

[FRL-5518-2]

**Request for Information Concerning the Development of NSPS Subpart Y (Coal Preparation Plants)**

The U.S. Environmental Protection Agency (EPA) currently is reviewing whether coal dump truck unloading operations located at coal preparation plants are regulated as an effected facility under the Clean Air Act's New Source Performance Standards (NSPS), 40 CFR Part 60, Subpart Y, and if not, whether coal unloading is, nevertheless, part of the coal preparation NSPS source category. These issues have arisen in the context of determining whether coal preparation plants are major sources under Title V of the Clean Air Act (as implemented by EPA regulations at 40 CFR Part 70) and, thus, must obtain a Title V operating permit.

EPA has reviewed all of the relevant information in our files, including the background information used to develop the Subpart Y NSPS, the 1977 "Inspection Manual for Coal Preparation Plants," as well as the NSPS review documents prepared for coal preparation plants in 1980 and 1988.

From our analysis of the above sources, it appears that several relevant original documents or portions of the original documents upon which the NSPS were formed (e.g., attachments) are missing.

The Agency is requesting assistance in locating or obtaining the following relevant documents/data related to the development of the Subpart Y NSPS to

assist us in making a determination on the above mentioned issues: 1) reports upon which the NSPS were formed and which contain any actual opacity or visible emission testing data related to coal loading and unloading; 2) a document entitled "Background Information for Establishment of National Standards of Performance for New Sources—Coal Cleaning Industry" prepared for EPA by an EPA contractor; 3) analysis of State standards applied to coal loading and/or unloading operations; and 4) any reference report(s) or information about the controlled emission points at a coal preparation plant prepared for EPA by Scott Research Laboratories, Incorporated.

Information should be sent no later than July 11, 1996 to Dan Chadwick or Chris Oh (2223A), Office of Compliance, U.S. EPA, 401 M Street SW, Washington, D.C. 20460.

Dated: May 31, 1996.  
 Elaine G. Stanley,  
*Director, Office of Compliance.*  
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**BILLING CODE 6560-50-P**

[FRL-5517-5]

**Access to Confidential Business Information by Environmental Research Group**

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

**ACTION:** Notice.

**SUMMARY:** EPA is authorizing its contractor, Eastern Research Group (ERG), to have access to information which has been submitted to EPA pursuant to the Clean Water Act (CWA), the Clean Air Act (CAA), the Resource Conservation and Recovery Act (RCRA) and the Toxic Substances Control Act (TSCA). Some of this information may be claimed or determined to be confidential business information (CBI).

**DATES:** Comments concerning this notice must be submitted on or before June 17, 1996, except with respect to contract no. 68-D4-0092, in which case comments must be submitted on or before June 21, 1996.

**ADDRESSES:** Interested persons may submit written comments to: Donald A. Sadowsky, Finance and Operations Division (2379), Office of General Counsel, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Donald A. Sadowsky, Office of General Counsel. Telephone 202/260-5469.

**SUPPLEMENTARY INFORMATION:** EPA previously published notices in the Federal Register stating that the Agency was giving access to CBI, collected pursuant to various environmental statutes, to Radian Corporation of Austin, TX in connection with its work under several Agency contracts and subcontracts, listed below:

Contract	Applicable statute	Federal Register citation	Date of publication	If subcontract, name of prime
68-C4-0024 .....	CWA .....	59 FR 49924	9/30/94	Abt.
68-C4-0060 .....	CWA .....	59 FR 58840	11/15/94	
68-C5-0005 .....	CWA .....	60 FR 47993	9/15/95	
68-C5-0013 .....	CWA .....	60 FR 37890	7/24/95	
68-C5-0023 .....	CWA .....	60 FR 37890	7/24/95	
68-C5-0025 .....	CWA .....	60 FR 37890	7/24/95	
68-C5-0032 .....	CWA, RCRA .....	60 FR 37890	7/24/95	
68-C5-0033 .....	CWA .....	60 FR 37890	7/24/95	
68-C5-0035 .....	CWA .....	60 FR 37890	7/24/95	
68-D1-0117 .....	CAA .....	60 FR 24851	5/10/95	
68-D4-0092 .....	TSCA .....	59 FR 63790	12/9/94	

On January 30, 1996, Radian Corporation (Radian) and Dow Environmental, Inc. (DEI) were merged to form Radian International Limited Liability Company, a joint venture owned by Hartford Steam Boiler Inspection and Insurance Company (Radian's parent company) and the Dow Chemical Company (DEI's parent company). The joint venture owners have agreed to sell to ERG those assets being used to perform all of Radian's

contracts with EPA. The divestiture is expected to be completed by June 15, 1996. The purpose of this notice is to announce the impending transfer of assets from Radian to ERG, and the Agency's expectation that it will concur, on or soon after the date of divestiture, in the parties' novation of all affected EPA contracts.

Pursuant to EPA's regulations at 40 CFR part 2, subpart B, EPA previously determined that Radian requires access

to CBI to perform the work required under the applicable contracts (see the above-referenced Federal Register notices). The same determinations apply to Radian's successor, ERG.

Dated: May 30, 1996.  
 Betty L. Bailey,  
*Director, Office of Acquisition Management.*  
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