VIA FAX

TO: STROTHER, DALE E.
BP AMERICA

FROM:

ATTN: DALE STROTHER

TO: FAX PHONE#: 216-586-8314

Job Number: 62040113-009-27-0004
TIME: Mon Jun 30 14:41:45 1997

6 pages including cover sheet

American Petroleum Institute
1220 L Street, Northwest
Washington, D.C. 20005

interoffice memo

Date: June 30, 1997

To: Benzene Task Force (BTF)

From: Mary Paxton

Re: The Latest on EPA's Revised Benzene Risk Document

EPA's announcement of the external review process for its revised benzene cancer potency factor is in today's *Federal Register* (attached). The 60-day period for public comment begins now, but as a member of the External Review Panel (ERP) , Rob Schnatter must have his written comments in July 7.

Also attached for your consideration are the questions that the ERP was originally asked to address. During their conference call on Friday afternoon, the ERP decided that the issues it considers at the July 16 workshop will not be limited to, or even primarily, these; the exact agenda for that meeting will be determine on the basis of the comments submitted by the members of the ERP.

During Friday's conference call, we decided the most convenient way to provide input to Rob for his written comments on EPA's revision of its cancer potency factor for benzene would be to convene at Exxon Biomedical in East Millstone, NJ, this **Wednesday (July 2)**. We plan to hunker down between about 8:00 am and 4:00 pm, and work very diligently. This work will also provide a starting point for API's own comments on this document.

If you plan to pitch in, please alert Rob Schnatter (908-783-6016). You may fax (908-973-6009) or e-mail (robert.schnatter@ere.exxon.sprint.com) him any comments you would like us to incorporate. If you need a hotel room, the Marriott in Summerset, NJ is suggested; to make a reservation, call 732-560-0500.

determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 97-17015 Filed 6-27-97; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5849-9]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Notification of Episodic Releases of Oil and Hazardous Substances, OMB Control Number 2050-0046, expiring 6/30/97. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 30, 1997.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260-2740, and refer to EPA ICR No. 1049.08.

SUPPLEMENTARY INFORMATION:

Title: Notification of Episodic Releases of Oil and Hazardous Substances, (OMB Control Number: 2050-0046; EPA ICR No. 1049.08) expiring 6/30/97. This ICR requests an extension of a currently approved collection.

Abstract: This ICR addresses the reporting and recordkeeping activities required to comply with the release notification requirements for hazardous substances and oil specified in section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, and section 311 of the Clean Water Act (CWA). These reporting requirements are codified at 40 CFR parts 110, 117, and 302, and require the person in charge of a facility or vessel to immediately notify the National Response Center (NRC) of hazardous substance releases into the environment and oil discharges into U.S. waters. The regulated community is expected to:

Gather necessary release data, such as the time, quantity, and source of the release;

Brief the facility manager;

Consult with the environmental compliance expert;

Report the release to the NRC using a toll-free telephone number, a facsimile number, or a telex number; and

Keep a log of release data such as the time, date, and circumstances of the release.

(This information is expected, but not required under the regulation).

There are no recordkeeping requirements specified under CERCLA section 103(a), CWA section 311, or their implementing regulations. The person in charge of the facility or vessel, however, may elect to maintain a log detailing the time, date, and circumstances associated with the reported release. The purpose of maintaining a log of reported releases is to track correspondence with response authorities and to document compliance with release notification requirements under CERCLA and CWA. Because the respondent will probably perform this activity, burden and cost estimates associated with recordkeeping are included in this ICR.

None of the information to be gathered for this collection is believed to be confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. The **Federal Register** Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on February 26, 1997 (62 *FR* 8722). No comments were received.

Burden Statement:

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 4.1 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Facilities or vessels which accidently release hazardous substances.

Estimated Number of Respondents: 29,204.

Frequency of Response: One-time telephone call to the NRC in the event of an episodic release.

Estimated Total Annual Hour Burden: 119,737 hours.

Estimated Total Annualized Cost Burden: 0.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1049.08 and OMB Control No. 2050-0046 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460

and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: June 23, 1997.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 97-17034 Filed 6-27-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5850-7]

Draft Carcinogenic Effects of Benzene: An Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of peer-review workshop and public comment period.

SUMMARY: This notice announces a peer-review workshop and a public review and comment period sponsored by the U.S. Environmental Protection Agency's (EPA) National Center for Environmental Assessment (NCEA) of

the Office of Research and Development to review an external review draft document titled, Carcinogenic Effects of Benzene: An Update (EPA/600/P-97/001A). EPA will consider comments and recommendations from the workshop and the public comment period in document revisions.

DATES: The workshop will be held on Wednesday, July 16, 1997, from 8:30 a.m. to 4:30 p.m. The 60-day public review and comment period begins today and ends August 29, 1997.

ADDRESSES: The workshop will be held at the Hyatt Regency on Capitol Hill, 400 New Jersey Avenue, N.W., Washington, D.C. Eastern Research Group, Inc. (ERG), an EPA contractor, is providing logistical support for the workshop. To attend the workshop, register by July 11 by calling ERG's registration line at 617-674-7374, or send a fax to 617-674-2906. Space is limited, and reservations will be accepted on a first-come-first-served basis. There will be a limited time for comments from the public during the afternoon. Please let ERG know if you wish to make a brief statement not to exceed five minutes.

The document is available on the Internet at http://www.epa.gov/ncea. A limited number of paper copies are available from the Center for Environmental Research Information, National Risk Management Research Laboratory, U.S. Environmental Protection Agency, 26 W. Martin Luther King Drive, Cincinnati, OH 45268; telephone: 513-569-7562; fax: 513-569-7566. If you are requesting a paper copy, please provide your name, mailing address, and the document title and number, Carcinogenic Effects of Benzene: An Update (EPA/600/P-97/001A). Copies also are available for inspection at EPA libraries. The EPA Headquarters Library is located at 401 M Street, S.W., Washington, D.C.; the library is open Monday through Friday between 8:00 a.m. and 5:00 p.m., except for Federal holidays. Copies of the document are not available from ERG.

Comments may be mailed or delivered to the Technical Information Staff (8623), NCEA-W/OSC, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460 (telephone: 202-260-7345). Comments should be in writing and must be postmarked by the end of the comment period. Please submit one unbound original with pages numbered consecutively, and three copies. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies. Electronic comments may be sent to benzene.new@epamail.epa.gov.

Please note that all technical comments received in response to this notice will be placed in a public record. For that reason, commenters should not submit personal information (such as medical data or home address), Confidential Business Information, or information protected by copyright. Due to limited resources, acknowledgments will not be sent.

FOR FURTHER INFORMATION CONTACT: David Bayliss, National Center for Environmental Assessment/Washington Office (8623), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Telephone: 202-260-5726; fax: 202-260-8719; e-mail: benzene.new@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: This draft document is the result of a request from the Office of Mobile Sources, Office of Air and Radiation, for an update of the 1985 document titled, Interim Quantitative Cancer Unit Risk Estimates Due to Inhalation of Benzene. The draft report updates the scientific basis for selecting a cancer unit risk of benzene. Information on the toxicity, metabolism, epidemiology, and genotoxicity are considered together in the evaluation of the cancer unit risk estimate for the probability of developing cancer from low-dose exposure to benzene. After the workshop, EPA will consider the peer-panel and public comments before preparing a final report for the Office of Mobile Sources.

Dated: June 23, 1997.

Richard Hardesty,

Acting Director, National Center for Environmental Assessment.

[FR Doc. 97-17036 Filed 6-27-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5850-9]

Proposed CERCLA Administrative Agreement; Commercial Decal, Inc. Superfund Site

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with the Agency's May 24, 1995, "Guidance on Agreements with Prospective Purchasers of Contaminated Property," notice is hereby given of a proposed prospective purchaser agreement ("agreement") with the City of Mount Vernon, New York ("City") concerning the parcel of real property which includes the Commercial Decal, Inc. Superfund Site in Mount Vernon, Westchester County, New York (the "property"). Under the agreement, the City will pay $283,050.45 to the Hazardous Substances Superfund in exchange for a covenant not to sue pursuant to sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), and in settlement of competing bankruptcy claims of the City and the Agency against the property. Following the effectiveness of this agreement, the City intends to make a bid for the property at a bankruptcy auction presently scheduled to be held in U.S. Bankruptcy Court on July 17, 1997. For fourteen (14) days following the date of publication of this notice, the Agency will receive written comments relating to the agreement. The Agency will consider all comments received and may modify or withdraw its consent to the agreement if comments received disclose facts or considerations which indicate that the agreement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region II, Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866.

DATES: Comments must be submitted on or before July 14, 1997.

ADDRESSES: The proposed agreement and additional background information relating to the settlement are available for public inspection at the U.S. Environmental Protection Agency, Region II, Office of Regional Counsel, New York/Caribbean Superfund Branch, 290 Broadway, 17th Floor, New York, NY 10007-1866. A copy of the proposed agreement may be obtained from the individual listed below. Comments should reference the Commercial Decal, Inc. Superfund Site, Mount Vernon, New York and EPA Index No. II-CERCLA-97-0205, and should be addressed to the individual listed below.

FOR FURTHER INFORMATION CONTACT: Carl P. Garvey, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, NY 10007-1866. Telephone: (212) 637-3181.

Dated: June 24, 1997.

William J. Muszynski,

Acting Regional Administrator.

[FR Doc. 97-17037 Filed 6-27-97; 8:45 am]

BILLING CODE 6560-50-P

CARCINOGENIC EFFECTS OF BENZENE: AN UPDATE

QUESTIONS FOR THE PEER REVIEW PANEL

1. Context: The document before you is highly focused for purposes of considering the dose-response issues for benzene's cancer hazard. EPA saw no need to review the question of whether benzene is or is not a human carcinogen. We trust that the structure of this document supports the purpose to focus on key issues involved in selecting a quantitative approach to estimating benzene risks especially at environmental exposure levels. The risk characterization portion of the document is intended to capture the key findings and tell the story of benzene risks as we can best characterize them today.

Question: Does this document, its format, and general content adequately fulfill the intent?

2. *Context:* In EPA's current risk assessment for Benzene (EPA, 1985), three epidemiological studies (Rinsky, 1981, Ott, 1978, Wong, 1983) were used to derive a unit risk estimate. Risk estimates for each cohort were calculated using a linear model and then combined by averaging. In this reevaluation EPA proposes to only use the updated Rinsky cohort as the singular basis for dose response analysis.

Question: Has EPA adequately supported its preference for using Rinsky, 1987 cohort (e.g., pliofilm workers) for dose-response analysis and risk derivation?

3. *Context:* EPA'S draft 1996 Cancer Risk Assessment Guidelines recommend a practice whereby a risk assessors selection of a low dose risk extrapolation model would be preferentially influenced by understandings about mode-of-action. Mode-of-action viewpoints must be supported by a reasonable level of scientific consensus, otherwise an EPA default model may be adopted. The selection of a low dose linear model can be both a default as well as a justified model-of-choice under the proposed new guidelines.

In this reassessment, EPA is using some of the fundamental principles of the proposed guidelines. EPA has discussed the mode-of-action information and suggested that a linear low dose model is appropriate in the absence of a satisfactory understanding about the low dose mode-of-action and in recognition of some linear and possibly supra linear circumstances of low dose response.

EPA has noted that a range of risk estimates, (i.e., 4.7×10^{-3} to 2.5×10^{-2}), is defined by using a linear model, the Rinsky cohort, and using Crump, Rinsky and Paustenback estimates of cohort exposure. EPA's 1985 risk estimate of record for benzene (i.e., 2.6×10^{-2} per ppm is based on the geometeric mean of three risk estimates from the Rinsky 1981 cohort with Crump exposure plus the cohorts of Ott and Wong) is just outside of this range. EPA didn't see any compelling scientific basis for selecting a specific risk estimate from the range.

Question:

3.1 Dose the discussion of the various mode-of-action hypotheses appropriately describe the current thinking and capture consensus where such exists?

3.2 Is the rationale for specific model selection (e.g., linear at low dose) adequately explained and supported.

3.3 Is there another modeling approach that could be supported by consensus information?

3.4 From the standpoint of uncertainty about the cohort's exposure, the range of risks could be viewed as having approximately equal scientific merit. Does the panel see a scientific rationale for selecting among the risk estimates?

4. Context: Uncertainties are important to identify so that the current risk characterization will be properly used by risk managers. The uncertainties also frame the research agenda for making a future difference in EPA's risk characterization for benzene.

Question: Have the major uncertainties with this risk characterization been flagged and do the research needs capture the key needs which would directly impact the next generation reassessment of benzene risk to adults as well as special sub-population groups including children?