

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 136 and 141**

[FRL-5346-3]

**A Public Meeting on Method Flexibility and Streamlining Approval of Analytical Methods****AGENCY:** U.S. Environmental Protection Agency (EPA).**ACTION:** Notice of meeting.

**SUMMARY:** The Office of Science and Technology within EPA's Office of Water is conducting two public meetings on approaches to method flexibility and streamlining the proposal and promulgation of analytical methods at 40 CFR Part 136 under Section 304(h) of the Clean Water Act and 40 CFR Part 141 of the Safe Drinking Water Act. These 304(h) streamlining public meetings will be held in conjunction with the Trace Metals Workshops announced concurrently in the Federal Register.

These two public meetings follow the first public meeting on this topic held on September 28, 1995, in Seattle, Washington. The Seattle meeting was announced in an FR notice titled, "A Public Meeting and Availability of Documents on Streamlining Approval of Analytical Methods at 40 CFR Part 136 and flexibility in Existing Test Methods" [FRL-5294-6]. This FR notice provided extensive supplementary information regarding the 304(h) streamlining effort and made available several supporting documents. The supporting documents and a summary of the Seattle meeting can be obtained through the address given in this notice.

**DATES:** EPA will conduct the public meetings on 304(h) streamlining on Thursday, January 25, 1996, in Boston, Massachusetts and on Wednesday, February 14, 1996, in Chicago, Illinois. Registration for each meeting will begin at 8:00 AM. Each meeting will be held from 9:00 AM to 5:00 PM.

**ADDRESSES:** The meeting on January 25, 1996, will be held in the O'Neill Auditorium, Thomas P. O'Neill Jr. Federal Building, 10 Causeway Street, Boston, Massachusetts. The meeting on February 14, 1996, will be held in the Morrison Room, Metcalfe Building, 77 West Jackson, Chicago, Illinois.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning this notice can be directed to Marion Thompson by phone at (202) 260-7117 or by facsimile at (202) 260-7185.

**SUPPLEMENTARY INFORMATION:** Meeting arrangements are being coordinated by

DynCorp, Inc. For information on registration, contact Cindy Simbanin, 300 N. Lee Street, Suite 500, Alexandria, VA 22314. Phone: (703) 519-1386. Facsimile number: (703) 684-0610.

Space is limited and reservations are being taken on a first come, first served basis. No fees will be charged to attend.

Hotel reservations for Massachusetts may be made by contacting the Holiday Inn-Government Center in Boston at (617) 742-7630. Guest rates are \$101 single and \$121 double occupancy, including tax. Reservations must be made by January 5, 1996. When making reservations, you must specify that you are affiliated with USEPA/TM to qualify for the quoted rate.

For the Chicago meeting, hotel reservations may be made by contacting Marriott Reservations at (800) 228-9290. Guest rates are \$91 single and double occupancy. These rates are subject to applicable state and local taxes. Reservations must be made by January 20, 1996, and you must reference the event as the EPA TM Meeting and request the Chicago Marriott-Downtown in order to qualify for the group rate.

Accommodations are limited at each location, so please make your reservations early. The hotels are located within walking distance of the meeting facilities.

**Background**

Under Section 304(h) of the Clean Water Act, EPA is responsible for promulgating analytical methods at 40 CFR Part 136 for use in monitoring pollutant discharges. EPA uses these methods to support development of effluent guidelines promulgated at 40 CFR Parts 400-499, and both EPA and the regulated community use the methods for establishing compliance with National Pollutant Discharge Elimination System (NPDES) permits and other monitoring purposes. The methods approved for use at 40 CFR Part 136 have been developed by EPA, by industrial associations such as the American Society for Testing Materials, and by other governmental agencies such as the U.S. Geological Survey. In the past, the methods proposal and promulgation process has been cumbersome, and has not provided the flexibility to take advantage of new analytical technologies in a timely manner. In response to the Administration's Environmental Technology Initiative, EPA is proposing a comprehensive Section 304(h) streamlining initiative to increase method flexibility to allow use of emerging technologies and to expedite the method approval process, to encourage development of new methods

and technologies by organizations outside of EPA.

**Agenda Topics**

The purpose of the public meetings on 304(h) streamlining is to outline plans for method flexibility and for streamlining proposal and promulgation of new methods at 40 CFR Part 136 under Section 304(h) of the Clean Water Act, and to elicit stakeholder views regarding these plans. The following topics will be addressed at the public meetings:

- Increasing method flexibility to allow use of new technologies and to identify modifications that are acceptable within the scope of existing methods and do not require proposal of an alternate method—
    - Interpretation of flexibility in existing 40 CFR part 136 methods
    - Advantages and disadvantages of method flexibility (no flexibility, limited flexibility, and unlimited flexibility)
    - Proposal to allow nearly unlimited "front-end" method modifications as long as the determinative technique is not changed and method performance is demonstrated to be equivalent
      - Establishing standardized quality control (QC) and QC acceptance criteria to support determination of method equivalency
      - Streamlining the method proposal process to take advantage of emerging analytical technologies in a timely manner—
        - Standardized format for preparing new methods
        - Three-tiered method validation process based on method use
        - OST coordination of method submission and approval
          - Harmonization of 40 CFR Part 136 methods with other EPA methods to allow standardization of methods across EPA programs
          - Other streamlining issues—
            - Standardized data elements for reporting, to allow access to Agency databases in a standardized data format
            - Withdrawal of 40 CFR Part 136 methods that contain outdated technologies
            - Incorporating new methods into the Federal Register by reference and making them available through other suitable venues, to reduce publication expense
- The Office of Ground Water and Drinking Water, which is within EPA's Office of Water, is also developing approaches to increasing method flexibility and streamlining the approval of analytical methods at 40 CFR Part 141

under sections 1401 and 1445 of the Safe Drinking Water Act (SDWA). To better coordinate these efforts within the Office of Water, EPA will discuss flexibility and streamlining approaches for 304(h) and drinking water methods at these two public meetings. EPA believes the public will benefit from a joint meeting, because the flexibility and method approval issues, the regulated contaminants and the methods currently approved at Parts 136 and 141 are very similar. EPA notes,

however, that the supporting documents that are available with this notice were developed only for 304(h) methods and within the requirements of the CWA. The approaches and specifically allowing unlimited "front-end" modifications might not be appropriate for methods approved under the SDWA. In contrast to the 304(h) documentation, less front end flexibility in sample collection and work-up procedures and more flexibility in the determinative measurement steps may be appropriate

for SDWA compliance methods. Despite these potential differences in method flexibility approaches between 304(h) and SDWA methods, EPA believes there is a significant benefit in conducting public meetings on the perspectives of both programs.

Tudor T. Davies,

*Director, Office of Science and Technology.*

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