

minutes. For conference call meetings, opportunities for oral comment will be limited to no more than five minutes per speaker and no more than fifteen minutes total. Written comments (at least 35 copies) received in the SAB Staff Office sufficiently prior to a meeting date, may be mailed to the relevant SAB committee or subcommittee prior to its meeting; comments received too close to the meeting date will normally be provided to the committee at its meeting. Written comments may be provided to the relevant committee or subcommittee up until the time of the meeting.

Dated: April 3, 1997.

**Donald G. Barnes,**

*Staff Director, Science Advisory Board.*

[FR Doc. 97-9692 Filed 4-14-97; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-44639; FRL-5600-7]

### TSCA Chemical Testing; Receipt of Test Data

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's receipt of test data on tertiary amyl methyl ether (TAME) (CAS No. 994-05-8). These data were submitted pursuant to an enforceable testing consent agreement/order issued by EPA under section 4 of the Toxic Substances Control Act (TSCA). Publication of this notice is in compliance with section 4(d) of TSCA.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Under 40 CFR 790.60, all TSCA section 4 enforceable consent agreements/orders must contain a statement that results of testing conducted pursuant to testing enforceable consent agreements/orders will be announced to the public in accordance with section 4(d).

#### I. Test Data Submissions

Test data for TAME were submitted by The American Petroleum Institute (API), on behalf of the Tertiary Amyl Methyl Ether (TAME) Consortium, pursuant to a TSCA section 4

enforceable testing consent agreement/order at 40 CFR 799.5000. EPA received the data on March 6, 1997. The submission includes two final reports entitled 1) "Developmental Toxicity Evaluation of Inhaled Tertiary Amyl Methyl Ether (TAME) in CD (Sprague-Dawley) Rats" and 2) "Developmental Toxicity Evaluation of Inhaled Tertiary Amyl Methyl Ether (TAME) in CD-1 Mice." This chemical has potentially wide use as a gasoline additive.

EPA has initiated its review and evaluation process for this data submission. At this time, the Agency is unable to provide any determination as to the completeness of the submission.

#### II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPPTS-44639). This record includes copies of all studies reported in this notice. The record is available for inspection from 12 noon to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Nonconfidential Information Center (also known as the TSCA Public Docket Office), Rm. B-607 Northeast Mall, 401 M St., SW., Washington, DC 20460, e-mail address: oppt.ncic@epamail.epa.gov.

**Authority:** 15 U.S.C. 2603.

#### List of Subjects

Environmental protection, Test data.

Dated: April 7, 1997.

#### Frank Kover,

*Acting Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 97-9687 Filed 4-14-97; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-211043; FRL-5578-1]

### Lead Azide; Response to Citizen's Petition Under TSCA Section 21

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

**ACTION:** Notice; Denial of TSCA Section 21 Petition.

**SUMMARY:** EPA received a petition under section 21 of the Toxic Substances Control Act (TSCA) on May 2, 1996, from a citizen requesting that the Agency promulgate a regulation under TSCA section 6 that would prohibit the manufacturing, processing, or distribution in commerce of lead azide. The petitioner claims that she suffered injuries through the use of lead azide to

produce a "special effect" in filmmaking and that manufacture of such substance should be prohibited to prevent future human injury. EPA has evaluated the petition and upon further consideration, denied it on July 31, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, Telephone: 202-260-1404, TDD: (202-554-0551), e-mail: TSCA-Hotline@epa.mail.epa.gov.

#### I. Background

##### A. Statutory Requirements

1. *TSCA section 21.* Section 21 of TSCA, 15 U.S.C. 2620, provides that any person may petition EPA to initiate proceedings for the issuance, amendment, or repeal of a rule or order under section 4, 5, 6, or 8 of TSCA, 15 U.S.C. 2603, 2604, 2605, or 2607. As required by section 21(b), the petition must set forth the facts that the petitioner claims establish the need for the Agency to issue, amend, or repeal a rule or order under those sections of TSCA. (See also Guidance for Petitioning the Environmental Protection Agency under Section 21 of the Toxic Substances Control Act (50 FR 46827, November 13, 1985). Section 21(b) also directs EPA to decide either to grant or deny the petition within 90 days after the petition is filed. If EPA denies a petition, the Agency must publish the reason(s) for the denial in the **Federal Register**. If the Agency grants the petition, EPA must promptly commence an appropriate proceeding in accordance with section 4, 5, 6, or 8 of TSCA.

If EPA denies a petition, or fails to make a decision within the 90-day review period, the petitioner may, within 60 days from the date of the decision or from the end of the review period, commence a civil action in a U.S. district court to compel initiation of the requested rulemaking. For a petition for a new rule or order, the court must provide opportunity for the petition to be considered *de novo*. Section 21(b)(4) identifies petitioners' rights and the procedures to be followed under such civil action. Relief available under section 21 is limited to initiation of a proceeding to issue, amend, or appeal a rule under section 4, 6, or 8, or an order under section 5(e) or 6(b)(2).

2. *TSCA section 6.* Under section 6 of TSCA, 15 U.S.C. 2605(a), EPA may issue rules to limit or prohibit the manufacture, processing, or distribution