



(W)
A/C Pipe
Producers Association
Public Affairs Committee
International Affairs Committee

Internal Correspondence

TO

J. F. Welch
FROM J. F. Welch, Vice President

DATE April 21, 1982

SUBJECT EPA - Regulations of Interest to the A/C Pipe Industry

REF: (1) JFW correspondence, same title, January 20, 1982
(2) JFW correspondence, same title, November 16, 1981

ACTION REQUIRED: Review for information

On April 12, 1982, the U.S. Environmental Protection Agency (EPA) published its semi-annual Regulatory Agenda. The Agenda summarizes existing and new regulations that EPA is reviewing, revising or developing. This is an adjunct to the Calendar of Federal Regulations published by the Regulatory Information Service Center.

The enclosures summarize regulations of relevance or interest to the A/C pipe industry. It is noteworthy that the Agency's description of the Toxic Substances Control Act (TSCA) proceedings on Rules Restricting the Commercial and Industrial Uses of Asbestos Fibers (page 15708) is changed from the previous Regulatory Agenda. Instead of "investigating regulation", as previously stated, the current Agenda states EPA "is evaluating the need for regulation." The new description also says "EPA will coordinate the implementation of this regulation with other federal agencies." The Notice of Proposed Rulemaking timetable still remains "undetermined." The Agenda also reports that a final rulemaking on the TSCA Section 8(a) Asbestos Use and Substitutes Reporting Requirements will be issued in June, 1982.

Under the Clean Air Act, the timetable for reinstating the design, equipment, work practice and occupational standards for asbestos under the National Emission Standards for Hazardous Air Pollutants (NESHAPS) was changed from December, 1982 to April, 1983. Also, the so-called "airborne carcinogens policy" was deleted from the previous Agenda and is under interagency task force review.

If you have any questions, please do not hesitate to call.

cc: A. Kahn, Esq.
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

(FRL No. 3000-1)

Regulatory Agenda

AGENCY: Environmental Protection Agency.

ACTION: Regulatory agenda.

SUMMARY: The Agency publishes a semi-annual Regulatory Agenda which summarizes the status of regulations under development, revision and review. The purpose is to keep interested parties informed of the progress of these regulations.

FOR FURTHER INFORMATION CONTACT: For information on a regulation in the Agenda, please contact the person whose name is listed next to the regulation.

If you have suggestions for improving this publication, or need general information about the Agenda, please call or write to David Sahr, Regulation Management Staff, Environmental Protection Agency, PM-223,

Washington, D.C., 20460, (202) 382-2730.

If you want to be on the mailing list for the Regulatory Agenda, please call or write to Penelope Parker, Regulation Management Staff, Environmental Protection Agency, PM-223,

Washington, D.C., 20460, (202) 382-2701.

SUPPLEMENTARY INFORMATION:

Background

Both Executive Order 12291 and the Regulatory Flexibility Act require that EPA publish a Regulatory Agenda in October and April every year. Executive Order 12291 on "Federal Regulation," appeared in the Federal Register on February 19, 1981, 46 FR 13193. The Order requires that EPA's Regulatory Agenda identify regulations under development or review. Under section 602 of the Regulatory Flexibility Act, the Agenda must identify regulations that are likely to have a significant impact on a substantial number of small entities. EPA published its most recent Regulatory Agenda on October 30, 1981, 46 FR 53990. The next Regulatory Agenda will appear in October 1982.

Organization of the Agenda

The Agenda appears in three parts: (1) A set of entries identifying regulations under development or revision, (2) a list of regulations EPA is deleting from the first part because they have been completed or cancelled and (3) a list of regulations under review.

The Agenda entries in the first and second parts are organized by statutory

area—generally by the titles of the major legislation authorizing EPA's pollution control programs. In a few cases, the Agenda combines different statutory authorities that have closely-related subject matter. For example, the Fuel Economy Data regulation—authorized by the Energy Policy and Conservation Act—appears at the end of the section on the Clean Air Act, along with other mobile source regulations.

The statutory areas appear in the following order:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug and Cosmetics Act (FFDCA)
The Toxic Substances Control Act (TSCA)
The Clean Water Act (CWA) and the Marine Protection, Research, and Sanctuaries Act (MPRSA)
The Atomic Energy Act (AEA) and the Uranium Mill Tailings Radiation Control Act (UMTRCA)
The Safe Drinking Water Act (SDWA)
The Noise Control Act (NCA)
The Resource Conservation and Recovery Act (RCRA)
The Clean Air Act (CAA) and the Energy Policy and Conservation Act (EPCA)
The Comprehensive Environmental Response, Compensation, and Liability Act—"Superfund" (CERCLA)
General—Other Acts (including general grant and procurement regulations and regulations that cut across several programs)

Within each statutory area, we have divided the regulations into two basic groups: (a) "New Regulations", i.e., actions that will result in new CFR parts, subparts or subsections, and (b) "Revised Regulations", i.e., actions that revise or amend already existing CFR parts, subparts or subsections. Within each of these two groups, the regulations are ordered numerically by section number of the authorizing legislation. For example, all air regulations under section 109 of the Clean Air Act will appear before those under section 111. Within each statutory section the Agenda orders regulations by CFR part number.

Regulations Covered in the First Part of the Agenda

The first part of the Agenda includes most of the regulations under development that are subject to Executive Order 12291. The only rules excluded are: (a) Specialized categories of action (such as EPA approvals of state plans and other actions that do not apply nationally) and (b) routine actions (such as pesticide tolerances and minor amendments to existing regulations).

The first part of the Agenda generally includes regulations scheduled for publication as a proposed or final rule

within the coming calendar year.

Occasionally, it also includes regulations with scheduled actions that are more than a year away. In some cases, regulations do not appear in the Agenda until they reach the stage of notice of proposed rulemaking.

Explanation of Information in the First Part of the Agenda

242 regulation entries are in the first part of today's Agenda. Of these, 111 are revisions to existing regulations. 19 of the regulations are classified as "major" under Executive Order 12291.

There are four columns of information for each entry in the first part of the Agenda.

The *first* column contains the title, the Start Action Request (SAR) number and the docket number of the regulation. If the title is underlined, this indicates that the regulation entry is appearing in the Agenda for the first time. The Agency assigns the SAR number to a new regulation when the program office prepares the SAR for it. The SAR replaces the Start Action Notice (SAN) system previously used in the Agency. Where regulations already had SAN numbers, they have kept the same numbers under the new SAR system. As for docket numbers—for those regulations that have them, they are useful for identifying the official files on the regulation that are open to the public.

The *second* column contains most of the descriptive information on the regulation. It includes information under the following categories.

Description: The problem addressed by the regulation and the need for the regulation.

Statutory Authority: (a) The sections of the statutes that authorize the regulation, and

(b) The sections from the United States Code where the statutes are codified. (See the section above, entitled "Organization of the Agenda", for abbreviations of the titles of the statutes.)

CFR: (a) The part or subpart where the final regulation will appear in volume 40 of the Code of Federal Regulations (CFR); and

(b) Whether EPA has classified the regulation as "major" under Executive Order 12291. Major regulations are so identified; non-major regulations are those that are not labeled "major." Regulations ultimately classified as major require a Regulatory Impact Analysis under Executive Order 12291. Executive Order 12291 defines "major" as:

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
Labeling Rule for Treated Wood SAR No. 580	Description: Pentachlorophenol, creosote and inorganic arsenicals are used as wood preservatives. They pose risks of teratogenicity, fetotoxicity, oncogenicity, and mutagenicity for persons improperly handling treated wood. This regulation would require the distribution of labels containing safe handling directions for products treated with these preservatives. In a related action, EPA is conducting a Rebuttable Presumption Against Registration (RPAR) review of these preservatives under FIFRA, because they may pose unreasonable risks to health. Statutory Authority: TSCA 6 / 15 USC 2605 CFR: Not yet assigned Small Entity: Not yet determined	Paul Lapsley EPA (TS-781) Washington, D.C. 20460 FTS:8-557-7420 COMM:703-557-7420	ANPRM: 06/00/82 NPRM: 02/00/83
Proposed Production Restriction for Chlorofluorocarbons SAR No. 1644 Docket No. OPTS-62009	Description: Chlorofluorocarbons (CFCs) are a family of chemicals suspected of depleting stratospheric ozone and posing several health and environmental threats. EPA is analyzing the need for further regulatory activity. Statutory Authority: TSCA 6 / 15 USC 2605 CFR: Not yet assigned - MAJOR Analysis: EIS Small Entity: Likely	Ed Klein EPA (TS-794) Washington, DC 20460 FTS:8-382-3939 COMM:202-382-3939	ANPRM: 45FR66726 (10/07/80) NPRM: Undetermined
Rules Restricting the Commercial and Industrial Use of Asbestos Fibers SAR No. 1827	Description: The Agency is evaluating the need for regulation of the commercial and industrial use of asbestos. A variety of alternatives are being considered, including: (1) requiring the labeling of asbestos and asbestos-containing products, and (2) prohibition or otherwise restricting certain uses of asbestos that present unreasonable risks. EPA will coordinate the implementation of this regulation with other Federal agencies. Statutory Authority: TSCA 6 / 15 USC 2605 CFR: 40 CFR 763 - MAJOR Analysis: RIA Small Entity: Not yet determined	Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS:8-382-3949 COMM:202-382-3949	ANPRM: 44FR60056 (10/17/79) NPRM: Undetermined
Asbestos-Containing Materials in School Buildings - Identification and Notification SAR No. 1519A - Docket No. OPTS-61004	Description: The purpose of this regulation is to protect school children and employees from unreasonable risks of exposure to asbestos. It will require local education agencies for some 109,000 public and private school buildings to inspect and identify friable asbestos-containing materials in their buildings and notify employees and parent-teacher associations of the presence of such materials. Statutory Authority: TSCA 6(a)(3) / 15 USC 2605 CFR: 40 CFR 763 Small Entity: Unlikely	Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS:8-382-3949 COMM:202-382-3949	ANPRM: 44FR54676 (09/20/79) NPRM: 45FR61966 (08/17/80) FR: 04/00/82
Preliminary Assessment Information Reporting SAR No. 1137 Docket No. OTS-082004	Description: This rule is designed to obtain information for pre-regulatory assessment of chemical substances. The rule would apply to manufacturers and importers and would require them to fill out a short form on general production, use and exposure. EPA will use this information to rank potentially important chemicals for investigation and preliminary risk assessment. Statutory Authority: TSCA 8(a) / 15 USC 2607(a) CFR: 40 CFR 712 Analysis: IIA Small Entity: Unlikely	Barbara Ostrow EPA (TS-778) Washington, DC 20460 FTS:8-382-3841 COMM:202-382-3841	ANPRM: 44FR37517 (06/27/79) NPRM: 45FR13846 (02/29/80) FR: 06/00/82
Standards for Excluding Small Manufacturers from TSCA 8(a) SAR No. 1529 Docket No. OPTS-8011	Description: Under Section 8(a) of TSCA, EPA can minimize burdens on small businesses by exempting small manufacturers and processors from reporting requirements, unless the chemical manufactured or processed is subject to certain Agency actions. This rule will establish a generic standard to determine which manufacturers may qualify as "small" for the purpose of these exemptions. Statutory Authority: TSCA 8(a) / 15 USC 2607(a) CFR: 40 CFR 712 Analysis: RFA Small Entity: Likely	Barbara Ostrow EPA (TS-778) Washington, DC 20460 FTS:8-382-3841 COMM:202-382-3841	ANPRM: 45FR65180 (09/06/80) NPRM: 05/00/82 FR: 04/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
Health and Safety Study Reporting SAR No. 1139 Docket No. OTS-084003	Description: This rule would require chemical manufacturers, processors, distributors, and others who possess health and safety studies on specifically listed chemicals to submit them to EPA. EPA will use these studies to assess the health and environmental effects of the chemicals and to determine what kind of testing is needed on certain priority existing chemicals. EPA will amend this rule from time to time by adding to the list of chemicals subject to this rule. Statutory Authority: TSCA 8(d) / 15 USC 2607(d) CFR: 40 CFR 716 Analysis: IIA Small Entity: Unlikely	Suzanne Rudzinski EPA (TS-778) Washington, DC 20460 FTS:8-382-3844 COMM:202-382-3844	ANPRM: 42FR56686 (03/11/77) NPRM: 44FR77470 (12/31/79) FR: 05/00/82
Records and Reports of Adverse Reactions to Health or the Environment SAR No. 1138 Docket No. OPTS-083001	Description: This regulation implements Section 8(a) of TSCA, which requires that any person who manufactures a chemical substance or mixture keep records of significant adverse reactions to health or the environment alleged to have been caused by the substance or mixture. Companies must keep employee allegations for thirty years, and all others for five years. This will enable EPA to find patterns of adverse effects and identify previously unknown chemical hazards. Statutory Authority: TSCA 8(c) / 15 USC 2607(c) CFR: 40 CFR 717 Analysis: IIA Small Entity: Likely	Suzanne Rudzinski EPA (TS-778) Washington, DC 20460 FTS:8-382-3844 COMM:202-382-3844	ANPRM: 42FR56686 (03/11/77) NPRM: 45FR47008 (07/11/80) FR: Undetermined
Asbestos Use and Substitution Reporting SAR No. 1552 Docket No. OPTS 84004	Description: EPA is reexamining the need for a rule that will use the reporting authority of section 8(a) to obtain information on the industrial and commercial uses of asbestos fiber. EPA would use this information to determine whether action should be taken to control asbestos under TSCA or other Federal laws. The rule would require information on quantities of asbestos used in various processes, employee exposure and monitoring, and waste disposal and pollution control. It would apply to asbestos manufacturers, importers, and processors. Firms of 10 or fewer employees are exempt. Statutory Authority: TSCA 8(a) / 15 USC 2607(a) CFR: 40 CFR 763 Analysis: IIA Small Entity: Unlikely	Suzanne Rudzinski EPA (TS-778) Washington, DC 20460 FTS:8-382-3844 COMM:202-382-3844	ANPRM: 44FR60061 (10/17/79) NPRM: 46FR (0 26/81) FR: 06/00/82
REVISED REGULATIONS			
Proposed Exemption for Chemicals Used in or for Instant Photographic Film Articles SAR No. 1821 Docket No. OPTS-50028A	Description: EPA proposes to issue a section 5(h)(4) exemption for those persons who manufacture and process new chemical substances used in or for the manufacture of instant photographic film articles. EPA is also requesting comments on the need for and adequacy of the various exposure safeguards that EPA is proposing as conditions of the exemption. Statutory Authority: TSCA 5(h)(4) / 15 USC 2604 CFR: 40 CFR 723 Small Entity: Unlikely	Joseph A. DeSantis EPA (TS-794) Washington, DC 20460 FTS:8-755-7014 COMM:202-755-7014	NPRM: 46FR54585 (11/03/81) FR: 06/00/82
Section 5(h)(4) Exemptions of New Chemical Substances SAR No. 1820 Docket No. OPTS-50032	Description: The Chemical Manufacturers Association has petitioned EPA to commence a rulemaking proceeding under section 5(h)(4) of TSCA. Under section 5(h)(4) the Agency may, upon application and by rule, exempt the manufacturer of a chemical substance from all or part of the requirements of section 5 if the Agency determines that the new chemical will not present an unreasonable risk of injury to health or the environment. EPA is considering exempting polymers, low volume chemicals and site-limited intermediates. Statutory Authority: TSCA 5 / 15 USC 2604 CFR: 40 CFR 723 Small Entity: Unlikely	Joseph A. DeSantis EPA (TS-794) Washington, DC 20460 FTS:8-755-7014 COMM:202-755-7014	Notice: 45FR54688 (11/03/81) NPRM: 06/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN-WATER ACT			
NPDES New Source Application Form SAR No. 1725	Description: The purpose of this action is to develop an NPDES application form for new manufacturing, commercial, mining, and silvicultural operations. It will become a part of the EPA Consolidated Permit Application Form. Besides obtaining information necessary for setting effluent discharge limitations, it will also help permit writers determine whether the facility is a new source. Statutory Authority: CWA 301/33 USC 1311 CFR: 40 CFR 122 Analysis: IIA Small Entity: Unlikely	Robert April EPA (EN-336) Washington, DC 20460 FTS: 8-426-2970 COMM: 202-426-2970	NPRM: Undetermined
Modification of Secondary Treatment Requirements for Discharge into Marine Waters SAR No. 1743	Description: Section 301(h) provides municipal dischargers to marine waters an opportunity to obtain a variance from secondary treatment requirements if statutory criteria are met. EPA is amending the 301(h) regulations to extend the deadline for new applications to provide for a one-time opportunity to revise 301(h) applications, to simplify application data requirements, and to reduce the cost burden for small applicants. Statutory Authority: CWA 301(h)/33 USC 1311 CFR: 40 CFR 125 G Small Entity: Unlikely	Robert Zeller EPA (WH-546) Washington, DC 20460 FTS: 8-755-9231 COMM: 202-755-9231	NPRM: 04/00/82 FR: 08/00/82
Criteria for Best Management Practices SAR No. 1710	Description: EPA is revising the Best Management Practices (BMP) regulations promulgated on June 7, 1979. This revision will incorporate public comments on the BMP Guidance Document that was made available for comment in March 1980 and will describe the conditions governing the use of BMPs in the NPDES program. Statutory Authority: CWA 301(e), 304(e), 402(a)/33 USC 1311 CFR: 40 CFR 125 K Small Entity: Unlikely	Harry Thron EPA (EN-336) Washington, DC 20460 FTS: 8-426-7010 COMM: 202-426-7010	NPRM: Undetermined
Modified pH Standard for Effluent Guideline Limitations SAR No. 1655	Description: This regulation would adjust effluent guideline limitations for pH values on a monthly basis for industrial discharges whose NPDES permits require continuous monitoring. It would also limit the duration of individual excursions exceeding the range set forth in the applicable effluent guidelines. EPA is making these changes in response to a petition from industry. Statutory Authority: CWA 301, 304/33 USC 1311, 1314 CFR: 40 CFR 401 Small Entity: Unlikely	Russell Roegner EPA (WH-586) Washington, DC 20460 FTS: 8-755-3624 COMM: 202-755-3624	NPRM: 45FR51180 (12/09/80) FR: 04/00/82
Revision to BAT for Inorganic Chemicals SAR No. 1751	Description: In response to industry request, EPA is reconsidering the necessity for zero discharge in BAT regulations for the following three subcategories: sodium chloride, calcium chloride, and sodium sulfide. Since toxic pollutants are not present in these subcategories, the costs to achieve the zero discharge required by BAT may not be reasonable. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR: 40 CFR 415 Small Entity: Unlikely	Thomas Fielding EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 COMM: 202-426-2582	NPRM: 06/00/82 FR: 11/00/82
Effluent Guidelines for Rubber Processing SAR No. 1420	Description: EPA has proposed to withdraw BAT and substitute limits for COD and metals equivalent to BPT for nine subcategories. Lead limits for three subcategories are being restudied. Rubber reclaimers covered by subparts H and I are being re-examined for BCT, BAT, and NSPS regulations. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR: 40 CFR 428 Small Entity: Unlikely	J.S. Vitalis EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 COMM: 202-426-2497	NPRM: 44FR75016 (12/18/79) FR: 06/00/82
Effluent Guideline for the Crushed Stone Industry SAR No. 1712	Description: Following a decision of the Fourth Circuit, EPA is reconsidering BPT limitations for the crushed stone industry. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR: 40 CFR 438 Analysis: RFA Small Entity: Likely	Ron Kirby EPA (WH-552) Washington, DC 20460 FTS: 8-472-9075 COMM: 202-472-9075	NPRM: 11/00/82 FR: 09/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
SAFE DRINKING WATER ACT			
<i>Maximum Contaminant Levels for Volatile Organic Chemicals Found in Drinking Water</i> SAR No. 1567	Description: EPA is considering several possible approaches for reducing exposure to certain volatile synthetic organic compounds (VOCs). These VOCs have been most commonly found in drinking water drawn from groundwater sources. These chemicals include such compounds as trichloroethylene, tetrachloroethylene, and vinyl chloride. Aeration and granular activated carbon (GAC) systems are treatment technologies that can reduce these contaminants to a low level. Preliminary estimates show that average residential monthly bills for affected systems could rise from \$1-\$14 depending on the size of the drinking water system and the type of technology selected. Statutory Authority: SDWA 1412/42 USC 300g-1 CFR:40 CFR 141 Analysis: RFA, IIA Small Entity: Not yet determined	Craig Vogt EPA (WH-550) Washington, DC 20460 FTS:8-472-5030 COMM:202-472-5030	ANPRM: 41FR23991 (07/14/76) ANPRM: 47FR9350 (03/04/82) NPRM: 03/00/83
REVISED REGULATIONS			
<i>Revised Primary Drinking Water Regulations</i> SAR No. 1755	Description: The monitoring requirements and MCLs in the National Interim Primary Drinking Water Regulations will be comprehensively reviewed for inorganic and organic compounds, microbiological contaminants and turbidity and radionuclides. EPA will conduct an assessment of exposure, analytical methods, potential health effects, and the performance and costs of treatment technologies. Statutory Authority: SDWA 1412/42 USC 300g-1 CFR:40 CFR 141 Analysis: RFA, IIA Small Entity: Likely	Joseph Cotruvo EPA (WH-550) Washington, DC 20460 FTS:8-472-5016 COMM:202-472-5016	ANPRM: 07/00/82 NPRM: 08/00/83
<i>Revised Primary Drinking Water Regulations: Fluoride</i> SAR No. 1756	Description: The Agency will assess the fluoride maximum contaminant level (MCL) in the National Interim Primary Drinking Water Regulations to determine if their knowledge of MCLs reflects potential health effects and the performance and cost of available treatment technologies. Statutory Authority: SDWA 1412/42 USC 300g-1 CFR:40 CFR 141 Analysis: RFA, IIA Small Entity: Likely	Joseph Cotruvo EPA (WH-550) Washington, DC 20460 FTS:8-472-5016 COMM:202-472-5016	NPRM: 09/00/82
<i>Amendment to National Interim Primary Drinking Water Regulations: Trihalomethanes (TTHM)</i> SAR No. 1757	Description: EPA will amend the TTHM regulations to include identification of generally available treatment technology (taking costs into consideration) for controlling TTHMs. Statutory Authority: SDWA 1412/42 USC 300g-1 CFR:40 CFR 141 Small Entity: Unlikely	Joseph Cotruvo EPA (WH-550) Washington, DC 20460 FTS:8-472-5016 COMM:202-472-5016	NPRM: 47FR9795 (03/05/82) FR: 09/00/82
NOISE CONTROL ACT			
REVISED REGULATIONS			
<i>Rescission of Noise Emission Standards for Truck-Mounted Solid Waste Compactors</i> SAR No. 1848	Description: This action would rescind the noise emission regulation for truck-mounted solid waste compactors. It would also withdraw these compactors from EPA's list of major sources of noise. Statutory Authority: NCA 5, 6/42 USC 4904, 4905 CFR:40 CFR 205 F Small Entity: Unlikely	Timothy Barry EPA (ANR-490) Washington, DC 20460 FTS:8-557-2710 COMM:703-557-2710	NPRM: 05/00/82
<i>Revocation of Recordkeeping and Reporting Requirements</i> SAR No. 1759	Description: This action will revoke the recordkeeping and reporting requirements for EPA's noise regulations. It will reduce unnecessary regulatory burdens on industry. Statutory Authority: NCA 5, 6, 8/42 USC 4904, 4905, 4907 CFR:40 CFR 203, 204, 205 Small Entity: Unlikely	Louise Giersch EPA (ANR-490) Washington, DC 20460 FTS:8-557-2710 COMM:703-557-2710	NPRM: 46FR44476 (08/14/81) FR: 08/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
NESHAPS: Asbestos SAR No. 1714	Description: This rulemaking will reinstate the asbestos design, equipment, work practice, and operational standards which EPA promulgated on April 6, 1973 at 38FR8826 and subsequently amended. Section 112(e)(1) of the 1977 amendments to the Clean Air Act grants EPA the authority to develop design or equipment standards. This regulation will apply to asbestos emissions from asbestos mills, surfacing of roadways with asbestos tailings, manufacturing operations, fabricating operations, the use of molded insulating materials, waste disposal operations, and waste disposal sites. Statutory Authority: CAA 112/42 USC 7412 CFR: 40 CFR 61 B Analysis: RFA Small Entity: Likely	Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624	NPRM: 04/00/83
Second Round Nonferrous Smelter Order Regulations SAR No. 1799	Description: These rules establish the minimum required contents of primary nonferrous smelter orders (NSOs) and the criteria and procedures EPA will use in issuing NSOs and in evaluating NSOs issued by the states. NSOs allow eligible smelters until January 1, 1988 to come into compliance with their State Implementation Plans for sulfur dioxide. These rules could affect approximately six out of the twenty-six copper, lead and smelters in the United States. Statutory Authority: CAA 119/42 USC 7419 CFR: 40 CFR 57 Small Entity: Unlikely	Ray Rithbun EPA (EN-341) Washington, DC 20460 FTS: 8-382-2887 COMM: 202-382-2887	NPRM: Undetermined
Averaging of Particulate Emissions for 1985 and Later Model Year Light-Duty Diesels SAR No. 1717 Docket No. A-81-31	Description: EPA has proposed a diesel particulate averaging scheme to replace the individual vehicle standards currently in place for 1985, 0.20 grams per mile for light-duty vehicles and 0.26 grams per mile for light-duty trucks. Averaging should allow manufacturers to employ the most cost-effective control technology strategies for their diesel models, while assuming that total particulate levels will not significantly increase beyond those allowable under the current regulations. These would be an upper limit of 0.40 grams per mile, which no light-duty truck or vehicle could exceed, regardless of compensating low emission engines. Statutory Authority: CAA 202(a)(3)(A) / 42 USC 7521(a)(3)(A) CFR: 40 CFR 86 Small Entity: Unlikely	Peter Hutchins EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS: 8-374-8340 COMM: 313-668-4340	NPRM: 46FR62608 (12/24/81) FR: 06/00/82
Revised Gaseous Emission Regulations for 1984 and Later Model Year Heavy-Duty Engines and Light-Duty Trucks SAR No. 1719 Docket No. A-81-11	Description: EPA is reviewing the hydrocarbon and carbon monoxide emission standards for heavy-duty engines which were promulgated in January 1980 at 45FR4136. The Clean Air Act permits EPA to revise emission standards if it finds that compliance with the standards cannot be achieved without unreasonable cost burden. This rulemaking will reevaluate certain aspects of the 1984 final rule with the aim of reducing short term compliance costs without significant losses in environmental benefits. The major objective will be to determine if hydrocarbon and carbon monoxide standards may be set at a level which will not require the use of catalytic converters. Statutory Authority: CAA 202(a)(3)(A), (B), and (C) / 42 USC 7521(a) CFR: 40 CFR 86 A, K, N Small Entity: Unlikely	Glenn Passavant EPA Ann Arbor, MI 48105 FTS: 8-374-8408 COMM: 313-668-4408	NPRM: 47FR1642 (01/13/82) FR: 10/00/82
Non-Methane Hydrocarbon Standards SAR No. 1728 Docket No. A-81-24	Description: EPA has proposed to adopt a non-methane hydrocarbon (NMHC) standard for compliance requirements for hydrocarbon exhaust emissions for 1983 and later model year vehicles. The existing regulation uses total hydrocarbon (THC) to determine the emission standards necessary to comply with the Clean Air Act's requirement that EPA control photochemical smog. Statutory Authority: CAA 202(b) / 42 USC 7521(b) CFR: 40 CFR 86 Small Entity: Unlikely	Peter Hutchins EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS: 8-374-8340 COMM: 313-668-4340	NPRM: 46FR62366 (12/23/81) FR: 04/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
Turbine Aircraft Gaseous Emissions Retrofit and Modification of 1973 Standards SAR No. 1330 Docket No. OMSAPC-78-1	Description: This regulation proposes revisions in emission standards for commercial aircraft to reduce hydrocarbons, carbon monoxide and nitrogen oxide. It will eliminate some unnecessary standards and relax others to reduce unnecessary costs. Statutory Authority: CAA 231 / 42 USC 7571 CFR: 40 CFR 87 Small Entity: Unlikely	George Kittredge EPA (ANR-455) Washington, DC 20460 FTS: 8-426-2514 COMM: 202-426-2514	NPRM: 43FR12615 (03/24/78) FR: Undetermined
Requirements for Preparation, Adoption, and Submission of Implementation Plans SAR No. 1783	Description: EPA is proposing to amend its regulations relating to the construction of new stationary sources of air pollution and modifications to existing sources. In particular, these amendments would 1) delete the current requirement that certain emissions from marine vessels are to be included in determinations of whether a proposed stationary source or modification would emit a particular pollutant in "major" or "significant" amounts, and 2) expressly bar EPA or a State from including vessel emissions in any such determination. Statutory Authority: CAA 307(b) / 42 USC 7607(b) CFR: 40 CFR 51.24, 52.21, 52.18(j), 52.24 Small Entity: Unlikely	Michael Trutna EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5591 COMM: 919-541-5591	NPRM: 46FR61613 (12/17/81) FR: Undetermined
Fuel Economy Labeling and Data Base Revisions SAR No. 1629 Docket No. A-80-32	Description: This action revises Part 600 to incorporate several provisions intended to (1) create more logical means to aggregate test data to account for untested vehicle designs, (2) make labels more specific to differentiate designs that affect fuel economy, (3) require label changes during the model year if design changes reduce fuel economy by one mile per gallon or more, (4) require a label value that reflects fuel economy performance for highway-type driving, and (5) adjust fuel economy label values for the average differences between the fuel economy measure in the laboratory and actual in-use experience as warranted and justified by in-use data. In addition, other amendments will be included to improve the representativeness of the data used to calculate fuel economy values. Statutory Authority: EPCA 503 / 15 USC 2003 CFR: 40 CFR 600 Small Entity: Unlikely	Kevin Tuckey EPA 2625 Plymouth Road Ann Arbor, MI 48105 FTS: 8-374-8292 COMM: 313-668-4292	ANPRM: 45FR64540 (09/29/80) NPRM: 06/00/82 FR: 12/00/82

SUPERFUND

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, more popularly known as "Superfund," authorizes the federal government to respond to multi-media (e.g. air, water) releases of hazardous materials and other pollutants from hazardous waste sites and other facilities. It sets up a Hazardous Waste Response Fund to pay for clean up of releases and to respond to claims for natural resource damages. It also provides for liability of persons responsible for releases of hazardous substances. By Executive Order, EPA has been assigned responsibility to develop the following regulations. For information on EPA's implementation of CERCLA, call the toll free Superfund Hotline at (800) 424-9346.

NEW REGULATIONS

Designation of Hazardous Substances SAR No. 1642A	Description: Section 102 of the Act requires EPA to designate hazardous substances which may present substantial danger to the public health or welfare or the environment if released into the environment. EPA is developing this regulation to supplement the lists of hazardous substances already developed under CWA 307, 311, RCRA 3001, CAA 112, and TSCA 7 Statutory Authority: CERCLA 102 / 42 USC 9602 CFR 40 CFR 302 Small Entity: Unlikely	Jack Kooyoomjian EPA (WH-548) Washington, D.C. 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000	ANPRM: 06/00/82 NPRM: 03/00/83 FR: 10/00/83
Notification of Episodic Release of Hazardous Substances and Determination of Reportable Quantities SAR No. 1642B	Description: Section 103(a) requires that persons notify the National Response Center of releases of hazardous substances. EPA is developing reportable quantities for hazardous substances under Section 102 that will trigger the requirements in Section 103. Statutory Authority: CERCLA 102 / 42 USC 9602 CFR 40 CFR 303 Small Entity: Unlikely	Jack Kooyoomjian EPA (WH-548) Washington, D.C. 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000	NPRM: 08/00/82 FR: 02/00/83

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAR(%)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
Finalize Definition of Existing Facility SAR No. 1777	RCRA 3006 / 40 CFR 122.22, 122.23, 260.10	Same as SAR 1774	
Guidelines for Federal Procurement of Lima-Fly Ash Aggregate (LFA) Used as a Roadway Subbase Construction Material SAR No. 1800	RCRA 6002	Postponed	
Guidelines for Federal Procurement for Recycled Paper Products SAR No. 1200A	RCRA 6002(e)	Postponed	
Revision of Priority List of New Source Performance Standards SAR No. 1678	CAA 111(i) / 40 CFR 60.16	Completed — effective date 1/8/82	FR 47FR950 (01/08/82)
Policy and Procedures for Airborne Carcinogens SAR No. 1596	CAA 112 / 40 CFR 61	Under interagency task force review	
Stack Height Regulations SAR No. 1303	CAA 123 / 40 CFR 51	Completed — effective date 3/10/82	FR 47FR5864 (02/08/82)
Confidentiality of Business Records SAR No. 1642E	CERCLA 104 / 40 CFR 2	Combined with SAR No. 1791 in the "General" section	

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