

4. *Review of occupational exposure indicator issue with OSHA and NIOSH.* EPA will continue its consultation with its occupational agency partners to discuss the utility of occupational exposure indicator information, and whether it is appropriate for EPA to collect it and make it available via TRI. EPA will also review alternative options for making this information available to the public.

B. Public Meetings

EPA will hold two 1-day public meetings, one in Boston, MA and one in Baton Rouge, LA to discuss the issues presented above. The tentative agenda for these public meetings will include a discussion of the issues presented in Unit II. of this ANPR. Specific information on these public meetings is contained in a Notice of public meeting published elsewhere in this issue of the Federal Register. Information from all public meetings will be placed into the TRI-Phase 3 docket.

C. Examination of Data Elements, Reporting Vehicles, and Formats

After reviewing public comments, internal evaluation results, and after further consideration of reporting vehicles, EPA will examine whether additional data element options can be, or need to be developed for consideration as part of any proposal. The Agency believes that careful selection of data elements and reporting features is essential to optimizing the Right-to-Know value of chemical use information while avoiding reporting problems. EPA is open to development of new combinations of data elements, and intends to examine whether additional types of reporting options and data elements might play a role in addressing concerns.

IV. Rulemaking Record and Electronic Filing of Comments

A record has been established for this ANPR under docket number "OPPTS-400106" (including comments and data submitted electronically as described below). A public version of this record, including printed paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Room NE-B607, 401 M St., SW., Washington, DC 20460.

Any person who submits comments claimed as CBI must mark the comments as "confidential," "CBI," or other appropriate designation.

Comments not claimed as confidential at the time of submission will be placed in the public file. Any comments marked as confidential will be treated in accordance with the procedures in 40 CFR part 2. Any person submitting comments claimed to be confidential must prepare a nonconfidential public version of the comments in triplicate that EPA can place in the public file.

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. The official record for this action, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in ADDRESSES at the beginning of this document.

V. References

1. PCSD. *Sustainable America - A New Consensus for Prosperity, Opportunity, and a Healthy Environment for the Future*. The President's Council on Sustainable Development, Washington, DC (1996).
2. USEPA/OA. *The New Generation of Environmental Protection - EPA's Five Year Strategic Plan*. U.S. Environmental Protection Agency, Washington, DC (1994).
3. USEPA/OPPT. *Issue Paper #1: Expansion of the Toxics Release Inventory to Gather Chemical Use Information: TRI-Phase 3: Use Expansion*. U.S. Environmental Protection Agency, Washington, DC (1994).
4. USEPA/OPPT. *Issue Paper #2: Expansion of the Toxics Release Inventory to Gather Chemical Use Information: TRI-Phase 3*. U.S. Environmental Protection Agency, Washington, DC (1995).
5. USEPA/OPPT. *Issue Paper #3: Expansion of the Toxics Release Inventory to Gather Chemical Use Information: TRI-Phase 3*. U.S. Environmental Protection Agency, Washington, DC (1996).
6. USEPA/OPPT. *Report to President Clinton - Expansion of Community Right-to-Know Reporting to Include Chemical Use Data: Phase III of the Toxics Release Inventory*. U.S. Environmental Protection Agency, Washington, DC (1995).

VI. Regulatory Assessment Requirements

Pursuant to Executive Order 12866 (58 FR 51735, October 4, 1993), it has been determined that this ANPR is "significant" because it may raise novel legal or policy issues arising out of legal mandates and the President's priorities. This action was submitted to OMB for review, and any comments or changes made during that review have been documented in the public record.

In the event that EPA decides to issue a proposed rule (or rules) to expand its Community Right-to-Know program to include additional chemical use information, EPA will need to comply with a number of additional statutory and regulatory requirements. The exact requirements will vary depending on the specifics of the proposed rule(s). However, among the additional requirements with which EPA might need to comply are the Paperwork Reduction Act, the Unfunded Mandates Reform Act, and the Small Business Regulatory Enforcement Fairness Act. In addition, EPA might need to comply with the Executive Orders 12875, Enhancing the Intergovernmental Partnership; 12866, Regulatory Planning and Review; and 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. In preparing any proposed rule(s) contemplated by this ANPR, EPA will develop the analysis necessary to satisfy these other requirements, as well as comply with the procedural steps mandated by the underlying statutes, regulations, and Executive Orders.

List of Subjects in 40 CFR Part 372

Environmental protection, Community right-to-know, Reporting and recordkeeping requirements, Toxic chemicals.

Dated: September 25, 1996.

Carol M. Browner,
Administrator.

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40 CFR Part 372

[OPPTS-400106A; FRL-5396-2]

Emergency Planning and Community Right-to-Know; Notice of Public Meetings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public meeting.

SUMMARY: EPA will hold two public meetings to receive public comment on

issues raised by the Agency's advance notice of proposed rulemaking (ANPR) on increasing the information available to the public on chemical use.

DATES: The first meeting will take place in Boston, MA on October 16, 1996, at 10 a.m. and will continue through the last registered speaker. The second public meeting will take place in Baton Rouge, LA on October 30, 1996, at 10 a.m. and will continue through the last registered speaker.

ADDRESSES: The first meeting will be held at the Environmental Protection Agency, One Congress St., Boston, MA 02203 in the 11th floor Conference Room. The second meeting will be held at the Department of Environmental Quality, Rm. 326, Maynard Ketcham Building, 7290 Bluebonnet Blvd., Baton Rouge, LA, 70810.

FOR FURTHER INFORMATION CONTACT: To register to speak, contact Cassandra Vail at 202-260-0675, e-mail: vail.cassandra@epamail.epa.gov. For additional information about the meetings, contact Denise Coutlakis at 202-260-5558, e-mail: coutlakis.denise@epamail.epa.gov. For further information on EPCRA section 313, contact the Emergency Planning and Community Right-to-Know Hotline, Environmental Protection Agency, Mail Stop 5101, 401 M St., SW., Washington,

DC 20460. Toll free 1-800-535-0202, in Virginia and Alaska: 703-412-9877 or Toll free TDD: 800-553-7672.

SUPPLEMENTARY INFORMATION: In 1986, Congress enacted the Emergency Planning and Community Right-to-Know Act (EPCRA). Section 313 of EPCRA requires certain businesses to submit reports each year on the amounts of toxic chemicals their facilities release into the environment or otherwise manage. The information is placed in a publicly accessible data base known as the Toxics Release Inventory (TRI). The purpose of this requirement is to inform the public, government officials, and industry about the chemical management practices of specified toxic chemicals.

EPA is interested in expanding the information available via TRI to include chemical use information such as materials accounting data. The Agency began reviewing this issue in 1993 and held public meetings in 1994 and 1995. On August 8, 1995, President Clinton directed EPA to develop and implement, on an expedited schedule, a process for consideration of reporting use information under TRI. In response, EPA has begun the regulatory development process for additional review of chemical use reporting, which the Agency believes may provide a more

detailed and comprehensive picture to the public about environmental performance and about toxic chemicals in their communities. Elsewhere in this issue of the Federal Register EPA has issued an ANPR to give notice of EPA's consideration of this issue and to solicit comments on all aspects of chemical use and the collection of chemical use data. The purpose of the public meetings is to provide public forums for interested parties to provide input on the issues raised by the ANPR.

Oral statements will be scheduled on a first-come first-serve basis by calling Cassandra Vail at the telephone number listed under FOR FURTHER INFORMATION CONTACT. EPA encourages meeting participants to provide written statements. All statements will become part of the public record and will be considered in the development of any proposed rule. In order to accommodate and schedule speakers, EPA requests that those interested in speaking register by October 11, 1996.

Dated: September 10, 1996.

Susan B. Hazen,
Acting Director, Office of Pollution Prevention and Toxics.

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