

**40 CFR Part 799****[OPPTS-42187A; FRL-5395-9]****RIN 2070-AC76****Proposed Test Rule for Hazardous Air Pollutants; Notice of Public Meeting****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of public meeting.

**SUMMARY:** EPA is holding a public meeting to give interested persons the opportunity for the oral presentation of data, views, or arguments and to make written submissions concerning the test rule which EPA has proposed under section 4(a) of the Toxic Substances Control Act (TSCA) to require manufacturers and processors of 21 hazardous air pollutants (HAPs) to test these substances for certain health effects. This proposed rule was published in the Federal Register of June 26, 1996 (61 FR 33178) (FRL-4869-1). A transcript will be made of the meeting and placed in the rulemaking record. This notice announces the date, time, and location of the meeting, and sets forth tentative topics for discussion. The meeting will be facilitated by SiComm, an EPA contractor.

**DATES:** The public meeting will be held on October 1, 1996, from 9 a.m. to 5 p.m. Prospective attendees and those wishing to present oral comments at the meeting should notify EPA by no later than September 24, 1996. Written statements to be presented at the meeting should be received by EPA by no later than September 24, 1996. Written requests for additional meeting topics and requests for the agenda must be received by EPA by no later than September 24, 1996.

**ADDRESSES:** The meeting will be held in Washington, DC, at the Holiday Inn Capitol at Smithsonian, 550 C St., SW (telephone number: 202-479-4000). The Holiday Inn Capitol is one block east of the L'Enfant Plaza Metro station (Department of Transportation exit).

The address and telephone number of the meeting facilitator is: Anne Bowen, SiComm, 4401 East West Highway, Suite 308, Bethesda, MD 20814, telephone: (301) 718-9820; fax: (301) 652-7001.

**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) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

For general meeting information contact Anne Bowen at the address specified under "ADDRESSES."

For technical information contact: Robert A. Reiley, Project Manager, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-1105; fax: (202) 260-1096; e-mail: reiley.robert@epamail.epa.gov; or Gary E. Timm, Senior Technical Advisor, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-1859; fax: (202) 260-8168; e-mail: timm.gary@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** The HAPs rule proposed testing of biphenyl, carbonyl sulfide, chlorine, chlorobenzene, chloroprene, cresols [3 isomers], 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 for certain specified health effects (61 FR 33178, June 26, 1996). EPA would use the data generated under the rule, proposed under section 4(a) of TSCA, 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. In addition, in the HAPs proposal EPA solicited proposals for enforceable consent agreements regarding the performance of pharmacokinetics studies which would permit extrapolation from oral data to predict effects from inhalation exposure. The proposed rule and supporting documents can be obtained on the internet: <http://www.epa.gov> or [gopher.epa.gov](http://gopher.epa.gov). Search under "Rules, Regulations, Legislation," "Federal Register Environmental Subset," "Federal Register--Toxics," "June 26."

In the preamble to the proposed rule, EPA announced that it would hold a public meeting in Washington, DC prior to the close of the comment period. The purpose of this meeting is to facilitate an exchange of views, a discussion of issues, and meaningful comment on the HAPs proposal. The meeting will be open to the public. Persons who wish to attend or present oral comments at the meeting should notify Anne Bowen at the address specified under "ADDRESSES" by no later than September 24, 1996. Persons who wish to submit written statements at the

meeting are requested to submit copies of such statements to Anne Bowen at the address listed under "ADDRESSES." These statements should be received by no later than September 24, 1996, so that the statements can be made available to the public at the meeting. For statements not received by September 24, 1996, commenters are requested to bring at least 50 copies to the meeting so that they can be made available to the meeting attendees. A transcript will be made of the meeting. The transcript and the written statements will be placed in the rulemaking record.

The following topics will be discussed at the meeting:

1. Emissions and exposure measurements.
2. Residual risk assessments.
3. Pharmacokinetics studies.
4. Acute data needs.
5. Low-vapor pressure hazardous air pollutants.

Similar topics will be grouped together. Other items may be added if requested. Such requests must be made in writing to Robert Reiley at the address specified under "ADDRESSES" and received by no later than September 24, 1996. Upon request to Anne Bowen, a copy of the agenda will be faxed to those requesting it on or after September 26, 1996, but prior to the meeting date. The agenda will also be posted on the internet.

**List of Subjects in Part 799**

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: August 6, 1996.

Charles M. Auer,

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

[FR Doc. 96-23217 Filed 9-10-96; 8:45 am]

**BILLING CODE 6560-50-F**

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management****43 CFR Parts 2090, 2110, and 2130****[WO-420-1050-00-24 1A]****RIN 1004-AC98****Gifts; Acquisition of Lands or Interest in Lands by Purchase or Condemnation****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Proposed rule.

**SUMMARY:** The Bureau of Land Management (BLM) proposes to remove

the regulations that explain the procedures for donating land to the Department of the Interior, and those that describe the Department's authority to acquire land by purchase or condemnation under the King Range National Conservation Area Act. These regulations are either statements of policy, internal procedures, or restatements of statutory provisions. BLM believes, therefore, that they can be deleted without having any substantive impact on the public.

**DATES:** Any comments must be received by BLM on or before October 11, 1996. Comments received after the above date will not necessarily be considered in the decisionmaking process on the final rule.

**ADDRESSES:** If you wish to comment, you may hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L St., NW., Washington, DC; or mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, DC 20240. You also may transmit comments electronically via the Internet to [WOCOMMENTWO0033WP.WO.BLM.GOV](mailto:WOCOMMENTWO0033WP.WO.BLM.GOV). Please include "attn:[D. Beaver, RIN 1004-AC \_\_\_\_]" in your message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly. You will be able to review comments at BLM's Regulatory Management Team office, Room 401, 1620 L St., NW, Washington, D.C., during regular business hours (7:45 a.m. to 4:15 p.m.) Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** David Beaver, Bureau of Land Management, 1849 C Street, NW., Washington, DC 20240; Telephone: 202-452-7788.

#### **SUPPLEMENTARY INFORMATION:**

- I. Public Comment Procedures
- II. Background
- III. Discussion of Proposed Rule
- IV. Procedural Matters

#### **I. Public Comment Procedures**

##### *Written Comments*

Written comments on the proposed rule should be specific, should be confined to issues pertinent to the proposed rule, and should explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal which the comment addresses. BLM will not necessarily consider or include in the Administrative Record for the final rule comments which BLM receives after the

close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

#### **II. Background**

This rule is part of an initiative that BLM is undertaking to make its regulations more understandable and relevant. We are doing this by limiting our regulatory material as much as possible to requirements affecting the public in order to carry out our programs under the law. Regulations that do not meet this test are removed and, if necessary, placed in other more appropriate publications, such as manuals and brochures. The regulations to be removed by this rule are repetitive of statutory language, informational, or obsolete. BLM does not require that these procedures any longer exist in the Code of Federal Regulations.

#### **III. Discussion of Proposed Rule**

The provisions of 43 CFR part 2110, with the exception of Section 2111.4-Status of Lands, and 43 CFR part 2130 have no substantive purpose and can be placed in the BLM manual or in other publications readily available to the public. Subpart 2110 merely restates statutory provisions found in various sections of the U.S. Code, including two statutory sections that have been repealed. The only exception is the purpose statement of subsection 2110.0-1, which provides statements of policy concerning the Secretary's discretion to accept gifts of land. Since its non-binding terms do not materially affect the public at large, this provision will be removed in order to enhance flexible decision-making. Subsection 2111.4 will be retained in 43 CFR subpart 2091; the remainder of 43 CFR subpart 2111 largely exists already in the BLM Manual/Handbook (H-2101-1), and any aspect not already found in the Manual/Handbook can be incorporated therein.

The provisions of 43 CFR part 2130 are unnecessary because they either merely restate statutory language, or contain policy directives which should be relocated to the BLM Manual/Handbook. Subpart 2130 consists entirely of restatements of the King Range National Conservation Area Act, 16 U.S.C. 460y, concerning the authority of the Secretary to purchase and condemn lands. Subpart 2137 contains two policy statements that should be relocated to the BLM Manual/Handbook: subsection 2137.0-7 concerns BLM's policy of appraising acquired property, an internal procedure derived from 16 U.S.C. § 460y-4(4); and subsection 2137.0-9 concerns the BLM policy of resorting to

eminent domain as a last option. With the exception of 43 CFR 2111.4, which this rule will relocate to part 2091, no portion of either part 2110 or part 2130 contains any necessary substance which guides the public in any meaningful way; rather, the regulations to be removed serve only to guide BLM decisions, or no purpose at all. Therefore, removing and relocating these sections as described above will streamline the Code of Federal Regulations and enhance BLM's efficiency without materially affecting the public.

#### **IV. Procedural Matters**

##### *National Environmental Policy Act*

The BLM has prepared an environmental assessment (EA), and has found that the proposed rule would not constitute a major federal action significantly affecting the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). The BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record at the address specified previously. The BLM invites the public to review these documents by contacting us at the addresses listed above (see **ADDRESSES**), and suggests that anyone wishing to submit comments in response to the EA and FONSI do so in accordance with the *Written Comments* section above, or contact us directly.

##### *Paperwork Reduction Act*

The proposed rule does not contain information collection requirements which the Office of Management and Budget must approve under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

##### *Regulatory Flexibility Act*

Congress enacted the Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601 *et seq.*, to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. BLM has determined under the RFA that this proposed rule would not have a significant economic impact on a substantial number of small entities.

##### *Executive Order 12866*

According to the criteria listed in section 3(f) of Executive Order 12866, BLM has determined that the proposed rule is not a significant regulatory

action. As such, the proposed rule is not subject to Office of Management and Budget review under section 6(a)(3) of the order.

#### *Unfunded Mandates Reform Act*

This rule will not result in any unfunded mandate to state, local or tribal governments in the aggregate, or to the private sector, of \$100,000,000 or more in any one year.

#### *Executive Order 12612*

The proposed rule would not have sufficient federalism implications to warrant BLM preparation of a Federalism Assessment.

#### *Executive Order 12630*

The proposed rule does not represent a government action capable of interfering with constitutionally protected property rights. Section 2(a)(1) of Executive Order 12630 specifically exempts actions abolishing regulations or modifying regulations in a way that lessens interference with private property use from the definition of "policies that have takings implications." Since the primary function of the proposed rule is to abolish unnecessary regulations, it does not raise takings implications, or require further discussion under this Executive Order.

#### *Executive order 12988*

The Department of the Interior has determined that this rule meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988.

Author. The principal author of this rule is David Beaver, Bureau of Land Management, 1849 C Street, NW., Washington, DC 20240; Telephone: 202-452-7788 (Commercial of FTS).

#### List of Subjects

##### *43 CFR Part 2090*

Airports, Alaska, Coal, Grazing lands, Indians-lands, Public lands, Public lands-classification, Public lands-mineral resources, Public lands-withdrawal, Seashores.

##### *43 CFR Part 2110*

Government Property, Public lands.

##### *43 CFR Part 2130*

Public lands.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, subchapter B, chapter II of title 43 of the Code of Federal Regulations are amended as set forth below:

## **PART 2090—[AMENDED]**

1. The authority for part 2090 is revised to read as follows:

Authority: 16 U.S.C. 3124; 30 U.S.C. 189; 43 U.S.C. 322, 641, 1201, 1624, 1740.

2. Newly redesignated 2091.8 is revised to read as follows:

### **§ 2091.8 Status of gift lands.**

Upon acceptance by the United States, through the Secretary of the Interior, of a deed of conveyance as a gift, the lands or interests so conveyed will become property of the United States but will not become subject to applicable land and mineral laws of this title unless and until an order to that effect is issued by BLM.

## **PART 2110—GIFTS**

### **§ 2111.4 [Redesignated § 2091.8]**

3. Section 2111.4 is redesignated as § 2091.8 in subpart 2091.

## **PART 2110—[REMOVED]**

4. Part 2110 is removed in its entirety.

## **PART 2130—[REMOVED]**

5. Part 2130 is removed in its entirety.

Dated: August 27, 1996.

Sylvia V. Baca,

*Deputy Assistant Secretary of the Interior.*

[FR Doc. 96-22702 Filed 9-10-96; 8:45 am]

BILLING CODE 4310-84-M

## **43 CFR Part 2200**

[WO-420-1050-00-24 1A]

RIN 1004-AC97

### **National Forest Exchanges**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule deletes the regulations which address National Forest Exchanges. This section is no longer needed because it duplicates material contained in BLM's general exchange regulations as well as in the Forest Service's land exchange regulations. BLM proposes to extend the general exchange regulations to include National Forest System lands.

**DATES:** Any comments must be received by BLM on or before October 11, 1996. Comments received after the above date will not necessarily be considered in the decisionmaking process on the final rule.

**ADDRESSES:** Commenters may hand-deliver comments to the Bureau of Land Management, Administrative Record,

Room 401, 1620 L St., NW, Washington, DC, or mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, DC 20240.

Commenters may transmit comments electronically via the Internet to: WOComment@WO0033wp.wo.blm.gov. [For internet, please include "Attn.: AC##", your name, and return address in your message.]

Comments will be available for public review at the L Street address during regular business hours from 7:45 a.m. to 4:15 p.m., Monday through Friday, except holidays.

**FOR FURTHER INFORMATION CONTACT:** Ted Milesnick, Special Areas and Land Tenure Team, Bureau of Land Management, at (202) 452-7727.

### **SUPPLEMENTARY INFORMATION:**

- I. Public Comment Procedures
- II. Background and Discussion of Proposed Rule
- III. Procedural Matters

#### **I. Public Comment Procedures**

##### *Written Comments*

Written comments on the proposed rule should be specific, should be confined to issues pertinent to the rule, and should explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal which the comment addresses. BLM may not necessarily consider or include in the Administrative Record for the rule comments which BLM receives after the close of the comment period (See **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

#### **II. Background and Discussion of Proposed Rule**

BLM is deleting 43 CFR Subpart 2202 because it virtually duplicates sections contained elsewhere in BLM's regulations at 43 CFR 2201.1-2. Subpart 2202 requires that exchange proposals for the consolidation or extension of national forests be filed with the appropriate officer of the Forest Service. It further says that a request may be made to BLM to segregate the National Forest System lands involved in the exchange from appropriation under the public land laws and the mineral laws and also that any interests of the United States in the non-Federal lands to be acquired may be segregated from the mineral laws. The period of these segregations would not exceed 5 years from the date of notation.

Similar language can be found at section 2201.1-2 (as well as in the