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 Section XV Reimbursable Costs
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 799

[OPPTS-42150C; FRL-5712-3]

RIN 2070-AB94

Testing Consent Order For Phenol

AGENCY: Environmental Protection Agency (EPA).

ACTION: Removal of direct final rule.

SUMMARY: On January 17, 1997, EPA published a document (62 FR 2607) which, among other things, announced a testing consent order (Order) that incorporated an enforceable consent agreement (ECA) concluded between EPA and 14 specified companies. In the ECA, the companies agreed to perform certain health effects tests on phenol (CAS No. 108-95-2). In addition, the January 17 document included a direct final rule which added phenol to the list of chemicals subject to testing consent orders and hence subject to export notification requirements. This action was published without prior proposal. EPA has received adverse comment with respect to making entities that are not signatory to the ECA subject to export notification requirements for phenol. Accordingly, EPA is removing the export notification rule (but not the Order or the ECA) and intends to issue a proposed rule addressing the export notification issue.

EFFECTIVE DATE: May 23, 1997.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (7408), Rm. E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov. For specific information regarding this removal, contact: Keith J. Cronin, Project Manager, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-8157; fax: (202) 260-1096; email: cronin.keith@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: On January 17, 1997 (62 FR 2607), EPA published a document which, among other things, announced a testing consent order (Order) that incorporated an enforceable consent agreement (ECA) that was concluded, pursuant to section 4 of the Toxic Substances Control Act, between EPA and AlliedSignal Inc., Aristech Chemical Corporation, The Dow Chemical Company, Dakota Gasification Company, Georgia Gulf Corporation, General Electric Company, GIRSA, Inc., JLM Chemicals, Inc., Kalama Chemical, Inc., Merichem Company, Mitsubishi International Corporation, Mitsui Co. (U.S.A.), Inc., Shell Chemical Company, and Texaco Refining Marketing Inc. (collectively the Companies). In the ECA, the Companies agreed to perform certain health effects tests on phenol (CAS No. 108-95-2). In addition, the January 17 document included a direct final rule which would have added phenol to the list of chemical substances and mixtures in 40 CFR 799.5000 that are subject to testing consent orders and for which export notification is required under 40 CFR 799.19. This action, which would have made export notification requirements applicable to all exporters of phenol, was published without prior proposal in the **Federal Register**. However, EPA indicated that if the Agency received any adverse comments on the addition of phenol to the list of chemicals contained in 40 CFR 799.5000, EPA would withdraw the rule. Instead, EPA would issue a proposed rule addressing this issue and would provide a 30-day period for public comment.

EPA has received adverse comment with respect to the imposition of export notification requirements for phenol on exporters of phenol that are not signatory to the ECA. By this document, EPA is removing the export notification rule. EPA intends to issue a proposed rule addressing the export notification issue and provide a 30-day period for public comment. The removal of the rule does not affect the validity of either the Order or the ECA. The ECA includes testing requirements and export notification requirements which apply to the Companies.

List of Subjects in 40 CFR Part 799

Chemicals, Chemical export, Environmental protection, Hazardous substances, Health effects, Laboratories, Reporting and recordkeeping requirements, and Testing.

For the reasons set forth in the preamble, 40 CFR part 799 is amended as follows:

1. The authority citation for part 799 continues to read as follows:

Authority: 15 U.S.C. 2603, 2611, 2625.

§ 799.5000 [Amended]

2. The table in § 799.5000 is amended by removing the entry for CAS Number 108-95-2, phenol.

Dated: May 5, 1997.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides, and Toxic Substances.

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-49

[FPMR Amendment H-194]

RIN 3090-AG45

Reporting Requirements for Foreign Gifts and Decorations

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

SUMMARY: This regulation revises criteria for reporting foreign gifts and decorations to the General Services Administration (GSA) for disposal and provides for gifts below the minimal value set by GSA to be handled in accordance with employing agency regulations. This regulation also changes the period of time foreign gifts are made available for Federal agency transfer to 21 days. The revised regulation provides for more efficient control and administration of the foreign gifts and decorations program.

EFFECTIVE DATE: May 23, 1997.

FOR FURTHER INFORMATION CONTACT: Martha S. Caswell, Director, Personal Property Management Policy Division (MTP), 202-501-3828.

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866.

Regulatory Flexibility Act: This rule is not required to be published in the **Federal Register** for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

Paperwork Reduction Act: The reporting forms required by this regulation are not subject to the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). Therefore, the Paperwork Reduction Act does not apply. This rule also is exempt