

Commodity	Parts per million
Cattle, fat	.10
Cattle, mby	.10
Cattle, meat	.10
Corn, field, grain	.05
Corn, fodder	.10
Corn, forage	.10
Cottonseed	.20
Eggs	.05
Goats, fat	.10
Goats, mby	.10
Goats, meat	.10
Hogs, fat	.10
Hogs, mby	.10
Hogs, meat	.10
Horses, fat	.10
Horses, mby	.10
Horses, meat	.10
Milk	.05
Poultry, fat	.10
Poultry, mby	.10
Poultry, meat	.10
Sheep, fat	.10
Sheep, mby	.10
Sheep, meat	.10
Tomatoes	.15
Wheat, forage	.10
Wheat, grain	.05
Wheat, straw	.10

(b) Section 18 emergency exemptions. [Reserved]

(c) Tolerances with regional registrations. [Reserved]

(d) Indirect or inadvertent residues. [Reserved]

§ 180.374 [Removed]

ww. By removing § 180.374.
xx. By revising § 180.385 to read as follows:

§ 180.385 Diclofop-methyl; tolerances for residues.

(a) General. Tolerances are established for the combined residues of the herbicide diclofop-methyl (methyl 2-[4-(2,4-dichlorophenoxy)phenoxy]propanoate) and its metabolites, 2-[4-(2,4-dichlorophenoxy)phenoxy]propanoic acid and 2-[4-(2,4-dichloro-5-hydroxyphenoxy)phenoxy]propanoic acid, in or on the following raw agricultural commodities:

Commodity	Parts per million
Barley, grain	0.1
Barley, straw	0.1
Wheat, grain	0.1
Wheat, straw	0.1

(b) Section 18 emergency exemptions. [Reserved]

(c) Tolerances with regional registrations. [Reserved]

(d) Indirect or inadvertent residues. [Reserved]

§§ 180.386 and 180.387 [Removed]

yy. By removing §§ 180.386 and 180.387.

§ 180.410 [Amended]

zz. In § 180.410, by amending paragraph (a) in the table therein by removing the entries for almonds; almond, hulls; apricots; peaches; and plums (fresh prunes).

§ 180.416 [Amended]

aaa. In § 180.416, by revising paragraph (a) to read as follows:

§ 180.416 Ethalfuralin; tolerances for residues.

(a) General. Tolerances are established for residues of the herbicide ethalfuralin [*N*-ethyl-*N*-(2-methyl-2-propenyl)-2,6-dinitro-4-(trifluoromethyl)benzenamine] in or on the following raw agricultural commodities:

Commodity	Parts per million
Beans, dry	0.05
Cucurbits vegetable group	0.05
Goats, fat	0.05
Goats, mby	0.05
Goats, meat	0.05
Peanuts	0.05
Peas, dry	0.05
Soy beans	0.05
Sunflower seed	0.05

* * * * *

PART 186—[AMENDED]

2. In part 186:

a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 342, 348, and 371.

§ 186.2325 [Removed]

b. By removing § 186.2325.

§ 186.3000 [Removed]

c. By removing § 186.3000.

[FR Doc. 98-2722 Filed 2-4-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 799

[OPPTS-42187M; FRL-5769-3]

RIN 2070-AC76

Amended Proposed Test Rule for Hazardous Air Pollutants; Extension of Comment Period; Clarification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period on amended proposed rule; extension of deadline for receipt of alternative testing proposals; clarification.

SUMMARY: EPA is extending the public comment period from February 9, 1998 to May 11, 1998, on the proposed rule published in the **Federal Register** of June 26, 1996 (61 FR 33178) (FRL-4869-1), amended December 24, 1997 (62 FR 67466) (FRL-5742-2), requiring the testing of certain hazardous air pollutants (HAPs) for specific health effects. EPA is also extending the deadline for the receipt of proposals for enforceable consent agreements (ECAs) for HAPs test rule chemicals for which proposals for ECAs have not been received from February 9, 1998 to March 11, 1998. In addition, EPA is clarifying Unit III.C. "Persons Required to Test" of the amended proposed HAPs preamble and the corresponding proposed regulatory text of the amendment to indicate those persons who would be required to initially comply with the HAPs rule.

DATES: Written comments on the proposed rule, as amended, must be received by EPA on or before May 11, 1998. ECA proposals to provide alternative testing to meet HAPs testing requirements must be received by EPA on or before March 11, 1998.

ADDRESSES: Submit three copies of written comments on the proposed HAPs test rule, as amended, identified by docket control number (OPPTS-42187A; FRL-4869-1) to: U.S. Environmental Protection Agency, Office of Pollution Prevention and Toxics (OPPT), Document Control Office (7407), Rm. G-099, 401 M St., SW., Washington, DC 20460. The Document Control Office telephone number is (202) 260-7093.

Submit three copies of ECA proposals to: U.S. Environmental Protection Agency, Office of Pollution Prevention and Toxics, Document Control Office (7407), Room G-099, 401 M St., SW., Washington, DC 20460. The Document Control Office telephone number is

(202) 260-7093. ECA proposals should be labeled: "ECA Proposal for (HAP chemical name) to Provide Alternative Testing to Meet HAPs Rule Testing Requirements," identified by Document Control Number (OPPTS-42187B; FRL-5742-2).

Comments and data may also be submitted electronically to oppt.ncic@epamail.epa.gov. Follow the instructions under Unit III. of this document. No confidential business information (CBI) should be submitted through electronic mail.

FOR FURTHER INFORMATION CONTACT: For additional information: Susan B. Hazen, Director, Environmental Assistance Division (7408), Rm. ET-543B, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone (202) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov. For technical information contact: Richard W. Leukroth, Jr., 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) 260-0321; fax: (202) 260-1096; e-mail: leukroth.rich@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Electronic Availability

Internet

Electronic copies of this document and various support documents are available from the EPA Home Page at the **Federal Register** — Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/EPA-TOX/1998/>).

Fax-On-Demand

Using a faxphone call 202-401-0527 and select item 4640 for an index of available material and corresponding item numbers related to this document.

II. Background

On June 26, 1996 (61 FR 33178), EPA proposed health effects testing, under section 4(a) of TSCA, of the following hazardous air pollutants (HAPs): 1,1'-biphenyl, carbonyl sulfide, chlorine, chlorobenzene, chloroprene, cresols (3 isomers: *ortho*-, *meta*-, *para*-), diethanolamine, ethylbenzene, ethylene dichloride, ethylene glycol, hydrochloric acid, hydrogen fluoride, maleic anhydride, methyl isobutyl ketone, methyl methacrylate, naphthalene, phenol, phthalic anhydride, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, and vinylidene

chloride. EPA would use the data generated under the rule to implement several provisions of section 112 of the Clean Air Act and to meet other EPA data needs and those of other Federal agencies (the Agency for Toxic Substances and Disease Registry (ATSDR), the National Institute for Occupational Safety and Health (NIOSH), the Occupational Safety and Health Administration (OSHA), and the Consumer Product Safety Commission (CPSC)).

On October 18, 1996, EPA extended the public comment period on the proposed rule from December 23, 1996, to January 31, 1997 (61 FR 54383) (FRL-5571-3). This extension was for the purpose of allowing more time for the submission of proposals for pharmacokinetics (PK) studies and adequate time for comments on the proposed rule to be submitted after the Agency had responded to the proposals. Due to the complexity of the issues raised by the eight proposals for PK studies that the Agency received in response to the HAPs proposal, EPA successively extended the public comment period (61 FR 67516, December 23, 1996 (FRL-5580-6); 62 FR 9142, February 28, 1997 (FRL-5592-1); 62 FR 14850, March 28, 1997 (FRL-5598-4); 62 FR 29318, May 30, 1997 (FRL-5722-1); 62 FR 37833, July 15, 1997 (FRL-5732-2) to allow the Agency more time to respond to the PK proposals and to finalize the test guidelines to be referenced in the proposed HAPs test rule. EPA extended the comment period again (62 FR 50546, September 26, 1997 (FRL-5748-8) and 62 FR 63299, November 28, 1997 (FRL-5759-2)) to allow the Agency more time to complete work on amending the proposed HAPs test rule.

On December 24, 1997 (62 FR 67466) (FRL-5742-2) EPA amended the proposed test rule to cross-reference new TSCA test guidelines (codified at 40 CFR part 799, subpart H), remove the testing requirements for phenol, specify export notification requirements, revise the economic assessment, include additional support documents in the rulemaking record, and describe other changes and clarifications to the proposed test rule. In addition, the amendment invited ECA proposals for all of the HAPs chemicals for which ECA proposals had not been received to provide for alternative testing to meet the requirements contained in the amended HAPs proposal.

In the proposed HAPs rule, EPA invited the submission of proposals for pharmacokinetics (PK) studies for the HAPs chemicals, which could provide the basis for negotiation of enforceable

consent agreements (ECAs). These PK studies would be used to conduct route-to-route extrapolation of toxicity data from routes other than inhalation to predict the effects of inhalation exposure, as an alternative to testing proposed under the HAPs rule. The Agency received PK proposals for eight HAPs chemicals: diethanolamine (CAS No. 111-42-2), ethylene dichloride (CAS No. 107-06-2), ethylene glycol (CAS No. 107-21-1), hydrogen fluoride (CAS No. 7664-39-3), maleic anhydride (CAS No. 108-31-6), phthalic anhydride (CAS No. 85-44-9), 1,2,4-trichlorobenzene (CAS No. 120-82-1), and 1,1,2-trichloroethane (CAS No. 79-00-5). By notice in the **Federal Register**, EPA announced the date for a meeting to conduct ECA negotiations on seven of these chemicals (diethanolamine (63 FR 3109, January 21, 1998) (FRL-5766-7); ethylene glycol (63 FR 3111, January 21, 1998) (FRL-5766-6); phthalic anhydride (63 FR 1469, January 9, 1998) (FRL-5765-3); hydrogen fluoride (63 FR 1467, January 9, 1998) (FRL-5765-5); maleic anhydride (63 FR 1464, January 9, 1998) (FRL-5765-1); 1,1,2-trichloroethane (62 FR 66628, December 19, 1997) (FRL-5763-2); and ethylene dichloride (62 FR 66626, December 19, 1997) (FRL-5763-1)). Negotiating meetings on 1,1,2-trichloroethane and ethylene dichloride were held on January 12, 1998. The PK ECA negotiations will proceed on a separate but parallel track from the HAPs rulemaking process. EPA urges all persons participating in ECA negotiations to comment on the amended proposed HAPs rule as an activity separate from the PK proposal/ECA process.

EPA has received requests for additional time to respond to the amended HAPs proposal (see documents referenced in Unit III. of this document). These requestors state that they would be unable to give full consideration of, or respond appropriately to, Unit III. C., "Persons Required to Test" (62 FR 67466, 67469-67472) of the amended HAPs proposal before the current close of the comment period. These persons assert that the Agency's proposed changes, that modify criteria for determining persons who would be subject to the HAPs test rule and when they would have to comply with the rule, form a new policy that results in the need to adjust the composition of groups or alliances previously formed to address testing under the HAPs proposal. Furthermore, these persons indicate that changes in the composition of testing alliances may result in the need to assess whether

comments and positions developed previously in this rulemaking process should be revised.

The Agency maintains that the proposed changes made in the "Persons Required to Test" section of the amended HAPs proposal would provide an equitable means to determine which entities would be responsible for testing HAPs chemicals. The amended proposal distinguished those persons who, although subject to the rule, would not be required to comply with the rule unless directed to do so by EPA in a subsequent notice if no manufacturer has submitted a notice of its intent to conduct testing from those persons who would be required to comply with the requirements of the rule when promulgated ("initially comply").

It has been brought to the attention of the Agency that the language (in both the preamble and the regulatory text) used to determine what persons would be subject to the HAPs test rule and when they would have to comply with the rule is ambiguous. The Agency is therefore clarifying who would be required to initially comply with the HAPs rule with regard to a particular HAP chemical, namely, any person who has, during the last complete corporate fiscal year prior to the publication of the final rule in the **Federal Register**, manufactured (including imported) the HAP chemical at any facility in an amount equal to or in excess of 25,000 lb (regardless of the form of the HAP chemical, i.e., as a Class 1 substance, as a component of a mixture, as a byproduct, as an impurity, as a component of a Class 2 substance, or as an isolated intermediate). The amount of a HAP chemical that is manufactured (including imported) as a component of a chemical substance or mixture at a concentration of less than one percent by weight is not to be taken into account in determining whether the 25,000 lb threshold has been met. ("Naturally occurring substances," as described at 40 CFR 710.4(b), and non-isolated intermediates, as defined at 40 CFR 704.3, are not to be considered in determining whether a person is responsible for HAP chemical testing.)

EPA requests that comments on the amended proposal be submitted with this clarification in mind. Regulatory text which would be more clear than that in the amended proposal might, rather than including both paragraphs (iv) and (v) in § 799.5053(a)(2) as published in the amended proposal, include a single paragraph, § 799.5053(a)(2)(iv), that might read as follows:

(iv) Manufacturers (including importers) of a chemical substance specified in Table 1 who, during the last complete corporate fiscal year prior to the effective date specified in Table 1, at no facility manufactured such substance in an amount equal to or in excess of 25,000 lb must comply with the requirements of the rule with regard to such substance only if directed to do so by EPA in a subsequent notice because no manufacturer has submitted a notice of its intent to conduct testing. A chemical substance specified in Table 1 that is manufactured (including imported) as a component of another chemical substance or mixture in which the proportion of the substance specified in Table 1 is less than one percent by weight is not to be taken into account in determining whether the 25,000 lb threshold specified in this paragraph has been met.

EPA acknowledges that some additional time may be required for members of the public to give full consideration to the changes in the amended HAPs proposal and the clarification contained in this document, to adjust existing testing alliances, and to seek additional members of groups or alliances to conduct testing. However, the Agency does not believe that changes to existing testing alliances would likely result in the need to make new comments regarding the testing requirements in the amended proposal because these requirements have not changed substantially from those originally proposed. The Agency emphasizes that the data called for under the amended HAPs proposal are needed to meet requirements under section 112 of the Clean Air Act, and that these data are also needed for other government organizations (ATSDR, NIOSH, OSHA, CPSC) to meet the needs of their programs. With this general understanding, EPA has weighed these requests to extend the comment period with the need to move forward with testing of these HAPs chemicals and agrees to extend the comment period until May 11, 1998.

In the December 24, 1997 amended HAPs proposal, EPA invited the submission of proposals for ECAs on all the HAPs chemicals for which ECA proposals have not been received. The Agency indicated that such proposals must clearly describe the rationale for proposing an alternative testing program, detail the full extent of the testing to be performed under the proposal, and describe how the proposed testing would meet the testing requirements contained in the amended HAPs proposal. EPA will review proposal submissions and may select candidates for ECA negotiations based on the ability of the proposal to fulfill

the data requirements that are set forth in the amended HAPs proposal. If the Agency decides to proceed with the ECA process, it will publish a notice in the **Federal Register** soliciting persons interested in participating in or monitoring negotiations for the development of ECAs to notify the Agency in writing. EPA will seek to complete the development of any ECAs expeditiously, and, whenever possible, will work to complete such agreements within 12 months from the date of the Agency's acceptance of the proposal. The deadline for the receipt of alternative testing ECA proposals is being extended from February 9, 1998 to March 11, 1998.

III. Public Record and Electronic Submissions

The official record for this rulemaking, including the public version, which does not include any information claimed as CBI, has been established for this rulemaking under document control number (OPPTS-42187A; FRL-4869-1). This docket also includes all material and submissions filed under docket number OPPTS-42193 (FRL-5719-5), the record for the rulemaking for the TSCA test guidelines, and all material and submissions filed under docket number OPPTS-42187B (FRL-4869-1), the record for the receipt of proposals for developing ECAs for alternative testing of HAPs chemicals. This record contains the basic information considered by EPA in developing this proposed rule, as amended, and appropriate **Federal Register** documents. The public version of this record, including printed, paper versions of electronic comments, is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:

oppt.ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by document control number (OPPTS-42187A; FRL-4869-1). Electronic comments on this proposed rule, as amended, may be filed online at many Federal Depository Libraries.

All comments which contain information claimed as CBI must be clearly marked as such. Three sanitized copies of any comments containing information claimed as CBI must also be submitted and will be placed in the public record for this rulemaking. Persons submitting information any portion of which they believe is entitled to treatment as CBI by EPA must assert a business confidentiality claim in accordance with 40 CFR 2.203(b) for each such portion. This claim must be made at the time that the information is submitted to EPA. If a submitter does not assert a confidentiality claim at the time of submission, EPA will make the information available to the public without further notice to the submitter. No CBI should be submitted electronically.

In addition to the documents listed in Unit X. of the original HAPs proposal and Unit V. of the amended HAPs proposal, the record includes the following additional referenced documents:

1. Letter from M. L. Mullins, Chemical Manufacturers Association to Charles M. Auer, EPA, January 5, 1998.
2. Letter from John F. Murray, Biphenyl Work Group to Charles M. Auer, EPA, January 8, 1998.
3. Contact report from Richard W. Leukroth and Frank Kover, EPA, of phone conversation with W. McLeod, American Petroleum Institute, January 14, 1998.
4. Letter from A. Crane, North American Insulation Manufacturers Association to C. Auer, EPA, January 9, 1998.
5. Letter from J. Rucker, American Petroleum Institute to C. Auer, EPA, January 15, 1998.

List of Subjects in 40 CFR Part 799

Environmental protection, Chemicals, Hazardous substances, Reporting and record keeping requirements.

Dated: January 30, 1998.

Ward Penberthy,

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

Accordingly, EPA is extending the comment period on the proposed rule to May 11, 1998. EPA is also extending the period for the receipt of ECA proposals to provide alternative testing to meet HAPs testing requirements to March 11, 1998.

[FR Doc. 98-2877 Filed 2-4-98; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 193

[Docket No. RSPA-97-3002; Notice 1]

Pipeline Safety: Incorporation of Standard NFPA 59A in the Liquefied Natural Gas Regulations

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of public meeting.

SUMMARY: RSPA invites representatives of liquefied natural gas (LNG) industry, state and local government, and the public to an open meeting on proposed changes to the LNG regulations. RSPA is drafting amendments to the LNG regulations by replacing substantive provisions of Part 193 of title 49 of the Code of Federal Regulations (CFR) by incorporation by reference of the National Fire Protection Association (NFPA) Standard 59A (1996 edition)—Standard for the Production, Storage and Handling of Liquefied Natural Gas (LNG). The proposed changes are intended to enable operators to utilize current technology, materials, and practices, thereby reducing costs and enhancing economic growth. We believe these changes will eliminate unnecessary or burdensome requirements. The purpose of this meeting is to gather information on experiences with the current Federal LNG safety regulations, and with the NFPA 59A standards, and to solicit comments and suggestions. RSPA hopes to publish the NPRM in the **Federal Register** for public evaluation and comment by July 1998.

DATES: The public meeting will be held on March 31, 1998, from 9.00 a.m. to 12 p.m. Interested persons are invited to attend the meeting and present oral or written Comments on this subject.

ADDRESSES: The public meeting will be held at the Radisson Airport Hotel, 2081 Post Road, Providence, Rhode Island 028860. Hotel phone number is (401) 739-3000.

COMMENTS: Written comments on the subject of this notice may be submitted by May 15, 1998, to the Dockets Facility, U.S. Department of Transportation, 400 Seventh Street, SW, Plaza 401, Washington, DC 20590-0001. Comments should identify the docket number of this notice. Persons should submit the original and one copy. Persons wishing to receive confirmation of receipt of their comments must include a stamped, self-addressed

postcard. Alternatively, comments may be submitted via e-mail to "ops.comments@rspa.dot.gov". The Dockets facility is open from 10:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mike Israni, (202) 366-4571, or e-mail: mike.israni@rspa.dot.gov, regarding the subject matter of this notice.

Issued in Washington, D. C. on February 2, 1998.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

[FR Doc. 98-2897 Filed 2-4-98; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. PS-144; Notice 2]

[RIN 2137-AC 78]

Risk-Based Alternative To Pressure Testing Older Hazardous Liquid and Carbon Dioxide Pipelines Rule

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: This notice proposes to allow operators of older hazardous liquid and carbon dioxide pipelines to elect a risk-based alternative in lieu of the existing rule. The existing rule requires the hydrostatic pressure testing of certain older pipelines. The risk-based alternative would allow operators to elect an approach to evaluating the integrity of these lines that takes into account individual risk factors. This would allow operators to focus resources on higher risk pipelines and effect a greater reduction in the overall risk from pipeline accidents.

DATES: Interested persons are invited to submit comments on this notice of proposed rulemaking (NPRM) by April 6, 1998. Late filed comments will be considered to the extent practicable.

ADDRESSES: Written comments must be submitted in duplicate and mailed or hand-delivered to the Dockets Unit, Room 8421, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Identify the docket and notice number stated in the heading of this notice. Comments will become part of this docket and will be available for inspection or copying in Room 8421 between 8:30 a.m. and 5 p.m. each business day.