

notice under 40 CFR 53.14(c) that the original designation or a new designation applies to the method as modified or until he has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the analyzer as modified.

Aside from occasional breakdowns or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to: Director, National Exposure Research Laboratory, Department E (MD-77), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this reference method will provide assistance to the States in establishing and operating their air quality surveillance systems under part 58. Technical questions concerning the method should be directed to the manufacturer. Additional information concerning this action may be obtained from Frank F. McElroy, Air Measurements Research Division (MD-77), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-2622.

Dated: July 12, 1995.

**Joseph Alexander,**

*Assistant Administrator for Research and Development.*

[FR Doc. 95-18369 Filed 7-25-95; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5264-3]

### Notice of Open Meeting of the Federal Facilities Environmental Restoration Dialogue Committee

**AGENCY:** Environmental Protection Agency.

**ACTION:** FACA Committee Meeting—Federal Facilities Environmental Restoration Dialogue Committee.

**SUMMARY:** As required by Section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), we are giving notice of the next meeting of the Federal Facilities Environmental Restoration Dialogue Committee. The meeting is open to the public without advance registration.

The purpose of the meeting is to discuss issues related to improving the Federal facilities environmental restoration process.

**DATES:** The meeting will be held on August 1, 1995, from 8 a.m. until 5 p.m. and on August 2, 1995, from 8 a.m. until 5 p.m.

**ADDRESSES:** The meeting will be held at the Grand Hyatt Hotel, 1000 H Street, SW., Washington, DC 20001.

**FOR FURTHER INFORMATION CONTACT:** Persons needing further information on the meeting or on the Federal Facilities Environmental Restoration Dialogue Committee should contact Sven-Erik Kaiser, Federal Facilities Restoration and Reuse Office (5101), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (202) 260-5138.

Dated: July 17, 1995.

**Sven-Erik Kaiser,**

*Designated Federal Official.*

[FR Doc. 95-18370 Filed 7-25-95; 8:45 am]

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[FRL-5264-4]

### Vermont: Adequacy Determination of State/Tribal Municipal Solid Waste Permit Program

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Tentative Determination to Fully Approve the Adequacy of the State of Vermont's Municipal Solid Waste Permitting Program, Public Hearing and Public Comment Period.

**SUMMARY:** Section 4005(c)(1)(B) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. 6945(c)(1)(B), requires states to develop and implement permit programs to ensure that municipal solid waste landfills (MSWLFs), which may receive hazardous household waste or small quantity generator hazardous waste, will comply with the revised Federal MSWLF Criteria (40 CFR part 258). RCRA Section 4005(c)(1)(C), 42 U.S.C. 6945(c)(1)(C), requires the Environmental Protection Agency (EPA) to determine whether states have adequate "permit" programs for MSWLFs, but does not mandate issuance of a rule for such determinations. EPA has drafted and is in the process of proposing a State/Tribal Implementation Rule (STIR) that will provide procedures by which EPA will approve, or partially approve, State/Tribal landfill permit programs. The Agency intends to approve adequate State/Tribal MSWLF permit programs as applications are submitted. Thus, these approvals are not dependent on final promulgation of the STIR. Prior to promulgation of the STIR, adequacy determinations will be made based on the statutory authorities and

requirements. In addition, States/Tribes may use the draft STIR as an aid in interpreting these requirements. The Agency believes that early approvals have an important benefit. Approved State/Tribe permit programs provide for interaction between the State/Tribe and the owner/operator regarding site-specific permit conditions. Only those owners/operators located in States/Tribes with approved permit programs can use the site-specific flexibilities provided by 40 CFR Part 258 to the extent the State/Tribal permit program allows such flexibility. EPA notes that, regardless of the approval status of a State/Tribe and the permit status of any facility, the federal landfill criteria shall apply to all permitted and unpermitted MSWLF facilities.

The State of Vermont has applied for a determination of adequacy under section 4005(c)(1)(C) of RCRA, 42 U.S.C. 6945(c)(1)(C). EPA Region I has reviewed Vermont's MSWLF permit program adequacy application and has made a tentative determination that all portions of Vermont's MSWLF permit program are adequate to assure compliance with the revised MSWLF Criteria. (In statutes and rules of the State of Vermont "certification" is substituted for the term, "permitting program." References herein to the State Permitting Program pertain to the Vermont Certification Program.) Vermont's application for program adequacy determination is available for public review and comment at the places listed in the **ADDRESSES** section below during regular office hours.

Although RCRA does not require EPA to hold a public hearing on a determination to approve any State/Tribe's MSWLF permit program, EPA Region I has tentatively scheduled a public hearing on this determination. If a sufficient number of persons express interest in participating in a hearing by writing to the EPA Region I Solid Waste Program or calling the contact given below within 30 days of the date of publication of this notice, EPA Region I will hold a hearing, in Montpelier, Vermont, on the date given below in the "DATES" section. EPA Region I will notify all persons who submit comments on this notice if it appears that there is sufficient public interest to warrant a hearing. In addition, anyone who wishes to learn whether the hearing will be held may call the person listed in the **CONTACTS** section below.

**DATES:** All comments on Vermont's application for a determination of adequacy must be received by the close of business on August 25, 1995. If there is sufficient interest, a public hearing

will be held on October 12, 1995 at 10:00 a.m., at the Pavilion Office Building, Fourth Floor Conference Room, 109 State Street, Montpelier, Vermont. The State will participate in the public hearing, if held by EPA Region I on this subject.

**ADDRESSES:** Copies of Vermont's application for adequacy determination are available at the following addresses for inspection and copying: during the hours of 8:00 a.m. to 4:00 p.m., Vermont Agency of Natural Resources, Solid Waste Management Division, 103 South Main Street, The Laundry Building, Waterbury, VT 06571-0407, Attn: Ms. Stacey Gosselin, telephone (802) 241-3444; during the hours of 8:00 a.m. to 5:00 p.m., U.S. EPA Region I, 90 Canal Street, Boston, MA 02203, Attn: Fred Friedman, telephone (617) 573-9687. Written comments should be sent to Mr. John F. Hackler, Chief, Solid Waste and Geographic Information Section, mail code HER-CAN6, EPA Region I, John F. Kennedy Federal Building, Boston, MA 02203-2211.

**FOR FURTHER INFORMATION CONTACT:** EPA Region I, John F. Kennedy Federal Building, Boston, MA 02203-2211, Attn: Mr. Charles Franks, mail code HER-CAN6, telephone (617) 573-9678.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

On October 9, 1991, EPA promulgated revised Criteria for MSWLFs (40 CFR part 258). Subtitle D of RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), requires states to develop permitting programs to ensure that MSWLFs comply with the Federal Criteria under 40 CFR part 258. Subtitle D also requires in section 4005(c)(1)(C), 42 U.S.C. 6945(c)(1)(C), that EPA determine the adequacy of state municipal solid waste landfill permit programs to ensure that facilities comply with the revised Federal Criteria. To fulfill this requirement, the Agency has drafted and is in the process of proposing a State/Tribal Implementation Rule (STIR). The rule will specify the requirements which State/Tribal programs must satisfy to be determined adequate.

The EPA intends to approve State/Tribal MSWLF permit programs prior to the promulgation of STIR. EPA interprets the requirements for states or tribes to develop "adequate" programs for permits or other forms of prior approval and conditions (for example, license to operate) to impose several minimum requirements. First, each State/Tribe must have enforceable standards for new and existing MSWLFs

that are technically comparable to EPA's revised MSWLF criteria. Next, the State/Tribe must have the authority to issue a permit or other notice of prior approval and conditions to all new and existing MSWLFs in its jurisdiction. The State/Tribe also must provide for public participation in permit issuance and enforcement, as required in section 7004(b) of RCRA, 42 U.S.C. 6974(b). Finally, the State/Tribe must show that it has sufficient compliance monitoring and enforcement authorities to take specific action against any owner or operator that fails to comply with an approved MSWLF program.

EPA Regions will determine whether a State/Tribe has submitted an "adequate" program based on the interpretation outlined above. EPA plans to provide more specific criteria for this evaluation when it proposes the STIR. EPA expects States/Tribes to meet all of these requirements for all elements of a MSWLF program before it gives full approval to a MSWLF program.

**B. State of Vermont**

On August 23, 1993, EPA Region I received Vermont's draft final MSWLF Permit Program application for adequacy determination. Region I reviewed the final application, submitted comments to Vermont, and requested additional information about state program implementation. Vermont addressed EPA's comments, provided the requested additional information, and submitted a revised final application for adequacy determination on April 27, 1995. Region I has reviewed Vermont's revised application and has tentatively determined that all portions of Vermont's MSWLF program meet all the requirements necessary to qualify for full program approval and ensure compliance with the revised Federal Criteria.

The public may submit written comments on EPA's tentative determination until August 25, 1995. Copies of Vermont's application are available for inspection and copying at the location indicated in the ADDRESSES section of this notice.

The State of Vermont's *Solid Waste Rules* are performance based and allow for adaptability in specifications while maintaining protection of human health and the environment. The Vermont Municipal Solid Waste Landfill Permitting Program generally reflects, but in some instances is different from, the Federal Criteria. In those instances where the program is different it is equivalent to the Federal Criteria and no less stringent. The differences are found

primarily in the parts pertaining to groundwater and corrective action.

The Vermont permitting process relies heavily on site characterization and groundwater protection strategy. Vermont has a groundwater classification scheme which has not been fully implemented; each proposed application, however, must identify the groundwater classification of the proposed site and meet the siting restriction and criteria for those conditions. In addition to the siting restrictions, the approach taken by Vermont as their permitting program relates to groundwater monitoring and corrective action has a pro-active involvement by the Department of Environmental Conservation. The Vermont approach goes directly from detection of a release into corrective action, with the appropriate solution(s) determined by the Department of Environmental Conservation based upon the information reported by the owner/operator. The Vermont approach typically does not implement assessment monitoring as a distinct step in evaluating a release from a municipal solid waste landfill. Assessment monitoring is generally included as a function of corrective action.

To ensure full compliance with the Federal Criteria, Vermont has modified its current MSWLF permitting requirements by the adoption of Procedures. The Procedures have incorporated those requirements from the Federal Criteria not found in the State's existing MSWLF permitting program and are applicable to all existing MSWLFs and to all MSWLF permit applications. Vermont will implement its MSWLF permit program through enforceable permit conditions. These new requirements occur in the following areas:

1. The adoption of the following definitions as required by the revised Federal Criteria, 40 CFR 258.2: active life, active portion, composite liner, earthen daily cover, existing MSWLF unit, final cover system for lined landfills, final cover system for unlined landfills, lateral expansion, municipal solid waste landfill unit, new MSWLF unit, 100-year flood, and washout.

2. Compliance with the new location restrictions of 40 CFR 258.10, 258.14, and 258.15, which pertain to airport safety, seismic impact zones, and unstable areas.

3. Compliance with the new operating criteria of 40 CFR 258.20, 258.23, 258.26, 258.28, and 258.29 which pertain to procedures for excluding the receipt of hazardous waste, explosive gases control, run-on/run-off control

systems, liquids restrictions, and recordkeeping requirements.

4. Compliance with the design criteria of 40 CFR 258.40.

5. Compliance with the requirements of 40 CFR 258.50, 258.51, 258.53, 258.54, and 258.55 which pertain to groundwater monitoring and the requirements of 40 CFR 258.56, 258.57, and 258.58 which pertain to corrective action.

6. Compliance with the closure and post-closure criteria of 40 CFR 258.60 and 258.61.

7. Compliance with the financial assurance criteria of 40 CFR 258.73, which pertain to financial assurance for corrective action.

Vermont's Department of Environmental Conservation requires all existing MSWLFs to have either an existing permit or a temporary permit, both of which require compliance with the Federal Criteria in 40 CFR part 258 pursuant to state laws and regulations, found at Title 10 of the Vermont Statutes Annotated (V.S.A.) Chapters 159, 201 and 211, and 4 V.S.A. Chapter 27. The State of Vermont is not asserting jurisdiction over Indian land recognized by the United States government for the purpose of this notice. Tribes recognized by the United States government are also required to comply with the terms and conditions found at 40 CFR part 258.

EPA will consider all public comments on its tentative determination received during the public comment period and during any public hearing held. Issues raised by those comments may be the basis for a determination of inadequacy for Vermont's program. EPA will make a final decision on approval of the State of Vermont's program and will give notice of the final determination in the **Federal Register**. The notice shall include a summary of the reasons for the final determination and a response to all significant comments.

Section 4005(a) of RCRA, 42 U.S.C. 6945(a), provides that citizens may use the citizen suit provisions of section 7002 of RCRA, 42 U.S.C. 6972, to enforce the Federal Criteria in 40 CFR part 258 independent of any State/Tribal enforcement program. As EPA explained in the preamble to the final MSWLF criteria, EPA expects that any owner or operator complying with provisions in a State/Tribal program approved by EPA should be considered to be in compliance with the Federal Criteria. See, 56 FR 50978, 50995 (October 9, 1991).

### Compliance With Executive Order 12866

The Office of Management and Budget has exempted this notice from the requirements of section 6 of Executive Order 12866.

### Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities. This notice, therefore, does not require a regulatory flexibility analysis.

**Authority:** This notice is issued under the authority of Section 4005 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6945.

Dated: July 17, 1995.

**John P. DeVillars,**

*Regional Administrator.*

[FR Doc. 95-18375 Filed 7-25-95; 8:45 am]

BILLING CODE 6560-50-P

[OPP-30000/10I; FRL-4944-4]

### Lindane: Decision Not To Initiate a Special Review on Kidney Effects

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA (the Agency) announces its decision not to initiate a Special Review for pesticide products containing lindane based on worker health concerns arising from studies showing irreversible renal effects in the rat. EPA has determined that these effects occur only in the kidneys of the male rat and are not relevant for human risk assessment. The Agency is currently developing a strategy to examine the role organochlorine chemicals, such as lindane, may play as endocrine disrupters. Should the Agency determine that this or other effects cause unacceptable risk, it will take appropriate regulatory action.

**FOR FURTHER INFORMATION CONTACT:** By mail, David H. Chen, Special Review and Reregistration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number and e-mail address: Special Review Branch, Rm. WF32C6, Crystal Station #1, 2800 Crystal Drive, Arlington, VA., telephone Number: 703-308-8017, internet e-mail address: chen.david@epamail.epa.gov

**SUPPLEMENTARY INFORMATION:** On March 18, 1994, EPA announced its proposed decision (and solicitation for public

comment) not to initiate a Special Review of lindane for male rat kidney effects described in the September 18, 1985 preliminary notification to lindane registrants and applicants. The Agency has reviewed the available data in light of the Agency's 1991 alpha<sub>2u</sub>-globulin (α<sub>2u</sub>-g) regulatory policy and the public comments received in response to the March, 1994 announcement. This notice provides the Agency's final decision, its response to comments, and the rationale for its final decision.

### I. Introduction

Background information on pesticide registration and the Special Review process can be found in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as amended (7 U.S.C. 136 et seq.), and appropriate sections under 40 CFR part 154, published on November 27, 1985 (50 FR 49015). For a more comprehensive summary of the legal and regulatory background pertaining to lindane, refer to the Agency's proposed decision not to initiate a Special Review on rat kidney effects, published on March 18, 1994 (59 FR 12916). Below is a summary of the text of that document.

#### A. Background

Lindane (*gamma-hexachlorocyclohexane*) is a broad spectrum organochlorine insecticide/acaricide registered for control of insects and other invertebrates on a wide variety of sites. This pesticide is currently registered for use on field and vegetable crops (including seed treatments) and non-food crops (ornamental and tobacco), greenhouse food crops (vegetables), forestry (including Christmas trees), domestic outdoor and indoor (pets and household uses), commercial indoor (food/feed storage areas and containers), animal premises, wood or wooden structures, and human skin/clothing (military use only).

#### B. Regulatory History

Between 1977 and 1983, EPA conducted a Special Review that was based on the carcinogenicity, fetotoxicity/teratogenicity, and reproductive effects of lindane, and its potential to cause blood dyscrasia, as well as acute toxicity to aquatic wildlife. In the Agency's final determination (PD-4) published in 1983, the Agency canceled the indoor uses of smoke fumigation devices (by May, 1986) and the use of dips on dogs to control pests other than mites. Subsequently, the dog dip use was permitted for commercial use (kennel, farm, and sport dog uses only), provided that additional label