

EPA's review of information pertaining to copper metal resulted in the conclusion that, (1) copper metal can be readily converted to copper ion in waters under environmental conditions; and (2) copper ion is highly toxic to aquatic organisms resulting in the death of these organisms. Thus, copper metal can reasonably be anticipated to cause toxicity in aquatic organisms because of its ability to liberate copper ion. Because copper can be reasonably anticipated to be highly ecotoxic and induces well-established serious adverse effects, EPA does not believe that an exposure assessment is necessary to make the determination required by EPCRA section 313(d)(2)(C). For a discussion of the use of exposure in EPCRA section 313 listing/delisting decisions, see, e.g., 59 FR 61440, November 30, 1994.

EPA's denial of this petition is consistent with the Agency's published policy and guidance on metal compound categories under section 313 of EPCRA (56 FR 23703, May 23, 1991). This policy and guidance articulated EPA's determination that the toxicity of a metal-containing compound that dissociates or reacts to generate the metal ion can be expressed as a function of the toxicity induced by the intact species and the availability of the metal ion. Thus, EPA stated that for petitions to exempt individual metal-containing compounds from the EPCRA section 313 list of toxic chemicals, EPA bases its decisions on the evaluation of all chemical and biological processes that may lead to metal ion availability, as well as on the toxicity exhibited by the intact species. EPA stated that the Agency will deny petitions for chemicals that dissociate or react to generate the metal ion at levels which can reasonably be anticipated to cause adverse effects to human health or the environment and for which the metal ion availability cannot be properly characterized.

In summary, EPA has determined that copper metal can reasonably be anticipated to cause a significant adverse effect on the environment of a sufficient seriousness to warrant continued reporting of copper under EPCRA section 313 because copper ion is available from copper metal and copper ion is highly toxic to aquatic organisms. Therefore, copper metal in all forms satisfies the criterion in EPCRA section 313(d)(2)(C). Accordingly, EPA is denying the petition.

VI. References

(1) The Merck Index, An Encyclopedia of Chemicals, Drugs and

Biologicals. Eleventh Edition (1989). Merck Co., Inc.; Rahway, N.J.; page 2516.

(2) USEPA, OPPTS. 1995. Copper and Compounds. Chemical Summary for Copper and Selected Copper Compounds. In: Copper Profile for DFE Printed Wiring Board Project (Draft).

(3) USEPA. 1991. Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper; Final Rule. Federal Register, Vol. 56, No. 110, June 7, 1991; pages 26460-26564.

(4) Toxicological Profile for Copper. Agency for Toxic Substances and Disease Registry (ATSDR) Report No. ATSDR/TP-9008.

(5) USEPA, OHEA. 1987. Summary Review of the Health Effects Associated with Copper. Health Issue Assessment. Office of Health and Environmental Assessment, Washington, DC; Report No. EPA/600/8-87/001.

(6) USEPA, ECAO. 1987. Drinking Water Criteria Document for Copper. Environmental Criteria and Assessment Office, Cincinnati, OH; Report No. EPA ECAO-CIN-417.

(7) U.S. Environmental Protection Agency's Integrated Risk Information System (IRIS) file pertaining to Copper (CAS No. 7440-50-8).

(8) USEPA. 1993. Chromium, Nickel, and Copper in Stainless Steel, Brass, and Bronze: Toxic Chemical Release Reporting; Community Right-to-Know. Federal Register, Vol. 58, No. 123, June 29, 1993; pages 34738-34741.

(9) USEPA, OPPTS. 1995. Memorandum from Dr. Nicole Paquette, Toxicologist, Health and Environmental Review Division. Re: Petition to Delist Copper Metal from the Toxics Release Inventory. (September 20, 1995).

(10) USEPA, OPPTS. 1995. Hazard Assessment of Copper, Memorandum from Lorraine Randecker, Hazard Integrator, Chemical Screening and Risk Assessment Division, re: Petition to Delist Copper Metal from the Toxics Release Inventory. (April 4, 1996).

(11) USEPA, OPPTS. 1995. Memorandum from Dr. Jerry Smrcek, Biologist, Health and Environmental Review Division, re: Petition to Delist Copper Metal from the Toxics Release Inventory. (October 11, 1995).

VII. Administrative Record

The record supporting this decision is contained in docket control number OPPTS-400105. All documents, including the references listed in Unit VI above and an index of the docket, are available to the public in the TSCA Non-Confidential Information Center (NCIC), also known as the Public Docket Office, from noon to 4 p.m., Monday

through Friday, excluding legal holidays. The TSCA NCIC is located at EPA Headquarters, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

List of Subjects in 40 CFR Part 372

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

Dated: October 8, 1996.

Lynn R. Goldman,
Assistant Administrator for Prevention,
Pesticides and Toxic Substances.

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40 CFR Part 799

[OPPTS-42187C; FRL-5571-3]

RIN 2070-AC76

Proposed Test Rule for Hazardous Air Pollutants; Extension of Comment Period on Proposed Rule and Extension of Period for Receipt of Proposals for Enforceable Consent Agreements for Pharmacokinetics Studies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period on proposed test rule and extension of period for receipt of proposals for enforceable consent agreements for pharmacokinetics studies.

SUMMARY: EPA is extending the public comment period from December 23, 1996 to January 31, 1997 on the proposed rule 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 on June 26, 1996 (61 FR 33178) (FRL-4869-1). In addition, the deadline for receipt of proposals for enforceable consent agreements (ECAs) regarding the performance of pharmacokinetics (PK) studies which would permit extrapolation from oral data to predict risk from inhalation exposure for the HAPs is being extended from October 24, 1996 to November 25, 1996.

DATES: Written comments on the proposed rule must be received by EPA on or before January 31, 1997. Written proposals for ECAs for PK studies must be received by EPA on or before November 25, 1996.

ADDRESSES: Submit three copies of written comments on the proposed HAPs test rule, identified by document control number (OPPTS-42187A; FRL-

4869-1) and three copies of proposals for PK studies, identified by document control number (OPPTS-42187B; 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.

A public version of the official rulemaking record supporting this action, excluding confidential business information (CBI), is available for inspection at the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460, from 12 noon to 4 p.m., Monday through Friday, except on legal holidays.

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 consider this as a waiver of any confidentiality claim and the information may be made available to the public by EPA without further notice to the submitter.

Comments and data may also be submitted in electronic form by sending electronic mail (e-mail) to: oppt-nic@epamail.epa.gov. Such comments and data must be submitted in 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 in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by (OPPTS-42187A)(FRL-4869-1). No information claimed as CBI should be submitted through e-mail. Comments in electronic form may be filed online at many federal depository libraries.

The official record of this action, as well as the public version, will be maintained in paper form. EPA will transfer all comments received electronically into paper form and will place the paper copies in the official record. The official record is the paper record maintained at the address listed at the beginning of the "ADDRESSES" section of this notice.

FOR FURTHER INFORMATION CONTACT:
Susan B. Hazen, Director,

Environmental Assistance Division (7408), Rm. ET-543B, Office of Pollution Prevention and Toxics, U.S. 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: Robert A. Reiley, 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) 260-1105; fax: (202) 260-1096; e-mail: reiley.robert@epamail.epa.gov; or Gary Timm, Senior Technical Advisor, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-1105; fax: (202) 260-8168; e-mail: timmm.gary@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The HAPs rule proposed testing, under section 4(a) of the Toxic Substances Control Act (TSCA), of: 1,1'-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. 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. EPA is extending the period for public comment on the proposed rule from December 23, 1996 to January 31, 1997.

In addition, in the HAPs proposal, EPA solicited proposals for ECAs regarding the performance of pharmacokinetics studies which would permit extrapolation from oral data to predict effects from inhalation exposure. EPA is extending the period for receipt of proposals for ECAs for PK studies from October 24, 1996 to November 25, 1996.

EPA is extending the period for submitting proposals for ECAs as a result of requests by several members of the public for additional time to submit such proposals. EPA is extending the comment period on the proposed rule to allow adequate time for comments on the proposed rule to be submitted after the Agency has considered the ECA proposals.

List of Subjects in 40 CFR Part 799

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

Dated: October 15, 1996.

Charles M. Auer,
Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3500, 3510, 3520, 3530, 3540, 3550, 3560, and 3570

[WO-320-1990-01-24 A]

RIN 1004-AC49

Leasing of Solid Minerals Other Than Coal and Oil Shale

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Land Management (BLM) proposes to amend its regulations governing leasing of solid minerals other than coal and oil shale. The purpose of the amendment is to comply with President Clinton's Government-wide regulatory reform initiative to eliminate, streamline, or rewrite regulations in plain English. The current rule includes separate sections for all the solid minerals commodities, and the resulting language is repetitive in many instances. The proposed rule will reorganize these solid minerals regulations to eliminate redundant language and streamline the regulations. The proposed rule will also clarify the responsibilities of interested parties.

DATES: You must submit your comments by January 16, 1997. BLM may not consider comments received after this date in developing the final rule.

ADDRESSES: Commenters may hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L Street, 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 WOCComment@wo.blm.gov. Please include "AC49" and your name and address in your message. If you do not receive a confirmation from the system that we have received your internet message, contact us directly at (202) 452-5030. Comments will be available