

bioreactor landfills (with or without air addition).

- The Clean Air Act Section 111(d) and greenhouse gas emissions impact of operating a municipal solid waste landfill as a bioreactor landfill, i.e., will the addition of air or liquids affect the ability of a landfill to comply with air regulations?

- The comparative cost effectiveness and environmental benefits of the bioreactor landfill relative to managing segregated organic wastes through composting and placing non-compostable waste in a standard municipal landfill (i.e., one not operated as a bioreactor).

- Are there management and safety issues associated with landfill gas generation and control at bioreactor landfills that need to be addressed in regulations or guidance?

- Are there relevant patent issues associated with anaerobic, aerobic, or other bioreactor landfills of which EPA should be aware?

IX. Conclusion

After reviewing the literature on leachate recirculation, alternative liner designs, and bioreactor landfills and information and data received during this comment period, the Agency will make a determination concerning what future actions, if any, we will take on the issues discussed in this document.

Dated: March 22, 2000.

Elizabeth Cotsworth,

Director, Office of Solid Waste.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 761

[OPPTS-66009G; FRL-6553-6]

RIN 2070-AD27

Use Authorization for, and Distribution in Commerce of, Non-liquid Polychlorinated Biphenyls, Notice of Availability; Partial Reopening of Comment Period; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: EPA is extending the comment period for the proposed rule which published in the **Federal Register** of December 10, 1999. That action solicited additional information on the use and concentration of polychlorinated biphenyls (PCBs) found in certain non-liquid PCB (NLPCB) applications. It also announced the availability, for comment, of data that were submitted to EPA after the comment period closed for the December 6, 1994 proposal. In addition to authorizing certain NLPCB uses, the proposed provision (§ 761.30(q)) would have required compliance with several conditions (e.g., notification, marking, air monitoring and standard wipe tests, remediation, repair and/or removal, reporting and recordkeeping requirements). EPA is extending the 120-day data submission period, as well as the 90-day comment period on existing and new data submissions. In response to a request for more time to develop the requested data, EPA is extending the comment periods to obtain data that may support an authorization which would require few,

if any, conditions but is protective of health and the environment.

DATES: Data submissions, identified by docket control number OPPTS-66009G, must be received on or before October 10, 2000. Comments on any of the data submissions and/or relevant docket materials, identified by docket control number OPPTS-66009G, must be received on or before January 10, 2001.

ADDRESSES: Submit data and comments by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III. of the "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA, it is imperative that you identify docket control number OPPTS-66009G in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: *For general information contact:* Barbara Cunningham, Director, Office of Program Management and Evaluation, (7401), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone numbers: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Peggy Reynolds, Office of Pollution Prevention and Toxics, National Program Chemicals Division, (7404), Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 260-3965; e-mail address: reynolds.peggy@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

You may be affected by this supplemental action if you own, use, process, or distribute PCBs in commerce. Affected categories and entities include:

Categories	NAICS Codes	Examples of Potentially Affected Entities
Industry	31-33, 211, 5133	Electroindustry manufacturers, oil and gas extraction, end-users of electricity, telecommunications and general contractors
Utilities and rural electric cooperatives	2211	Electric power and light companies
Individuals, Federal, State Municipal Governments, hospitals and colleges	921, 622, 6113	Individuals and agencies which own, use, process and distribute PCBs in commerce

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of

entities not listed in the table in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been

provided to assist you and others in determining whether or not this action applies to certain entities. To determine whether you or your business is affected

by this action, you should carefully examine the applicability provisions in Title 40 of the Code of Federal Regulations (CFR), part 761. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under "FOR FURTHER INFORMATION CONTACT."

II. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. On the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgrstr/>. To access information about the PCB Program, go directly to the PCB Home Page at <http://www.epa.gov/pcb>.

2. *In person.* The Agency has established an official record for this action under docket control number OPPTS-66009G. The combined record also includes all material and submissions filed under docket control number OPPTS-66009C. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center, North East Mall Rm. B-607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Center is (202) 260-7099.

III. How and to Whom Do I Submit Comments?

As described in Unit III. of the proposed rule published in the **Federal Register** of December 10, 1999 (64 FR 69358) (FRL-6064-7), you may submit your comments through the mail, in

person, or electronically. Please follow the instructions that are provided in the proposed rule. Do not submit any information electronically that you consider to be CBI. To ensure proper receipt by EPA, be sure to identify docket control number OPPTS-66009G in the subject line on the first page of your response.

IV. How Should I Handle CBI Information That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the technical person identified under **FOR FURTHER INFORMATION CONTACT**.

V. What Should I Consider as I Prepare My Comments for EPA?

In preparing comments and/or developing data for EPA's consideration, you should keep in mind that your NLPCB use is not currently authorized. Under the Toxic Substances Control Act (TSCA) and the existing PCB regulations, the use is prohibited and you would be required to dispose of that material. In addition to completing rulemaking to authorize the NLPCB use(s), EPA is required to make a no unreasonable risk finding for the distribution in commerce of the NLPCB material (i.e., the sale, donation or transfer of the unauthorized NLPCB). Therefore, you should keep in mind that you will not be able to avoid the prohibitions by simply selling, transferring or donating to another entity, equipment and property which contain the unauthorized NLPCB uses, unless the NLPCBs have been removed. You should weigh the costs of the TSCA PCB prohibitions (i.e., disposal and/or the loss of revenue) against the cost of providing useful data and comments to the Agency. For example, if the material is approaching the end of its life cycle, you may decide that it is not worth the

effort to take samples of the material and therefore you would prefer to simply dispose of the item(s). In that event, you should remember that the PCB disposal requirements may apply regardless of whether the item is authorized for use and distribution in commerce. Conversely, you may determine that the item still has value and provides reliable service. In that instance, you may want to take advantage of this extension in order to develop the information which is needed to support the authorizations for the use and distribution in commerce of the NLPCB item(s).

In order for the Agency to make the no unreasonable risk finding and to develop a broad, generic use authorization and accompanying distribution in commerce provision, you should consider providing the data described in the December 10, 1999 **Federal Register** document (i.e., matching bulk, surface and air sample results so that EPA can examine the dermal and inhalation risks; matching bulk sample results and surface results so that relationships between bulk and surface concentrations can be better defined; summary statistics to better determine if the results are representative of the sample population; and population characteristics to determine how the results represent the overall population of the items in use; see the discussions at Units VII. and VIII. of the December 10, 1999 document at pages 64 FR 69360-69363).

Finally, you should make sure to submit your comments by the deadline in this document; i.e., October 10, 2000, for data submissions, and January 10, 2001, for comments on the docket materials. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action (i.e., OPPTS-66009G) in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

VI. What Action is EPA Taking?

EPA is extending the period for public input to allow individuals an additional opportunity to complete sample collection and testing programs, to compile the results of the testing and to submit the results to EPA. EPA intends to use the data in support of an authorization which would require few, if any, conditions but is protective of health and the environment.

VII. What is the Agency's Authority for Taking this Action?

The authority for this action is section 6(e) of the Toxic Substances Control Act, 15 U.S.C. 2605(e).

VIII. Do Any Regulatory Assessment Requirements Apply to this Action?

No. This action is not a rulemaking, it merely extends the date by which public comments on a proposed rule must be submitted to EPA on a proposed rule that previously published in the **Federal Register** of December 6, 1994 (59 FR 62788) and extended by the **Federal Register** of December 10, 1999 (64 FR 69358). For information about the applicability of the regulatory assessment requirements to the proposed rule, please refer to the discussion in Unit VI. of that document (59 FR 62788, December 6, 1994).

List of Subjects

40 CFR Part 761

Environmental protection, Hazardous substances, Polychlorinated biphenyls, Reporting and recordkeeping requirements.

Dated: March 30, 2000.

Susan H. Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.
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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket RSPA-5455]

RIN 2137-AC34

Areas Unusually Sensitive to Environmental Damage

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

ACTION: Notice of Public Workshop and Initiation of Technical Review.

SUMMARY: RSPA is concluding a pilot test of a draft definition for areas unusually sensitive to environmental damage from a hazardous liquid pipeline release, commonly referred to as unusually sensitive areas (USAs). The draft USA definition was created through a series of public workshops and technical entities. The pilot was conducted to determine if the draft definition could be used to identify and locate unusually sensitive drinking water and ecological resources using available data from government agencies and environmental organizations. RSPA invites industry, government agencies, and the public to a workshop that will begin a technical review of USA pilot results. The purpose of this workshop is

to openly discuss the pilot results and to provide the results to other government agencies, environmental groups, and academia for evaluation.

DATES: The workshop will be held on April 27, 2000, from 9 to 4 and on April 28, 2000, from 9 to 1 pm. Written comments on this initiative must be submitted by June 27, 2000.

ADDRESSES: The workshop will be held at the U.S. DOT, 400 Seventh Street, SW, Room 2230, Washington, DC. Non-federal employee visitors are admitted into the DOT building through the southwest entrance at Seventh and E Streets, SW. Persons who want to participate in the workshop should call (202) 366-4561 or e-mail their name, affiliation, and phone number to christina.sames@rspa.dot.gov. Send written comments in duplicate to the Dockets Facility, U.S. Department of Transportation, Room #PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. Persons who want confirmation of mailed comments must include a self-addressed stamped postcard. Comments may also be e-mailed to ops.comments@rspa.dot.gov in ASCII or text format. The Dockets Facility is open from 10 am to 5 pm, Monday through Friday, except on Federal holidays when the facility is closed.

FOR FURTHER INFORMATION CONTACT: Christina Sames, (202) 366-4561, or e-mail christina.sames@rspa.dot.gov, about this document, or the Dockets Unit, U.S. Department of Transportation, Plaza 401, 400 Seventh Street SW, Washington, DC 20590, for copies of this document or other material in the docket, including material from previous workshops. The public may also review material in the docket by accessing the Docket Management System's home page at <http://dms.dot.gov>. An electronic copy of any document published in the **Federal Register** may be downloaded from the Government Printing Office Electronic Bulletin Board Service at (202) 512-1661.

SUPPLEMENTARY INFORMATION:

Legislative History

The pipeline safety statute (49 U.S.C. § 60109) requires the Secretary of Transportation to prescribe standards that establish criteria for identifying each hazardous liquid pipeline facility and gathering line located in an area that the Secretary describes as unusually sensitive to environmental damage if there is a hazardous liquid pipeline accident (USAs). When describing USAs, the Secretary is to consider areas where a pipeline rupture

would likely cause permanent or long-term environmental damage. These areas are to include:

1. Locations near pipeline rights-of-way that are critical to drinking water, including intake locations for community water systems and critical sole source aquifer protection areas; and

2. Locations near pipeline rights-of-way that have been identified as critical wetlands, riverine or estuarine systems, national parks, wilderness areas, wildlife preservation areas or refuges, wild and scenic rivers, or critical habitat areas for threatened and endangered species.

Public Workshops to Date

RSPA has held five public workshops on USAs. Participants at the workshops have included representatives from the Environmental Protection Agency; the Departments of Interior, Agriculture, Transportation, and Commerce; nongovernment agencies; academia; and the public.

The first workshop was held on June 15 and 16, 1995, and focused on criteria being considered to determine USAs (60 FR 27948; May 26, 1995; Docket PS-140(a)). A second workshop held on October 17, 1995, focused on developing a process that could be used to determine if an area is a USA (60 FR 44824; August 29, 1995; Docket PS-140(b)). The third workshop on January 18, 1996, focused on guiding principles for determining USAs (61 FR 342; January 4, 1996; Docket PS-140(c)). The fourth workshop held April 10-11, 1996 (61 FR 13144; March 26, 1996; Docket PS-140(d)) focused on criteria, components, and parameters of terms that have been used when describing USAs and the scope and objectives of additional USA workshops.

A fifth workshop was held June 18-19, 1996 (61 FR 27323; May 31, 1996; Docket PS-140(e)) and focused on identifying critical drinking water resources and possible filtering criteria that could be used to identify drinking water resources that are unusually sensitive to a hazardous liquid pipeline release. The critical drinking water resources that were identified in that workshop include public water systems, wellhead protection areas, and sole source aquifers. Filtering criteria include the depth and geology of a drinking water resource and if the public water system has an adequate alternative drinking water supply. Transcripts of and information presented at these public workshops are in the Docket.