

also determined that this proposed action does not include a mandate that may result in estimated costs of \$100 million or more to state, local, or tribal governments in the aggregate or to the private sector.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, and Reporting and recordkeeping requirements.

Authority: 42 U.S.C. sections 7401-7671q.

Dated: December 6, 1995.

Dennis Grams,

Regional Administrator.

[FR Doc. 95-30554 Filed 12-14-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 372

[OPPTS-400097B; FRL-4991-4]

Toxic Chemical Release Reporting; Community Right-to-Know; Reopening of Public Comment Period; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Reopening of public comment period; correction.

SUMMARY: In the Federal Register of October 27, 1995, EPA published an administrative stay of the reporting requirements under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act of 1990 (PPA), for 2,2-dibromo-3-nitropropionamide (DBNPA) (Chemical Abstracts Service (CAS) No. 10222-01-2). The administrative stay also requested comment on EPA's review of a petition to delete DBNPA from the EPCRA section 313 list of toxic chemicals. The period for accepting comments on EPA's review of the petition ended on November 27, 1995. EPA has received a request to extend the comment period and is granting that request by reopening the comment period for 45 days. In addition, this document corrects an error in the October 27, 1995 notice. The green algal toxicity value was incorrectly listed.

DATES: All comments must be received on or before January 29, 1996.

ADDRESSES: Written comments should be submitted in triplicate to: OPPT Docket Clerk (7407), TSCA Nonconfidential Information Center (NCIC), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: ncic@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number OPPTS-400097. No CBI should be submitted through e-mail. Electronic comments on the information presented in this document may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT:

Maria J. Doa, Project Manager, 202-260-9592, e-mail:

doa.maria@epamail.epa.gov for specific information on this action. For general information on EPCRA section 313, contact the Emergency Planning and Community Right-to-Know Hotline, Environmental Protection Agency, Mail Code 5101, 401 M St., SW., Washington, DC 20460, Toll free: 1-800-535-0202, in Virginia and Alaska: 703-412-9877 or Toll free TDD: 1-800-553-7672.

SUPPLEMENTARY INFORMATION: In the Federal Register of October 27, 1995 (60 FR 54949), EPA published an administrative stay of the reporting requirements under section 313 of EPCRA and section 6607 of the Pollution Prevention Act of 1990 (PPA) for DBNPA. EPA issued the administrative stay because EPA had incorrectly categorized the effects observed in certain data relating to DBNPA prior to promulgation of the final rule adding DBNPA to the EPCRA section 313 list of toxic chemicals.

The document also requested comment on EPA's review of a petition to delete DBNPA from the EPCRA section 313 list of toxic chemicals. EPA preliminarily determined that DBNPA can reasonably be anticipated to cause subchronic gastrointestinal effects, and can reasonably be anticipated to cause toxicity to freshwater green algae, chronic effects on freshwater invertebrates and chronic effects on oysters at relatively low concentrations. The period for accepting comments on EPA's review of the petition ended November 27, 1995. EPA has received a request to extend the comment period and is granting that request by reopening the comment period for 45 days. In addition, this notice corrects an error in the October 27, 1995 document. The green algal toxicity value was incorrectly listed.

I. Reopening of Public Comment Period

In the Federal Register of October 27, 1995, EPA requested public comment on the information presented in the document regarding the continued listing of DBNPA on the EPCRA section 313 list of toxic chemicals. In that notice, EPA stated that all comments must be received on or before November 27, 1995. In response to a request from Dow Chemical Company to extend the comment period, EPA is reopening the comment period for an additional 45 days. All comments must be received on or before January 26, 1996.

II. Green Algal Toxicity Value Correction

In the October 27, 1995 Federal Register, on page 54951, first column, second full paragraph, 24th line, the green algal 96-hour EC₅₀ (median effective concentration) for DBNPA was incorrectly listed as "0.010 mg/L"; the value should have read 0.08 mg/L.

III. Public Docket

A record has been established for the administrative stay under docket number "OPPTS-400097" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as confidential business information (CBI), is available for inspection from noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:
ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for the administrative stay, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

List of Subjects in 40 CFR Part 372

Environmental protection, Chemicals, Community right-to-know, Reporting

and recordkeeping requirements, and Toxic chemicals.

Dated: December 8, 1995.

William H. Sanders III,
Director, Office of Pollution Prevention and
Toxics.

[FR Doc. 95-30601 Filed 12-14-95; 8:45 am]

BILLING CODE 6560-50-F

48 CFR Parts 1535 and 1552

[FRL-5332-3]

Acquisition Regulation; Confidential Business Information

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to revise its acquisition regulation by revising both the prescription for use of solicitation provisions and contract clauses regarding collection, use, access, treatment, and disclosure of confidential business information (CBI), and adding solicitation provisions and contract clauses on CBI.

DATES: Written comments should be submitted to the contact listed below not later than February 13, 1996.

ADDRESSES: Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: Senzel.Louise@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 format or ASCII file format. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: Louise Senzel, Environmental Protection Agency, Office of Acquisition Management (3802F), 401 M Street, SW, Washington, D.C. 20460. Telephone: (202) 260-6204.

SUPPLEMENTARY INFORMATION:

A. Executive Order 12866

The proposed rule is not a significant regulatory action for the purposes of Executive Order 12866; therefore, no review is required by the Office of Information and Regulatory Affairs.

B. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this proposed rule does not contain information collection requirements that require the approval

of OMB under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.)

C. Regulatory Flexibility Act

The EPA certifies that this proposed rule does not exert a significant economic impact on a substantial number of small entities. The requirements to contractors under the proposed rule impose no reporting, record-keeping, or any compliance costs.

D. Unfunded Mandates

This proposed rule will not impose unfunded mandates on state or local entities, or others.

The provisions of this regulation are issued under 5 U.S.C. 301; 40 U.S.C. 486(c).

List of Subjects in 48 CFR Parts 1535 and 1552

Government procurement.

Therefore, Chapter 15 of title 48, Code of Federal Regulations is proposed to be amended as set forth below:

1. The authority citation for parts 1535 and 1552 continue to read as follows:

Authority: Sec. 205(c), 63 stat. 390, as amended, 40 U.S.C. 486(c).

2. Section 1535.007 is revised to read as follows:

1535.007 Solicitations.

(a) Contracting Officers shall insert the following provisions in all solicitations when the Contracting Officer has determined that EPA may furnish the contractor with confidential business information which EPA has obtained from third parties under the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136 et seq.).

(1) 1552.235-72 Control and Security of Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information; and

(2) 1552.235-73 Access to Federal Insecticide, Fungicide, and Rodenticide Act Confidential Business Information.

(b) Contracting Officers shall insert the following provisions in all solicitations when the Contracting Officer has determined that EPA may furnish the contractor with confidential business information which EPA has obtained from third parties under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.)

(1) 1552.235-74 Control and Security of Toxic Substances Control Act Confidential Business Information; and

(2) 1552.235-75 Access to Toxic Substances Control Act Confidential Business Information.

3. Subsection 1535.007-70 is amended by revising paragraphs (b) and

(c) and adding paragraph (d) through (f) to read as follows:

1535.007-70 Contract clauses.

(a) * * *

(b) The Contracting Officer shall insert the clause at 1552.235-71, Treatment of Confidential Business Information, in solicitations and contracts when the Contracting Officer has determined that in the performance of the contract, EPA may furnish confidential business information to the contractor obtained from third parties under the Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Resource Conservation and Recovery Act (42 U.S.C. 301 et seq.), the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), and provision 1552.235-70, Release of Contractor Confidential Business Information. EPA regulations on confidentiality of business information in 40 CFR part 2, subpart B, require that the contractor agree to the clause entitled "Treatment of Confidential Business Information" before any confidential business information may be furnished to the contractor.

(c) The Contracting Officer shall insert the clause at 1552.235-76, Treatment of Confidential Business Information, in solicitations and contracts when the Contracting Officer has determined that in the performance of the contract, EPA may furnish the contractor with confidential business information obtained from third parties under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.). EPA regulations on confidentiality of business information in 40 CFR part 2, subpart B, require that the contractor agree to the clause entitled "Treatment of Confidential Business Information" before any confidential business information may be furnished to the contractor.

(d) The Contracting Officer shall insert the clause at 1552.235-77 Data Security for Federal Insecticide, Fungicide, Rodenticide Act Confidential Business Information, when the contract involves access to confidential business information related to the Federal Insecticide, Fungicide, Rodenticide Act and the Treatment of Confidential Business Information clause (1552.235-71) and the Screening Business Information for Claims of Confidentiality clause (1552.235-70) are included.