time to review the study and formulate comments for the Agency's consideration. The Agency does not believe that more than a 45-day extension is necessary. Stakeholders were aware of the types of issues that would be discussed in the study and have had, therefore, adequate time to prepare comments to the Agency on the general issues. As for specific information presented in the study, 90 days provides adequate time to respond. The Agency wishes to move forward with the mercury-containing lamps rulemaking and believes that an extension beyond 45 days would cause unnecessary delay. See 62 FR 37183 (July 11, 1997) for a more detailed explanation of the study. Accordingly, the Agency is extending the comment period 45 days to October 9, 1997 to provide for a 90-day comment period.

Dated: August 25, 1997.

Elizabeth A. Cotsworth,

Acting Director Office of Solid Waste.

[FR Doc. 97–23839 Filed 9–8–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[FRL–5890–2]

Revised Technical Standards for Hazardous Waste Combustion Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of data availability and request for comments.

SUMMARY: This document is a notice of data availability and invitation for comment on the following information pertaining to the proposed revised standards for hazardous waste combustors (61 FR 17358 (April 19, 1996)): additional data on various fuel oils to be used to establish a total halogen specification to exclude comparable fuels from the definition of solid waste.

Readers should note that only comments about new information discussed in this notice will be considered during the comment period. Issues related to the April 19, 1996 proposed rule and other subsequent notices that are not directly affected by the documents or data referenced in today's Notice of Data Availability are not open for further comment.

DATES: Written comments must be submitted by September 24, 1997.

ADDRESSES: Commenters must send an original and two copies of their comments referencing docket number F–97–CS5A–FFFFF to: RCRA Docket Information Center, Office of Solid Waste (5305G), U.S. Environmental Protection Agency Headquarters (EPA, HQ), 401 M Street, S.W., Washington, DC 20460. Deliveries of comments should be made to the Arlington, Virginia address listed below. Comments may also be submitted electronically through the Internet to: rcra-docket@epamail.epa.gov. Comments in electronic format should also be identified by the docket number F–97–CS5A–FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. For other information regarding submitting comments electronically or viewing the comments received or supporting information, please refer to the proposed rule (61 FR 17358 (April 19, 1996)).

Commenters should not submit electronically any confidential business information (CBI). An original and two copies of the CBI must be submitted under separate cover to: RCRA CBI Document Control Officer, Office of Solid Waste (5305W), U.S. EPA, 401 M Street, S.W., Washington, DC 20460.

Public comments and supporting materials are available for viewing in the RCRA Information Center (RIC), located at Crystal Gateway One, 1235 Jefferson Davis Highway, First Floor, Arlington, Virginia. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, except for Federal holidays. To review docket materials, the public must make an appointment by calling 703–603–9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost $0.15 per page.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA Hotline at 1–800–424–9346 or TDD 1–800–553–7672 (hearing impaired). In the Washington metropolitan area, call 703–412–9810 or TDD 703–412–3323. The RCRA Hotline is open Monday-Friday, 9:00 a.m. to 6:00 p.m., Eastern Standard Time. The RCRA Hotline can also provide directions on how to access electronically some of the documents and data referred to in this notice via EPA's Cleanup Information Bulletin Board System (CLU–IN). The CLU–IN modem access phone number is 301–589–8366 or Telnet to clu-in.epa.gov for Internet access. The files posted on CLU–IN are in Portable Document Format (PDF) and can be viewed and printed using Acrobat Reader.

For more detailed information on specific aspects of this notice, contact Mary Jo Krolewski, Office of Solid Waste (5302W), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, 703–308–7754, e-mail address: krolewski.maryjo@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: On April 19, 1996, EPA proposed revised standards for hazardous waste combustors (i.e., incinerators and cement and lightweight aggregate kilns) that burn hazardous waste. See 61 FR 17358. After an extension, the comment period closed on August 19, 1996. In that proposal, EPA included a comparable fuels provision under which EPA used a benchmark approach to develop a series of technical specifications that would allow hazardous waste similar in composition to a commercially available fossil fuel to be excluded under RCRA when burned. One of the specifications for comparable fuels was a limit on total halogens in comparable fuels. Although total halogens are not listed in Appendix VIII, Part 261, EPA proposed a total halogen specification to ensure that halogenated products of incomplete combustion (PICs) and HCl and Cl_2 generated from burning a comparable fuel would not be emitted at higher levels than from burning a benchmark fossil fuel. See proposal (61 FR at 17461) and a subsequent notice of data availability (61 FR 43501 (August 23, 1996)). PICs resulting from the burning of halogenated compounds can pose a particular hazard to human health and the environment.

Using the benchmark approach, EPA initially proposed total halogen [1] specifications ranging from 10 ppmw to 25 ppmw. These initial total halogen specifications included both organic and inorganic halogens. However, the total halogen data used by EPA in the proposed rule for its No. 4 and No. 6 fuel oils were based on analytical methods measuring only total organic halogens, not both organic and inorganic halogens. EPA's decision to use a method that measured only organic halogens for No. 4 and No. 6 fuel oils was based on two factors. First, EPA was concerned about possible method interferences and poor matrix recovery when measuring total halogen in No. 4 and No. 6 fuel oils and used a method that measures only total organic halogen.[2] Second, EPA was concerned that No. 4 and No. 6 fuel oils

[1] Expressed as chlorine.

[2] The Agency has since determined that EPA Method 325.3 for total halogens should not result in poor matrix recovery.

can contain widely varying levels of inorganic chlorides from contamination with emulsified brine during the oil extraction or transportation process and used a method that avoided measuring these inorganic chlorides.

Commenters disagreed with EPA's decision not to include inorganic halogens in its total halogen analyses for No. 4 and No. 6 fuel oils. Commenters argued that inorganic halogens are normally found in fuel oil and that EPA's analysis was not representative of the total halogen levels in fuel oil.[3] Furthermore, commenters argued that comparable fuel specifications should be set at levels that commercial fuels could consistently pass, and should be based on levels of constituents actually observed in commercial fuels, regardless of their derivation. One commenter submitted additional data on total halogen content for No. 6 fuel oil.[4]

EPA is persuaded by commenters' arguments and is inclined to use data that reflect measurement of both organic and inorganic halogens to establish the total halogen specification. These data better represent the typical total halogen content found in benchmark fuels. To set a total halogen limit that includes both organic and inorganic halogens, EPA has gathered data from its own database (i.e., for Certifications of Compliance required by the Boiler and Industrial Furnace Rule) and included data submitted by one commenter[5] (see Table 1). In addition, EPA will continue to use its original gasoline and No. 2 fuel oil halogen data, which include both organic and inorganic halogens (see Table 2). EPA invites comment on the appropriateness of these data for use in determining a total halogen specification.

As in the proposed rule, EPA has used a nonparametric rank order statistical approach to determine the total halogen specification. See 61 FR at 17463. Using this methodology under the composite fuel approach, the total halogen specification would be 25 ppmw for the 50th percentile composite, 260 ppmw for the 90th percentile composite, and 500 ppmw for the 99th percentile composite. The Agency is not inviting additional comment on the various percentiles in this notice. Rather, this information is provided to enable interested persons to inspect EPA's use of the total halogen data and to comment thereon, including the practical impacts of a total halogen specification of 25, 260, or 500 ppmw.

In addition to new total halogen data, EPA received comment on an equivalency determination to qualify for the comparable fuels exemption. One commenter argued that the Agency should consider the commenter's candidate comparable fuel as a comparable fuel even though it cannot meet the comparable fuel specification for total halogens (see Fina Oil comments, docket number RCSP–00204). The commenter's candidate comparable fuel has an average halogen content of 1145 ppmw, with a standard deviation of 2400 ppmw. The commenter submitted the results of an emissions testing program to demonstrate that emissions of toxic, Appendix VIII, Part 261, compounds from burning its candidate comparable fuel are similar or lower than emissions from this same facility when burning No. 2 fuel oil.

The Agency considered this situation and the attendant test data carefully, but continues to maintain that an emissions-based equivalency determination to the total halogen specification on a national regulatory basis would be inappropriate and infeasible at this time. EPA has consistently declined to adopt an alternative national approach that is based on an extensive comparison of either emissions or the risk from emissions because of the inherent technical complexity and our current inability to adequately model the risks from all potential burners of an unregulated hazardous waste fuel. EPA also expects that other commenters may well ask EPA to create emissions-based equivalency determinations for other individual and less problematic compounds. This would again put EPA administratively in the position of attempting to create, on a national level, a defensible and consistent set of equivalency determinations based on considerations of comparative emissions and risk, a position that EPA has indicated is infeasible at this time.

Finally, if the Agency were to develop an equivalency determination for total halogens, the implementation details needed in a national regulation to ensure proper combustion of halogenated wastes would be numerous including, for example, provisions on operating parameters, performance testing, and monitoring. These details would almost certainly result in a complicated conditional exclusion from the definition of solid waste. This eventuality is viewed as both potentially unworkable and very difficult to implement and enforce on a national basis. However, there remains some discretion for EPA, through a separate rulemaking, to classify individual fuels as non-wastes based on individual circumstances.[6]

Therefore, EPA is not inclined at this time to consider developing any national equivalency determination to the total halogen specification as part of its final deliberations on the comparable fuel exclusion. At some future point, perhaps as our understanding of cause-and-effect relationships regarding emissions from a wider variety of sources grows, EPA may be able to address aspects of the commenter's recommendations if appropriate and feasible.

TABLE 1: ADDITIONAL TOTAL HALOGEN DATA

Fuel type	Facility	Total Halogen (ppmw)	Heat Value (Btu/lb)
No. 2 fuel oil	Dupont, Wilmington	16	19,200
No. 2 fuel oil	Dupont, Wilmington	429	19,200
No. 2 fuel oil	Dupont, Wilmington	461	19,200
No. 2 fuel oil	Dupont, Wilmington	470	19,200
No. 2 fuel oil	Dupont, Wilmington	490	19,200
No. 2 fuel oil	Dupont, Wilmington	523	19,200
No. 2 fuel oil	Dow Chem., Gales Ferry	83	19,587
No. 2 fuel oil	Dow Chem., Gales Ferry	93	19,587
No. 2 fuel oil	Dow Chem., Gales Ferry	137	19,380
No. 6 fuel oil	American Cyan., Kalamazoo	<45 (non-detect)	18,571

[3] See, e.g., RCRA Docket F–97CS5A–FFFFF, number S0001, Chemical Manufacturers Association letter dated June 27, 1997.

[4] See RCRA Docket F–97–CS5A–FFFFF, number S0002, Rohm & Haas letter dated April 14, 1997.

[5] Commenter's data include 6 data points on total halogen in No. 6 fuel oil. EPA screened out one of the data points as an outlier because it was 170% greater than any data point in the total halogen database.

[6] See 61 FR 9396–97 (March 8, 1996).

TABLE 1: ADDITIONAL TOTAL HALOGEN DATA—Continued

Fuel type	Facility	Total Halogen (ppmw)	Heat Value (Btu/lb)
No. 6 fuel oil	American Cyan., Kalamazoo	<45 (non-detect)	18,571
No. 6 fuel oil	American Cyan., Kalamazoo	<45 (non-detect)	18,571
No. 6 fuel oil	Huntsman Poly, Woodbury	<100 (non-detect)	18,500
No. 6 fuel oil	Huntsman Poly, Woodbury	<100 (non-detect)	18,500
No. 6 fuel oil	Huntsman Poly, Woodbury	<100 (non-detect)	18,500
No. 6 fuel oil	Huntsman Poly, Woodbury	<100 (non-detect)	18,500
No. 6 fuel oil	Huntsman Poly, Woodbury	<100 (non-detect)	18,500
No. 6 fuel oil	Huntsman Poly, Woodbury	<100 (non-detect)	18,500
No. 6 fuel oil	Rohm & Haas, Philadelphia	109	18,967
No. 6 fuel oil	Rohm & Haas, Philadelphia	110	18,881
No. 6 fuel oil	Rohm & Haas, Philadelphia	171	18,976
No. 6 fuel oil	Rohm & Haas, Bristol	180	18,400
No. 6 fuel oil	Rohm & Haas, Philadelphia	840	18,300
No. 6 fuel oil	Rohm & Haas, Philadelphia	840	18,600
No. 6 fuel oil	Rohm & Haas, Philadelphia	590	18,400
No. 6 fuel oil	Rohm & Haas, Philadelphia	660	18,300
No. 6 fuel oil	Rohm & Haas, Philadelphia	1000	18,400

TABLE 2: TOTAL HALOGEN DATA FROM PROPOSED RULE

No. 2 fuel oil	EPA sample 8835–001	<25 (non-detect)	19,583
No. 2 fuel oil	EPA sample 8835–002	<25 (non-detect)	19,610
No. 2 fuel oil	EPA sample 8835–003	<25 (non-detect)	19,823
No. 2 fuel oil	EPA sample 8835–004	<25 (non-detect)	19,755
No. 2 fuel oil	EPA sample 8835–005	<25 (non-detect)	19,763
No. 2 fuel oil	EPA sample 8835–006	<25 (non-detect)	19,891
No. 2 fuel oil	EPA sample 8835–007	<25 (non-detect)	19,570
No. 2 fuel oil	EPA sample 8835–008	<25 (non-detect)	19,865
No. 2 fuel oil	EPA sample 8835–009	<25 (non-detect)	19,942
No. 2 fuel oil	EPA sample 8835–010	<25 (non-detect)	20,000
No. 2 fuel oil	EPA sample 8835–011	<25 (non-detect)	19,745
Gasoline	EPA sample 8835–001	<25 (non-detect)	19,506
Gasoline	EPA sample 8835–002	<25 (non-detect)	19,394
Gasoline	EPA sample 8835–003	<25 (non-detect)	19,687
Gasoline	EPA sample 8835–004	<25 (non-detect)	19,420
Gasoline	EPA sample 8835–005	<25 (non-detect)	19,189
Gasoline	EPA sample 8835–006	<25 (non-detect)	19,924
Gasoline	EPA sample 8835–007	<25 (non-detect)	19,373
Gasoline	EPA sample 8835–008	<25 (non-detect)	19,552

Dated: August 25, 1997.

Elizabeth A. Cotsworth,

Acting Director Office of Solid Waste.

[FR Doc. 97–23843 Filed 9–8–97; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 54 and 64

[CC Docket Nos. 96–45; 97–21; FCC 97–292]

Changes to the Board of Directors of the National Exchange Carrier Association, Inc. and Federal-State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Further Notice of Proposed Rulemaking released August 15, 1997 proposes to amend the Commission's rules regarding revenue information submitted to NECA by TRS contributors. The proposed rules would permit USAC, NECA, to the extent that it is acting on behalf of USAC, and the permanent universal service Administrator, to use revenue data submitted to the TRS Administrator by TRS contributors in order to verify revenue information provided on the Universal Service Worksheet by contributors to the universal service support mechanisms.

DATES: Comments are to be filed on or before September 11, 1997. Reply comments are to be filed on or before September 26, 1997.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 1919 M Street, NW., Room 222, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Valerie Yates, Legal Counsel, Common Carrier Bureau, (202) 418–1500 or Sheryl Todd, Common Carrier Bureau, (202) 418–7400.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Further Notice of Proposed Rulemaking adopted and released on August 15, 1997. The full text is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M St., N.W., Washington, D.C. Pursuant to the Telecommunications Act of 1996, the Commission released a Notice of Proposed Rulemaking and Order Establishing a Joint Board, Federal-State Joint Board on Universal Service, CC Docket No. 96–45, on March 8, 1996 (61 FR 10499 (March 14, 1996)), a