexibility and Streamlining
3644	Hospital/Medical/Infectious Waste Incinerators
3650	Grants for Technical Assistance Rule Reform--40 CFR Part 35 Subpart M
3653	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment
3654	Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312
3657	Revision of the Local Government Reimbursement Regulation
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3673	Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments

Federal Government

Seq. No.	Title
	EPA
107	Reporting Threshold Amendment; Toxic Chemicals Release Reporting; Community Right-to-Know
108	Toxics Release Inventory (TRI): Review of Chemicals on Original TRI List
109	TRI Chemical Expansion; Finalization of Deferred Chemicals
110	TSCA Inventory Update Rule Amendments
111	Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know
112	TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory
113	TRI; Pollution Prevention Act Information Requirements
114	Selected Rulemakings for Abating Lead Hazards
115	NPDES Streamlining Rule -- Round III
116	Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution
117	Revision of NPDES Industrial Permit Application Requirements and Form 2C -- Wastewater Discharge Information
118	Comprehensive NPDES Stormwater Phase II Regulations
119	Management of Class V Injection Wells Under Part C of the Safe Drinking Water Act
120	Modifications to the Definition of Solid Waste and Regulations of Hazardous Waste Recycling: General
122	Waste Isolation Pilot Plant (WIPP) Compliance Certification Rulemaking
123	Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations
124	Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry
125	Environmental Radiation Protection Standards for Yucca Mountain, Nevada
126	Integrated NESHAP and Effluent Guidelines: Pulp and Paper
127	Pesticides; Self-Certification
128	Pesticides and Ground Water State Management Plan Regulation
129	Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review)**
130	Streamlining the State Sewage Sludge Management Regulations
131	NPDES Streamlining Rule -- Round II
132	NPDES Wastewater Permit Application Forms and Regulatory Revisions for Municipal Discharges and Sewage Sludge Use or Disposal
133	National Primary Drinking Water Regulations: Stage I Disinfectant/Disinfection Byproducts Rule
134	National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule
136	Requirements for Management of Hazardous Contaminated Media Commonly Referred to as Hazardous Waste Identification Rule for Contaminated Media or HWIR-Media
138	New Source Review (NSR) Reform
139	Operating Permits: Revisions (Part 70)
143	Open-Market Trading Guidance

Federal Government—Cont.

Seq. No.	Title
144	Voluntary Standards for Light-Duty Vehicles (National 49 State Low-Emission Vehicles Program)
3256	Exemption of Certain Inert Ingredients from the Definition of Pesticide Chemical Residue under FFDCA
3257	Exemption of Certain Pesticide Substances from FIFRA Requirements
3258	Tolerance Processing Fees; Tolerances and Exemption From Tolerances for Pesticide Chemicals
3259	Antimicrobial Pesticide Registration Reform
3261	Pesticide Worker Protection Standards; Pesticide Hazard Communication
3265	Regulation of Plant-Produced Pesticides Under FIFRA and FFDCA
3267	Restricted Use Criteria for Pesticides in Groundwater
3270	Tolerances for Pesticide Emergency Exemptions
3272	Endangered Species Protection Program
3275	Pesticide Management and Disposal: Standards for Pesticide Containers and Containment
3278	Cross-Contamination of Pesticide Products
3279	Reporting Requirements for Risk/Benefit Information (Revision)
3289	Lead-Based Paint Disclosure Requirements at Renovation of Target Housing
3291	Lead; TSCA Requirements for the Disposal of Lead-Based Paint Debris
3293	TSCA Biotechnology Follow-up Rules
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**
3304	Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**
3306	Lead Fee Rule for Lead-Based Paint Activities Training and Certification
3312	Section 8(a) Preliminary Assessment Information Rules
3317	Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule
3318	Development of Guidance as Mandated by Executive Order 12873, Section 503 on Environmentally Preferable Products
3326	Facility Coverage Amendment; Toxic Chemical Release Reporting; Community Right-To-Know
3328	OPPT Generic Reinvention Evaluations
3330	Rulemaking Concerning Certain Microbial Products (Biotechnology) Under the Toxic Substances Control Act (TSCA)
3331	Water Quality Standards Regulation -- Revision
3332	Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges
3333	Test Procedures for the Analysis of Mercury Under the Clean Water Act
3334	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act
3335	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase Two
3336	Effluent Guidelines and Standards for the Centralized Waste Treatment Industry
3337	Effluent Guidelines and Standards for the Industrial Laundries Point Source Category
3338	Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category
3339	Effluent Guidelines and Standards for Landfills
3342	Effluent Guidelines and Standards for Industrial Waste Combustors
3343	Amendment to Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3344	Guidelines Establishing Test Procedures for the Analysis of Trace Metals Under the Clean Water Act
3345	Guidelines Establishing Test Procedures for the Analysis of Cyanide Under the Clean Water Act
3348	Uniform National Discharge Standards for Armed Forces Vessels
3353	Amendments to Round I Final Sewage Sludge Use or Disposal Rule--Phase One
3354	Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California
3356	Streamlined Procedures and Guidance for Approving Test Procedures Under 40 CFR Part 136
3358	Effluent Guidelines and Standards for the Pharmaceutical Manufacturing Category
3361	Withdrawal of Proposed Amendment to Effluent Guidelines and Standards for Ore Mining and Dressing Point Source Category, New Source Performance Standards
3362	Guidelines Establishing Oil and Grease Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3363	Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring Under 40 CFR Part 136
3364	Guidelines Establishing Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act
3365	Clarification of the Application Requirements for States Wanting to Designate Drinking Water Intake Zones, Thereby Prohibiting the Discharge of Vessel Sewage Within Those Zones
3368	Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II
3369	Guidelines Establishing Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act
3370	Standards for the Use or Disposal of Sewage Sludge (Round II)
3371	Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases I and 2
3373	Effluent Guidelines and Standards for Iron and Steel Manufacturing Point Source Category
3374	Streamlining Revisions to the Water Quality Planning and Management Regulations
3376	Comparison of Dredged Material to Reference Sediment
3377	Revisions to Ocean Dumping Regulations for Dredged Material
3378	Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category
3379	Streamlined Procedures for Developing and Maintaining Approved Publicly Owned Treatment Works Pretreatment Programs
3380	Guidelines Establishing Test Procedures for the Analysis of 2,3,7,8-Substituted Dibenzo-P-Dioxins and Dibenzo Furans Under the Clean Water Act
3381	Disposal of Low-Activity Radioactive Wastes
3382	Federal Radiation Protection Guidance for Exposure of the General Public
3384	Environmental Protection Agency Radiation Site Cleanup Regulation
3385	Revision of Existing Variances and Exemptions Regulation to Comply with Requirements of the Safe Drinking Water Act
3386	Drinking Water Consumer Confidence Report Regulations
3387	Public Water System Public Notification Regulation
3388	Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts
3389	Analytical Methods for Regulated Drinking Water Contaminants: Total Coliforms, E. coli, and Acid Herbicides
3391	Streamlining Drinking Water Monitoring Requirements
3392	National Primary Drinking Water Regulations for Lead and Copper
3394	Reformatting of Drinking Water Regulations
3395	Analytical Methods for Regulated Drinking Water Contaminants: Organic, Inorganic and Microbiological Contaminants
3397	Revisions to State Primacy Requirements to Implement Federal Drinking Water Regulations
3398	National Primary Drinking Water Regulations: Radon
3399	National Primary Drinking Water Regulations: Groundwater Disinfection
3400	National Primary Drinking Water Regulations: Arsenic
3401	National Primary Drinking Water Regulations: Sulfate
3402	National Primary Drinking Water Standards for Aldicarb
3403	National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters
3404	Underground Injection Control Program Streamlining Rule
3406	Revisions to the Oil Pollution Prevention Regulation
3407	Removal of Requirement to Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)
3408	Standardized Permit for RCRA Hazardous Waste Management Facilities
3413	Listing Determination for Hazardous Wastes--Organobromines Chemical Industry
3415	Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments
3416	Identification and Listing of Hazardous Waste: Petroleum Refining Process Wastes
3418	Land Disposal Restrictions--Phase IV: Paperwork Reduction; Treatment Standards for Wood Preserving, Mineral Processing and Characteristic Metal Wastes; Related Mineral Processing Issues
3422	Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials
3423	Proposed Modifications to Hazardous Waste Storage and Disposal Regulation Related to Low Level Mixed Waste
3424	Facility Response Planning for Delegated Offshore Facilities

Federal Government—Cont.

Seq. No.	Title
3427	Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste
3429	Identification and Listing of Hazardous Wastes: Hazardous Waste Identification Rule (HWIR); Waste
3430	Spent Solvents Listing Determination
3431	Chlorinated Aliphatics Listing Determination
3433	Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury-Containing Lamps
3434	Hazardous Waste Manifest Regulation
3435	Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities
3438	New and Revised Testing Methods Approved for RCRA Subtitle C, Hazardous Waste Testing Manual, SW-846, Third Edition, Update IV
3439	New and Revised Testing Methods Approved for RCRA Subtitle C, in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846), Third Edition, Update III
3441	State Implementation Plan Calls for Certain States in the Ozone Transport Assessment Group (OTAG) for Purposes of Reducing Regional Transport Ozone
3446	Revisions to New Source Review (NSR) Regulations to Implement the New National Ambient Air Quality Standards (NAAQS) for Ozone and Particulate Matte
3450	Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations
3451	Transportation Conformity for Transitional Ozone Areas
3452	Revisions to the Permits and Sulfur Dioxide Allowance System Regulations under Title IV of the Clean Air Act
3456	Performance Warranty and Inspection/Maintenance Test Procedures
3457	Inspection/Maintenance Recall Requirements
3459	NESHAP: Ferroalloy Production
3464	Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation
3468	Ambient Air Quality Surveillance, Recension of NAMS Ambient Air Quality Monitoring Requirements for Lead
3470	Acid Rain Program: Continuous Emission Monitoring Rule Revisions for Technical Issues
3472	Environmental Radiation Protection Standards for Scrap Metal from Nuclear Facilities
3481	Review of New Sources and Modifications in Indian Country
3482	Revisions to Clarify the Permit Content Requirements for State Operating Permits
3484	Ambient Air Quality Surveillance: Changes to Accommodate Revised Ozone NAAQS & Implementation Strategies
3485	Next Revision of Appendix W to 40 CFR Part 51
3488	NESHAP: Steel Pickling, HC1 Process
3489	NESHAP: Primary Copper Smelting
3490	NESHAP: Secondary Aluminum Industry
3491	NESHAP: Portland Cement Manufacturing
3495	NESHAP: Primary Lead Smelters
3496	NESHAP: Manufacture of Tetrahydrobenzaldehyde
3497	NESHAP: Acrylic/Modacrylic Fibers Manufacturing
3500	NESHAP: Baker's Yeast Manufacturing Industry
3501	Amendments to Subpart A and B for 40 CFR 63
3502	Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities
3505	Offset Lithographic Printing National VOC Rule
3506	NESHAP: Chromium Electroplating Amendment
3508	NESHAP: Flexible Polyurethane Foam Fabrication Operations
3509	NESHAP for Group I Polymers and Resins and Group IV Polymers and Resins and Group IV Polymers and Resins
3510	Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for non-Federal Class I Areas
3512	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)
3516	Amendment to the Refrigerant Recycling Rule To Include All Refrigerants
3518	Servicing of Motor Vehicle Air Conditioners: Standards for Equipment that Recovers and Recycles Refrigerants Other Than CFC-12 and HCF-134a
3519	Supplemental Rule To Require Certain Products Made With HCFCs To Bear Warning Label
3520	Federal Implementation Plan for a Fifteen Percent Reduction in Volatile Organic Compounds in the District of Columbia
3523	Locomotive Emission Standards
3525	NSPS: Synthetic Organic Chemicals Manufacturing Industry--Wastewater
3534	Regulation Review/Burden Reduction
3544	NESHAP: Mineral Wool Production Industry
3545	NESHAP: Phosphoric Acid Manufacturing
3546	NESHAP: Phosphate Fertilizers Production
3547	NESHAP: Wool Fiberglass Manufacturing Industry
3548	NESHAP: Primary Aluminum Plants
3549	NESHAP: Flexible Polyurethane Foam Production
3551	Revision of Initial List of Categories of Sources and Schedule for Standards Under Section 112(c) and (e) of the Clean Air Act Amendments of 1990
3558	Transportation Conformity Rule Amendment and Solicitation for Participation in the Transportation Conformity Pilot Program
3559	National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings
3569	Outer Continental Shelf Air Regulations Delegation Remand
3570	Outer Continental Shelf Air Regulations Offset Remand
3572	Amendment to the MVAC Rule To Include All Refrigerants
3575	NESHAP for Miscellaneous Cellulose Production
3576	NESHAP for Municipal Solid Waste Landfills
3578	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks
3579	Method 301: Field Validation of Pollution Measurement Methods for Various Media
3582	Radionuclide Dose Methodology Update
3583	NSPS for Sewage Sludge Incinerators
3584	NESHAP for Plywood and Particle Board Manufacturing
3586	Storage Tank Rule Revisions
3587	Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)
3591	NESHAP--Iron Foundries and Steel Foundries
3592	NESHAP--Cyanide Chemical Manufacturing
3593	NESHAP: Integrated Iron and Steel
3596	NESHAP: Chlorine Production
3599	NESHAP for Tire Manufacturing
3607	NESHAP: Lime Manufacturing
3608	Industrial Combustion Coordinated Rulemaking--ICCR Project
3610	NESHAP: Semiconductor Production
3612	NESHAP: Metal Coil (Surface Coating) Industry
3613	NESHAP: Fabric Printing, Coating and Dyeing
3614	Automobile and Light-Duty Truck Manufacturing Integrated Rule Development
3617	NESHAP: Spandex Production
3618	NESHAP for Leather Tanning and Finishing Operations
3619	NESHAP for Cellulose Production Categories
3620	NESHAP for the Manufacture of Carbon Black
3621	NESHAP: Vegetable Oil Production
3623	NESHAP for Organic Liquid Distribution
3630	Integrated Rule for Paper, and other Web Coating and Coatings: MACT for NESHAP; and BAC for National VOC Rule
3631	Nonroad Spark-Ignition Engines at or Below 19 Kilowatts (25 Horsepower) (Phase 2)
3632	Update of the Acceptability List Under the Significant New Alternatives Policy (SNAP) Program
3636	Addition of Methods 204, 204A - 204F for Measurement of VOC Emissions From Stationary Sources
3638	Transportation Conformity Rule Amendments: Flexibility and Streamlining
3642	Addition of Method 14A to 40 CFR Part 60, Appendix A
3644	Hospital/Medical/Infectious Waste Incinerators
3645	Revision to NSPS: Nonmetallic Minerals Processing
3646	NSPS Revisions for Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
3650	Grants for Technical Assistance Rule Reform--40 CFR Part 35 Subpart M
3651	Reportable Quantity Adjustments for Carbamates
3652	National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules
3653	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7): Amendment
3654	Amendments to the Emergency Planning and Community Right-To-Know Act, Sections 302 Through 312
3657	Revision of the Local Government Reimbursement Regulation
3658	Administrative Reporting Exemptions for Certain Radionuclide Releases

Federal Government—Cont.

Seq. No.	Title
3662	Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance
3670	Amendments to Part 22 Consolidated Procedural Rules
3672	Safe Drinking Water Public Water Supply System Program: Citizen Collection Action; Notice of Complaint Seeking Review of Penalty Order
3673	Common Rulemaking on Administrative Requirements for Grantees to Reflect Single Audit Act Amendments
3676	Field Citation Program
3678	Public Information and Confidentiality Regulations
3679	Pesticide Management and Disposal
3684	FIFRA Books and Records of Pesticide Production and Distribution (Revision)

ENVIRONMENTAL PROTECTION AGENCY INDEX TO ENTRIES SUBJECT TO 610 REVIEW

Section 610(c) of the Regulatory Flexibility Act (5 U.S.C. 601) requires each agency to have a plan for the periodic review of its rules that have significant economic impact on a substantial number of small entities. Each agency must publish annually in the **Federal Register** a list of the rules that it plans to review in the next year. Some agencies use The Regulatory Plan and the Unified Agenda to fulfill this requirement. Those agencies indicate such entries by appending "(Section 610 Review)" to the titles.

The following index lists the regulatory actions in this joint publication for which agencies included this designation. The Sequence Number (Seq. No.) of the entry identifies the location of the entry in this edition. For further information, see the Regulatory Information Service Center's Introduction to The Regulatory Plan and the Unified Agenda in Part II of this issue.

Seq. No.	Title
	EPA
129	Polychlorinated Biphenyls (PCBs) Disposal Amendments **(Section 610 Review)**
3290	Amendments to the Asbestos Worker Protection Rule **(Section 610 Review)**
3303	Revised Asbestos Model Accreditation Plan **(Section 610 Review)**
3304	Amendments to the Asbestos-Containing Materials in Schools Rule **(Section 610 Review)**

ENVIRONMENTAL PROTECTION AGENCY SUBJECT INDEX

Seq. No.

A

Accounting:
Audits of state and local governments and non-profit institutions 3673
Acquisition regulations:
See Government procurement
Additives:
See Fuel additives
Administrative practice and procedure:
See also Environmental impact statements
Freedom of information
EPA 3679, 3683
EPA State operating permits 3482
Hearing and appeal procedures:
Environmental Protection Agency 131, 3526
Agriculture:
See also Foods
Pesticides and pests
Ozone depletion 3477
Worker protection standards 3261, 3262, 3263, 3269
Air pollution control:
See also Motor vehicle pollution
Acid rain 3462, 3470, 3526, 3527, 3528, 3639
Allowance allocations 3474
Acid Rain Program 3480
Acrylic/modacrylic fiber manufacturing 3497
Aerosol can production 3600
Aerospace industry 3512, 3552
Aerospace manufacturing and rework facilities 3552
Agricultural chemicals 3494
Air quality modeling 3485
Air quality resources:
Class I area designations 3510
Air quality standards 140, 3468, 3633, 3635, 3643
Air storage tanks 3586
Aircraft and aircraft engines 3529
Aluminum industry 3490, 3548
Appeals regulations 3526
Asphalt roofing and processing 3604
Awards 3681
Baker's yeast manufacturing industry 3500
Boat manufacturing industry 3598
Boilers 3606
Capture efficiency guidelines 3636
Carbon monoxide 3529, 3563
Chemicals 124, 3595, 3596
Chlorofluorocarbons (CFCs) 3518
Chromium emissions 3506, 3605
Citizen suit regulation 3682
Clean Air Act 135, 3475, 3516, 3528, 3542, 3544, 3551, 3572, 3573, 3624, 3641, 3647, 3682
Clean fuel fleet vehicles 3448
Consumer products 142
Copper smelters 3489
Cyanide chemical manufacturing 3592
Diesel refineries 3462
Dioxin emission measurement 3579
District of Columbia VOC control measures 3520
Dry cleaners 3601
Electric utility steam generating facilities 3571
Emission control diagnostic systems 3555, 3581
Emission standards 3476, 3481, 3508, 3539, 3540, 3575, 3576, 3616, 3617, 3618
Coke ovens 3578
Determining compliance 3642
Hydrogen fluoride production 3504
Semiconductor facilities 3610

Seq. No.

Air pollution control—Continued
Emissions monitoring 3443, 3454, 3514
Emissions monitoring program 3467, 3470, 3507, 3533, 3587, 3621, 3637
Emissions reporting 3440
Emissions trades 143, 3577
Ethylene processing 3602
Fabric printing, coating and dyeing industry 3613
Ferroalloy industry 3459
Fuel and fuel additives 3557
Fugitive emissions 3450
Gas turbines 3589
General provisions amendments 3501
Generic test procedures 3637
Halons 3541
Hazardous air pollutants 126, 3298, 3441, 3473, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3507, 3508, 3509, 3512, 3541, 3547, 3548, 3549, 3551, 3552, 3574, 3575, 3576, 3584, 3588, 3589, 3590, 3594, 3595, 3596, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3616, 3617, 3618, 3619, 3620, 3621, 3622, 3623, 3626, 3628, 3629, 3630, 3631, 3644, 3647
Hazardous air pollutants source categories 3503, 3551, 3555, 3622
Hazardous waste combustion facilities 135
Hazardous waste TDSF and generator sites 3574
Indian reservations 3464
Indian tribes treatment 3542
Industrial Combustion Coordinated Rulemaking 3608
Inspection/maintenance programs 3453, 3454, 3457, 3466
Internal combustion engines 3588
Iron and steel industry 3591, 3593
Large appliance coating industry 3603
Lead 3468
Lead smelters 3495, 3554
Lime manufacturing industry 3607
Locomotive emissions 3523
MACT standards 3503, 3504, 3508, 3575, 3576, 3610, 3616, 3617, 3619, 3620, 3623, 3642
Measurement regulation 3579, 3636
Medical waste incinerators 3644
Metal parts and products coating industry 3611, 3612, 3626, 3628
Mineral wool production industry standards 3544
Monitoring 137
Municipal landfills 3576
National Strategy for Urban Area Sources of Toxic Air Emissions 3507
Navajo nation lands 3461
NESHAP:
Carbon black 3620
Cellulose production 3575, 3619
Chromium emissions 3506
Elastomers 3509
Fabric printing, coating and dyeing industry 3613
Lead smelters 3554
Leather tanning 3618
Metal parts and products coating industry 3611, 3612
Non-metallic minerals processing 3615
Organic liquids 3623
Polyurethane foam production 3508
Site remediation 3616
Spandex 3617
Thermoplastics 3509
Vegetable oil production 3621
Wood furniture industry 3553
New source performance standards 3608, 3625, 3644, 3645, 3646

Seq. No.

Air pollution control—Continued
Now source review 138
New stationary sources 3481, 3533
Nitrogen oxides 3529
Non-metallic minerals processing 3615, 3645
Non-road compression ignition engines 3442
Nonhandheld engines 3563
Opacity measurement of emissions 3531, 3587
Operating permits 139, 3585
Indian reservations 3538
Outer continental shelf 3569, 3570
Ozone 123, 142, 143, 3471, 3473, 3512, 3516, 3517, 3535, 3537, 3566, 3567, 3572, 3573, 3603, 3626, 3628, 3629, 3630, 3632, 3643
Ozone and ozone precursors:
Attainment and nonattainment areas 3441
National ambient air quality standards 3446, 3451
National ambient air quality surveillance (NAAQS) 3484
Transport 3441
Paint stripper users 3597
Paper, film and foil coating industry 3630
Particulate matter standards 3473, 3633, 3635
PCB manufacturing 3301
Penalties for violations 3676
Petroleum refineries 3458, 3590
Pharmaceuticals industry 3493
Phosphate fertilizer production 3546
Phosphogypsum stacks 3550
Phosphoric acid manufacturing 3545
Plastic composites manufacturing 3594
Plastic parts industry 3629
Plywood and particle board manufacturing 3584
Polycarbonates 3498
Polyether polyol production 3492
Polymers and resins 3487
Polyurethane foam production 3549
Portland cement manufacturing 3491
Process heaters 3606
Publically owned treatment works study 3499
Pulp and paper mills 126
Radioactive waste 3640
Radionuclides 3582
Radon 3536, 3550
Reporting and recordkeeping requirements 3471, 3534
Sewage sludge incinerators 3583
Shipbuilding industry 3512
Solid waste incinerators 3625
State implementation plans 123, 138, 143, 3461, 3502, 3535, 3537, 3558, 3569, 3638, 3641
Steel pickling processes 3488
Stratospheric ozone protection 3447
Sulfur dioxide 3452
Sulfur oxides 140, 3527
Synthetic organic chemicals manufacturing 3525
Test rules 3329
Tetrahydrobenzaldehyde manufacturing 3496
Tire manufacturing 3599
Transportation conformity for transitional ozone areas 3451
Transportation Conformity Pilot Program 3511
Urban Bus Retrofit/Rebuild Program 3445
Volatile organic compounds 141, 143, 3444, 3478, 3505, 3512, 3520, 3525, 3537, 3559, 3603, 3614, 3626, 3627, 3628, 3629, 3630, 3636, 3641
Waste incinerators performance standards 3624
Wood furniture industry 3512, 3553, 3627
Wool fiberglass manufacturing industry 3547
Aircraft:
Emission standards and test procedures 3529
Rocket Engines 3622
Airplanes:
See Aircraft
Airworthiness directives and standards:
See Aircraft
Antidumping:
Reformulated gasoline program requirements 3556

Seq. No.

Appeal procedures:
See Administrative practice and procedure
Appliances:
See Household appliances
Asbestos:
Model accreditation plan 3303
Auditing:
See Accounting
Authority delegations:
EPA revisions 3502
Automobiles:
See Motor vehicles

B

Balloons:
See Aircraft
Bankruptcy:
RCRA financial responsibility 3420
Barrels:
See Packaging and containers
Buildings:
See also Federal buildings and facilities
Asbestos 3303
Buses:
See also Motor vehicles
EPA Urban Bus Retrofit/Rebuild Program 3445
Business and industry 3371
See also specific industries
Accounting
Bankruptcy
Confidential business information
Labeling
Packaging and containers
Acrylic/modacrylic fiber manufacturing:
Air pollution control 3497
Aerospace industry:
Air pollution control 3512, 3552
Aluminum industry 3642
Air pollution control 3490, 3548
Asphalt roofing and processing industry:
Air pollution control 3604
Baker's yeast manufacturing:
Air pollution control 3500
Boat manufacturing industry:
Air pollution control 3598
Cellulose manufacturing 3575, 3619
Cement manufacturing:
Air pollution control 3491
Chemicals:
Air pollution control 3494, 3525, 3595, 3596
Control of PMNs 3308
Hazardous wastes listing 3413, 3415, 3430, 3431
Manufacture 110, 124, 3299, 3300, 3312, 3313, 3608
Pollution standards 3301
Dry cleaning:
Air pollution control 3601
Effluent guidelines 3337
Effluent guidelines 3337, 3338, 3339, 3371, 3373
EPA operating permits 139
Ethylene processing:
Air pollution control 3602
Ferroalloy industry:
Air pollution control 3459
Fertilizers 3646
Friction products 3609
Granular triple superphosphate (GTSP) 3646
Industrial disposal wells 119
Industrial laundries:
Effluent guidelines 3337
Iron manufacturing:
Effluent guidelines 3373
Large appliance coating industry:
Air pollution control 3603
Leather tanning and finishing 3618

Seq. No.

Business and industry—Continued
Lime manufacturing industry:
Air pollution control....3607
Manufacturing....3608
Metal parts and products coating industry:
Air pollution control....3626, 3628
Metal products and machinery:
Effluent guidelines....3371
Mineral processing:
Air pollution control....3645
Motor vehicle manufacturing:
Air pollution control....3581, 3614
Clean fuel fleet vehicles....3448
Consumer information....3479
Emission standards....144, 3476, 3539, 3540, 3631
Sales volume limit provisions....3532
National Pollutant Discharge Elimination System permits....117
Paint manufacturing:
Hazardous waste management....3427
Paper, film and foil coating industry:
Air pollution control....3630
Pharmaceuticals:
Air pollution control....3493
Pollution standards....3358
Plastic parts industry:
Air pollution control....3629
Plywood and particle board manufacturing:
Air pollution control....3584
Polyether polyol production:
Air pollution control....3492
Polyurethane foam production....3508
Air pollution control....3549
Printing/publishing....3505
Pulp, paper and paperboard....126, 3378
Spandex....3617
Steel manufacturing:
Effluent guidelines....3373
Tetrahydrobenzaldehyde manufacturing:
Air pollution control....3496
Tires....3620
Manufacture....3599
Transportation equipment cleaning:
Effluent guidelines....3338
Vegetable oil production....3621
Wood furniture industry:
Air pollution control....3512
Wool fiberglass manufacturing:
Air pollution control....3547

C

Cancer:
See also specific hazardous substances
Carcinogen risk assessment....3680
Charter buses:
See Buses
Motor vehicles
Chemicals:
See also specific chemicals
Hazardous substances
Pesticides and pests
Acrylamide....3309
Air pollution control....124, 3525
Arsenic in drinking water....3400
Assessment information rule....3312
Chemical inventory reporting....3654
Drinking water regulations....3402
Formaldehyde....3321
Health and safety reporting rule....3313
High-production-volume (HPV) chemicals....3294
New use rules for PMNs....3308
Ozone depleting....3477
Refrigerant recycling....3516, 3518, 3572, 3573
Sales restrictions....3517

Seq. No.

Chemicals—Continued
Substitutes....3632
Polychlorinated biphenyls....3301
Polymers and resins....3509
Screening Information Data Set (SIDS)....3294
Test rules....3295, 3297, 3307, 3315, 3324, 3329
Toxic substances....3286, 3299
Toxic substances in new chemicals....3300
Toxicity profiles....3296
Toxics Release Inventory....109
Use inventory rule....110
Children:
See Infants and children
Clean Air Act:
See Air pollution control
Clean Water Act:
See Water pollution control
Coal mines:
See Mines
Coastal zone:
See also Continental shelf
Biological test methods for pollutants....3369
Waste deposit prevention....3367
Confidential business information:
EPA regulations....3678
Consumer protection:
See also Labeling
Lead-based paint....3288
Water supply....3386
Containers:
See Packaging and containers
Continental shelf:
Air pollution control....3569, 3570
Offshore structures:
Oil spill prevention and response....3424
Contracts:
See Government contracts
Cooperative agreements:
See Grant programs
Copper:
Drinking water regulations....3392
Corporations:
See Business and industry
Critical habitat:
See Endangered and threatened species
Crude oil:
See Petroleum

D

Dangerous cargo:
See Hazardous materials transportation
Debarment and suspension:
EPA changes....3663
Defense acquisition regulations:
See Government procurement
Defense contracts:
See Government contracts
Government procurement
Desegregation in education:
See Equal educational opportunity
Discrimination in education:
See Equal educational opportunity
Diseases:
See specific diseases
Drinking water:
See Water supply

E

Ecology:
See Environmental protection
Electric utilities:
Steam generating facilities....3571
Endangered and threatened species:
Pesticide labeling program....3272

Seq. No.

Energy:
See also Fuel economy
Natural gas
Petroleum
Alternative fuels 3521
Fluorescent lamps exemption from Hazardous Waste Management 3433
Wastes from fossil fuel combustion 3405
Environmental impact statements:
Antarctic impact assessment 3685
Environmental protection:
See also Air pollution control
Environmental impact statements
Pesticides and pests
Waste treatment and disposal
Water pollution control
Antarctic Treaty 3685
Biotechnology risk assessment 3330
Chemicals 110, 3294, 3297, 3324, 3329
Class deviations incorporation into EPAAR 3664
Coastal waste deposit prevention 3367
Content requirements for state operating permits 3482
Ecological risk assessment 3674
EPA acquisition regulations 3663, 3668
Monitoring 137
Pesticides 3260
Protocol on Environmental Protection 3685
Equal educational opportunity:
Federally assisted education programs 3662
Estuaries:
See Coastal zone
Ex parte communications:
See Administrative practice and procedure
Explosives:
See also Hazardous materials transportation
Hazardous substances
Deletion from regulated substance list 3656
Exports:
Chemicals 3315
Pesticides 3277

F

FAR (Federal Acquisition Regulation):
See Government procurement
Farmers:
See Agriculture
Federal acquisition regulations:
See Government procurement
Federal aid programs:
See Grant programs
Technical assistance
Federal buildings and facilities:
Uniform identification information 3316
Federal-State relations:
See Intergovernmental relations
Fines and penalties:
See Penalties
Flammable materials:
Exemption from regulated substance list 3656
Pesticide foggers 3266
Foods:
See also specific foods
Pesticide residues 3256, 3271
Foreign relations:
See also specific countries
Foreign trade
Treaties
Organization for Economic Cooperation and Development (OECD) 3294
Foreign trade:
See also Exports
Imports
Motor vehicles 3513
Freedom of information:
See also Confidential business information

Seq. No.

Freedom of information—Continued
Chemical inventory reporting 3654
Toxics Release Inventory reporting 3326, 3327
Fuel:
See Energy
Fuel additives:
Reporting and recordkeeping requirements 3449
Fuel economy:
Light trucks and light duty vehicles 3514

G

Gas exploration:
See Oil and gas exploration
Gas utilities:
See Natural gas
Gasoline:
See also Fuel economy
Additives 3449
Diesel refineries 3462
Reformulated 3557, 3634
Government buildings:
See Federal buildings and facilities
Government contracts:
See also Government procurement
Cost or pricing data 3668
Debarment and suspension 3663
EPA acquisition regulations 3663, 3668
EPA Mentor-Protege Program 3665
Penalty payments 3670
Profit/fee determinations 3677
Government procurement:
See also Government contracts
Acquisition regulations:
Quality of environmental data 3667
Value engineering 3669
Contracts:
Incrementally funding fixed price contracts 3666
Environmentally preferable products 3318
Recycled products 3422
Grant programs:
Single Audit Act Amendments 3673
Grant programs-environmental protection:
EPA technical assistance grants 3650

H

Hazardous materials transportation:
Hazardous Waste Manifest rule 3434
Mercury-containing and rechargeable batteries 3411
Stationary source definition 3656
Hazardous substances:
See also Explosives
Flammable materials
Hazardous materials transportation
Hazardous waste
Radioactive materials
Air pollutants 126, 3298, 3441, 3458, 3459, 3473, 3474, 3487, 3488, 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3500, 3503, 3506, 3507, 3508, 3509, 3512, 3541, 3544, 3545, 3546, 3547, 3548, 3549, 3551, 3552, 3554, 3555, 3574, 3575, 3576, 3583, 3584, 3588, 3589, 3590, 3591, 3592, 3593, 3594, 3595, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3611, 3612, 3613, 3614, 3615, 3616, 3617, 3618, 3619, 3620, 3621, 3623, 3625, 3626, 3627, 3628, 3629, 3630, 3631, 3633, 3635, 3644, 3647
Asbestos 3290, 3303, 3304
Carbon monoxide 3529, 3563
Carcinogen risk assessment 3680
Chemical test rules 3298, 3307, 3315
Chemicals 107, 108, 111, 112, 3286, 3296
Chromium 3605
Drinking water regulations 3395
Environmentally preferable products guidelines 3318
Extremely Hazardous Substances List 3423, 3649, 3653, 3655

Seq. No.

Hazardous substances—Continued
Federally permitted releases 3659
Formaldehyde 3321
Isocyanates 3475, 3653, 3655
Lead 114, 3288, 3289, 3306, 3317, 3325, 3392, 3495
Mercury-containing and rechargeable batteries 3411
Metals 3319
Method 24 amendment 3463
Microbial products (biotechnology) 3330
Microorganisms 3293
Neurotoxicity risk assessment 3675
Nitrogen oxides 145, 3529
Ozone and ozone precursors 143, 3441
Ozone depleting substances 3477
Pesticides 3259, 3267, 3270, 3275, 3279, 3302
Cross-contamination reporting 3278
EPA consolidation of GLPS regulations 3671
Exportation 3277
Field testing 3273
Labeling program 3272, 3274
Produced by transgenic plants 3265
Regulatory review 3328
Self-certification 127
Worker protection standards 3262, 3263, 3269
Polychlorinated biphenyls 129, 3310, 3322
Radionuclides 3384, 3398, 3582, 3658
Radon 3536, 3550, 3661
Regulatory review 3328
Reporting and recordkeeping requirements 3314
Saccharin 3660
Sulfur oxides 140
Surface coatings 3463
Toxic Release Inventory:
Chemicals 107, 108, 111, 112
Toxicological profiles:
Metals 3319
Toxics Release Inventory 109, 3326, 3327
Underground storage tanks 3436
Water pollution control 3344, 3345, 3354
Hazardous waste:
Carbamates 3651
Cement kiln dust 121
Cleanups 136, 3650
Dioxin/furan contaminated sludge 3323
Disposal facilities:
Combustion facilities 135
Radioactive waste 122, 3381
Effluent limitation guidelines 3336
Groundwater contamination 119, 3616
Identification and listing 136, 3426, 3427, 3429
Land disposal:
Post-closure requirements 3412
Restrictions 3418, 3425
Lead 3291
Manifest regulation 3434
Medical waste 3644
Mineral processing wastes 3418
Organobromines 3413
Paint manufacturing 3427
Permit program 3408
Petroleum refining process 3416
Polychlorinated biphenyls 129, 3322
Radioactive waste:
Recycling of scrap metals 3472
Waste Isolation Pilot Plant 122, 3640
Waste management rules 3580
Yucca Mountain, NV 125
Recycled used oil 3426
Recycling 120
Saccharin 3660
Silver-bearing waste 3428
Solid waste 120
Solvents 3430
Spent solvents 3426

Seq. No.

Hazardous waste—Continued
Technical standards for corrective action for cleanup 3435
Testing methods 3438
Toxic waste site 3296
Toxicity characteristic metals 3418
Toxicity characteristic rule 3432
Treatment and disposal:
Fluorescent lamps 3433
Treatment, storage, and disposal facilities and generators 3574
Triarylmethane dye and pigments 3415
Uncontrolled sites on the NPL 3652
Wood preserving wastes 3418
Health facilities:
Incineration of medical waste 3644
Health records:
Health and Safety Data Model Reporting 3305
Hearing and appeal procedures:
See Administrative practice and procedure
Helicopters:
See Aircraft
Herbicides:
See Pesticides and pests
Household appliances:
Surface coating of large appliance products and parts 3603
Housing:
Lead-based paint 3289, 3291
Housing assistance payments:
See Housing

I

Imports:
See also Antidumping
Chemicals 3299, 3312, 3313
Control of PMN chemicals 3308
Ozone-depleting substances 3471
Indians-lands:
Air pollution control implementation 3461, 3464, 3510, 3538
EPA new source reviews 3481
Municipal solid waste landfills 3421
Water pollution control requirements 3403
Indians-tribal government:
Air quality planning and management 3542
EPA emergency response reimbursement 3657
Industrial safety:
See Occupational safety and health
Industry:
See Business and industry
Infants and children:
Lead poisoning 114, 3288, 3306
Sulfate in drinking water 3401
Information:
See Confidential business information
Freedom of information
Reporting and recordkeeping requirements
Insecticides:
See Pesticides and pests
Intergovernmental relations:
See also Grant programs
Air pollution control implementation 123, 138, 139, 143, 144, 3461, 3468, 3502, 3535, 3537, 3558, 3569, 3638, 3641, 3647
EPA effluent guidelines and standards 3346
EPA emergency response reimbursement 3657
EPA Hazardous Waste Manifest rule 3434
EPA permit regulations 131
EPA State implementation plans (SIPs) 3441, 3482, 3511, 3587
EPA State sewage sludge management 130
EPA water monitoring requirements 3391
EPA water quality standards 3344, 3374
EPA water regulations streamlining 115
EPA well operation regulation 3404
EPA-California water quality standards 3354
Nuclear accident protection 3383

Seq. No.

Intergovernmental relations—Continued
Water supply....3386, 3397, 3403
International agreements:
See Treaties
International trade:
See Foreign trade
Investigations:
Investigating and remediating releases at RCRA facilities 3435

L

Labeling:
See also Packaging and containers
HCFCs....3519
Methyl bromide....3447
Pesticides....3266, 3272, 3274, 3275
Laboratories:
EPA consolidation of GLPS regulations....3671
Land:
See Indians-lands
Law:
See also Administrative practice and procedure
Suits against Federal agencies....3672, 3682
Third party suits:
Underground storage of hazardous materials....3436
Lead poisoning:
Hazard abatement....114
Paint....114, 3288, 3289, 3291, 3306, 3317, 3325
Reducing lead consumption and use....3320

M

Marine engineering:
See Vessels
Marine pollution:
See Water pollution control
Marine resources:
Criteria for water quality....3357
Medical facilities:
See Health facilities
Medical records:
See Health records
Medical research:
Neurotoxicity risk assessment....3675
Metals:
See also specific metals
Ambient lead levels....3468
Emission standards for ferroalloy industry....3459
EPA trace metal analysis....3344
High temperature metal recovery residues....3425
Radiation protection standards for scrap metals....3472
Military installations:
See Federal buildings and facilities
Mines:
Water pollution control....3361
Mobile offshore drilling units:
See Vessels
Motor vehicle pollution:
Emissions control....145
Emissions from refinishing coatings....3559
Emissions standards....3515, 3631
Emissions testing....3513
Gasoline:
Reformulated....3535, 3556, 3566, 3567, 3634
Inspection/maintenance programs....3456
Low emission vehicles program....144, 3521
Nitrogen oxides....145
On-highway heavy-duty certified engines in nonroad heavy-duty vehicles and equipment....3568
Particulate matter standards....145
Motor vehicles:
See also Buses
Fuel economy
Air conditioning system....3518, 3572
Alternatively fueled vehicles....3521

Seq. No.

Motor vehicles—Continued
Clean fuel fleet vehicles....3448
Light trucks....3443
Sales volume limit provisions....3532
Motorcycles:
See Motor vehicles

N

National defense contracts:
See Government contracts
Government procurement
Natural gas:
See also Oil and gas exploration
Motor vehicle fuel....145
Reformulated gasoline....3535, 3556, 3563, 3566, 3567
Nuclear safety:
See Radiation protection

O

Occupational safety and health:
Agricultural pesticides....3261
Formaldehyde exposure....3321
Ocean dumping:
See Water pollution control
Ocean resources:
See Marine resources
Offshore structures:
See Continental shelf
Oil and gas exploration:
Addition to Toxic Release Inventory....112
Oil pollution:
Oil spill response....3424
Prevention....3406
Outer continental shelf:
See Continental shelf

P

Packaging and containers:
See also Labeling
Child-resistant....3276
Paint:
See Lead poisoning
Paperwork requirements:
See Reporting and recordkeeping requirements
Parachutes:
See Aircraft
Penalties:
Air pollution control....3676
EPA....3672
Pesticides and pests:
Antimicrobial pesticides....3259, 3270
Canceled or suspended....3679, 3683
Child-resistant packaging....3276
Cross-contamination reporting....3278
Data requirements....3260
Disposal and storage guidelines....3275
Effluent guidelines and standards....3351
Exportation....3277
Field testing....3273
FIFRA exemptions....3257
Groundwater protection....128, 3267
Labeling requirements:
Endangered species protection....3272
Flammability....3266
Permitted statements....3274
Negotiated consent/procedural test rule....3302
Production and distribution records....3684
Regulatory review....3328
Reporting and recordkeeping requirements....3279
Residue in agricultural products....3256, 3271
Emergency exemptions....3270
Scientific research....3671
Self-certification....127
Storage and disposal....3679, 3683

Seq. No.

Pesticides and pests—Continued
Tolerance fees 3258
Transgenic plants 3265
Worker protection standards 3261, 3262, 3263, 3269
Petroleum:
See also Fuel additives
Gasoline
Oil and gas exploration
Oil pollution
Air pollution from petroleum solvent dry cleaners 3601
Air pollution from production facilities 3590
Refineries 3458
Refining process wastes 3416
Toxicity characteristic rule 3432
Plastics materials and synthetics:
Air pollution control regulations 3594
Pollution:
See Environmental protection
Power resources:
See Energy
Practice and procedure:
See Administrative practice and procedure
Procurement:
See Government procurement
Public buildings:
See Federal buildings and facilities
Public health:
See also Waste treatment and disposal
Air pollution effects 3298
Carcinogen risk assessment 3680
Radiation protection 3382
Toxic Substances Control Act 3305
Water contamination effects 3399
Public utilities:
See Electric utilities
Natural gas
Water supply

R

Radiation protection:
See also Radioactive materials
Drinking water 3383, 3582
General public 3382
Radiological Emergency Response Plan 3465
Scrap metal standards 3472
Waste Isolation Pilot Plant 3640
Yucca Mountain, NV 125
Radioactive materials:
See also Radiation protection
Waste disposal 3384
Radioactive waste:
See Hazardous waste
Railroads:
Locomotive emissions 3523
Rates and fares:
See Natural gas
Railroads
Record retention:
See Reporting and recordkeeping requirements
Records:
See Freedom of information
Health records
Reporting and recordkeeping requirements
Recycling:
Government purchase of recovered materials 3422
Hazardous waste 120
Refrigerant 3516, 3518, 3572, 3573
Scrap metal 3472
Reporting and recordkeeping requirements:
Carbamates 3651
Chemical inventory reporting 107, 108, 110, 112, 3654
Environmental monitoring 137
Environmental Protection Agency 3404, 3534, 3664
EPA emissions reporting requirements 3440

Seq. No.

Reporting and recordkeeping requirements—Continued
EPA key identifiers reporting 3316
Fuels and fuel additives 3449
Hazardous material releases 3659
Hazardous substances 3314, 3328
NPDES permittee reporting 3352
Ozone-depleting substances importation 3471
Pesticides 127, 3278, 3279, 3328, 3671, 3683, 3684
Pollution prevention actions in Toxic Release Inventory 113
Radionuclides 3658
Radon 3661
Toxic chemical test rules 3315
Toxic Substances Control Act 3305
Toxics Release Inventory reporting 109, 3326, 3327
Water systems 3386
Research:
See also Medical research
Biotechnology 3293, 3330
EPA consolidation of GLPS regulations 3671
Rockets:
See Aircraft
Rodenticides:
See Pesticides and pests
Rotorcraft:
See Aircraft

S

Sanitation:
See Public health
Waste treatment and disposal
School integration:
See Equal educational opportunity
Schools:
Asbestos 3290, 3304
Asbestos model accreditation plan 3303
Science and technology:
Neurotoxicity risk assessment 3675
Seaplanes:
See Aircraft
Segregation in education:
See Equal educational opportunity
Sewage disposal:
Incinerator emissions monitoring 3372
Incinerator emissions standards 3583
Sewer collection systems 3332
Sludge use and disposal 3335, 3353, 3370
Vessels 3365
Sex discrimination:
Federally assisted programs 3662
Shipbuilding industry:
Air pollution control 3512
Shipping:
See Railroads
Ships:
See Vessels
Solid waste disposal:
See Waste treatment and disposal
State-Federal relations:
See Intergovernmental relations
Subsidies:
See Grant programs
Superfund:
Claims application streamlining 3648
Grants for technical assistance 3650
Radiation site cleanup 3384
Reportable quantity adjustments for carbamates 3651
Synthetics:
See Plastics materials and synthetics

T

Technical assistance:
Environmental Protection Agency grants 3650
Technology:
See Science and technology

Seq. No.

Toxic substances:
See Hazardous substances
Transportation:
See also Railroads
Vessels
Air pollution control conformity....3558, 3638
Conformity for transitional ozone areas....3451
Environmental review....3577
Transportation Conformity Pilot Program....3511
Treaties:
Antarctic Treaty....3685
Montreal Protocol....3471
Trucks:
See Motor vehicles

V

Vessels:
Armed forces vessels:
Uniform national discharge standards....3348
Sewage discharge....3365

W

Waste treatment and disposal:
See also Hazardous waste
Recycling
Sewage disposal
Armed forces vessels....3348
Disposal facilities:
Residual radioactivity after cleanup....3384
Effluent guidelines....3336, 3339, 3342, 3343, 3361, 3368
Financial test criteria....3420
Fossil fuel combustion wastes....3405
Iron and steel manufacturing....3373
Land disposal:
Financial responsibility....3414
Groundwater monitoring....3437
Restrictions....3418, 3425
Metal machinery and equipment wastewater....3371
Mineral processing wastes....3418
Ocean dumping....3377
Permit applications....117, 132
Radioactive waste....125
Recoverable metals criteria....3360
Sewer grouting....3309
Shore Protection Act....3367
Solid waste disposal:
Hazardous waste recycling....120
Landfills and incinerators....3339, 3625
Municipal landfills....3576
Physical/chemical evaluation methods....3407, 3439
Technical standards for corrective action....3435
State programs....3421
Toxic Release Inventory....111
Toxicity characteristic metals....3418
Underground storage tanks:
Toxicity characteristic rule....3432
Uniform national discharge standards....3348
Wood preserving wastes....3418
Water pollution control:
See also Oil pollution
Waste treatment and disposal
Biological test methods....3369
Clean Water Act....3341, 3344, 3345, 3360, 3362, 3369, 3374, 3375, 3376, 3380
Test procedures....3356, 3363, 3364

Seq. No.

Water pollution control—Continued
Cyanide criteria....3345
Effluent guidelines:
Industrial waste combustors....3342
Industrial wastewater....3337, 3371
Iron and steel manufacturing....3373
Landfills and incinerators....3339
Ore mining....3361
Pharmaceuticals....3358
Pulp, paper and paperboard....126, 3343, 3368, 3378
Regulations reformatting....3346
Transportation equipment cleaning....3338
Great Lakes....3357
Marine pollution:
Ocean dumping....3377
NPDES permits....115, 3332
NPDES permittee reporting....3352
Oil and grease test procedures....3362
Permit applications....117
Permit regulations streamlining....131
Pretreatment regulations....116, 3351
Publicly owned treatment works pretreatment program....3379
Publicly owned treatment works renewal process....3341
Radionuclides....3398
Recoverable metals criteria....3360
Sewage sludge incinerator emissions....3372
Sewer collection systems....3332
Sludge management programs....130, 3353, 3370, 3431
Stormwater runoff....118
Test procedures for the analysis of pollutants....3333, 3334, 3380, 3388
Total maximum daily loads....3374
Trace metals criteria....3344
Waste disposal permit applications....132
Water quality standards....3331, 3354, 3356, 3363, 3364, 3374
Criteria for acute aquatic life....3357
Water supply:
Carcinogen risk assessment....3680
Drinking water....3672
Aldicarb and atrazine....3402
Analyzing regulated drinking water contaminants....3395
Arsenic....3400
Consumer Confidence Reports....3386
Contaminant level goals (MCLGs)....3403
Contaminants....133, 134, 3383, 3389, 3398
Copper....3392
Disinfectants....3399
Injection wells....119, 3404
Intake zones....3365
Lead....3392
Monitoring requirements....3391
Public notification requirements....3387
Radionuclides....3403, 3582
Regulations reformatting....3394
Safe Drinking Water Act....3385, 3397
Sulfate....3401
Surface water treatment rule....134
Ecological risk assessment....3674
Groundwater protection....128, 3267
Water transportation:
See Vessels
Wetlands:
See Coastal zone

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