

ENVIRONMENTAL PROTECTION AGENCY**40 CFR PART 60**

[AD-FRL-5327-1]

Standards of Performance for Municipal Waste Combustors**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: This action revises the "Standards of Performance for Municipal Waste Combustors" (subpart Ea). These amendments are being made to improve the clarity of subpart Ea and to make subpart Ea consistent with subparts Eb and Cb. Because the amendments clarify regulatory text and make subpart Ea consistent with subparts Eb and Cb, the Agency does not anticipate receiving adverse comments. Consequently the amendments are also being issued as a direct final rule in the final rules section of this Federal Register. If no significant adverse comments are received, no further action will be taken with respect to this proposal and the direct final rule will become final on the date provided in that action.

DATES: *Comments.* Comments must be received on or before January 18, 1996, unless a public hearing is requested by December 29, 1995. If a hearing is requested, written comments must be received by February 2, 1996.

Public Hearing. Anyone requesting a public hearing must contact the EPA no later than December 29, 1995. If a hearing is held, it will take place on January 3, 1996, beginning at 10:00 a.m.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-89-08 (see docket section below), room M-1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C., 20460. The EPA requests that a separate copy also be sent to the contact person listed below.

Public Hearing. If a public hearing is held, it will be held at the EPA's Office

of Administration Auditorium, Research Triangle Park, North Carolina. Persons interested in attending the hearing or wishing to present oral testimony should notify Ms. Donna Collins, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina, 27711, telephone (919) 541-5578.

Docket. Docket Nos. A-89-08 and A-90-45, containing supporting information, are available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center, Waterside Mall, room M-1500, first floor, 401 M Street SW, Washington, D.C. 20460, or by calling (202) 260-7548 or 260-7549. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Walter Stevenson at (919) 541-5264 or Fred Porter at (919) 541-5251, Combustion Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: If no significant, adverse comments are timely received, no further activity is contemplated in relation to this proposed rule and the direct final rule in the final rules section of this Federal Register notice will automatically go into effect on the date specified in this rule. If significant adverse comments are timely received on any amendment, that amendment of the direct final rule will be withdrawn and all public comments received on that amendment will be addressed in a subsequent final rule based on the relevant portions of this proposed rule. Because the Agency will not institute a second comment period on this proposed rule, any parties interested in commenting should do so during this comment period.

For further supplementary information, the detailed rationale, and the rule amendments, see the information provided in the direct final rule in the final rules section of this Federal Register.

Paperwork Reduction Act

The information collection requirements of the previously

promulgated NSPS were submitted to and approved by the Office of Management and Budget (OMB). A copy of this Information Collection Request (ICR) document (the ICR number is 1506.4, with an OMB approval number 2060-0210) may be obtained from Sandy Farmer, Regulatory Information Division (Code 2136), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460 or by calling (202) 260-2740.

Today's changes to the NSPS will have no significant impact on the information collection burden estimates made previously. The burden will be reduced slightly. Consequently, the ICR has not been revised.

Executive Order 12291 Review

The MWC NSPS promulgated on February 11, 1991 was considered a "major rule" under Executive Order 12291 and a regulatory impact analysis (RIA) was prepared. The amendments issued today clarify the rule and do not add any additional control requirements. The EPA concludes these amendments would have a negligible impact on the results of the RIA and the change is considered to be within the flexibility of the analysis.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The Act specifically requires the completion of a regulatory flexibility analysis in those instances where small business impacts are possible. Because this rulemaking imposes no adverse economic impacts, a regulatory flexibility analysis has not been prepared.

List of Subjects in 40 CFR Part 60

Environmental protection, Air pollution control.

Dated: October 31, 1995.

Carol M. Browner,

Administrator.

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