3 REGULATIONS

A. Generic MACT (EPA)

On June 29, 1999, (64 FR 34854), the U.S. Environmental Protection Agency (EPA) promulgated a final rule (40 CFR part 63) that establishes EPA's generic maximum achievable control technology (MACT) standards program for setting national emission standards for hazardous air pollutants (NESHAP) under section 112 of the Clean Air Act (CAA) for certain small source categories consisting of five or fewer major sources. As part of this generic MACT program, EPA is establishing an alternative methodology for making MACT determinations for appropriate small categories by referring to previous MACT standards that have been promulgated for similar sources in other categories. The basic purposes of the generic MACT program are to use public and private sector resources efficiently, and to promote regulatory consistency and predictability in MACT standards development.

This consolidated rulemaking package includes promulgated MACT standards that have been developed within the generic MACT framework for four specific source categories that are included on EPA's list of categories for which NESHAP are required. EPA is also promulgating general control requirements for certain types of emission points for hazardous air pollutants (HAP), which will then be referenced, as appropriate, in MACT requirements for individual source categories. These general control requirements are set forth in new promulgated subparts and are applicable to storage vessels containing organic materials, process vents emitting organic vapors, and leaks from equipment components. In addition, EPA is promulgating a separate subpart of requirements for closed vent systems, control devices, recovery devices, and routing emissions to fuel gas systems or a process.

For further information, contact Mr. David Markwordt, Emission Standards Division, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, (phone: (919) 541-0837).

B. Regional Haze (EPA)

Section 169A of the Clean Air Act (CAA) sets forth a national goal for visibility which is the "prevention of any future, and the remedying of any existing, impairment of visibility in Class I areas which impairment results from manmade air pollution." There are 156 Class I areas across the country, including many well-known national parks and wilderness areas. Regional haze is visibility impairment caused by the cumulative air pollutant emissions from numerous sources over a wide geographic area.

On July 1, 1999, (64 FR 35714), the U.S. Environmental Protection Agency (EPA) issued a final rule (40 CFR part 51) that calls for states to establish goals and emission reduction strategies for improving visibility in all 156 mandatory Class I national parks and wilderness areas. Specific provisions are included in the rule allowing nine western states to implement the recommendations of the Grand Canyon Visibility Transport Commission (GCVTC) within the framework of the national regional haze program. In addition, EPA encourages states to work

together in regional partnerships to develop and implement multistate strategies to reduce emissions of visibility-impairing fine particle pollution.

For further information, contact Mr. Richard Damberg, Air Quality Standards and Statistics Division, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, (phone: (919) 541-5592).

C. Hazardous Waste Lamps (EPA)

On July 6, 1999, (64 FR 36466), the U.S. Environmental Protection Agency (EPA) promulgated a final rule (40 CFR parts 260, 261, 264, 265, 268, 270, and 273) that adds hazardous waste lamps to the federal list of universal wastes regulated under the Resource Conservation and Recovery Act (RCRA). Handlers of universal wastes are subject to less stringent standards for storing, transporting, and collecting these wastes. EPA has concluded that regulating spent hazardous waste lamps as a universal waste under 40 CFR part 273 will lead to better management of these lamps and will facilitate compliance with hazardous waste requirements. This rule, which streamlines the Subtitle C management requirements for hazardous waste lamps, also supports energy conservation efforts.

Data available to EPA indicate that many fluorescent and high intensity discharge (HID) lamps exhibit the toxicity characteristic (TC) for mercury because of the use of that compound in producing these lamps. Some HID and other types of lamps may also exhibit the toxicity characteristic for lead, principally because of the use of lead solder.

For further information, contact Ms. Marilyn Goode, Office of Solid Waste, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (703) 308-8800).

D. Pretreatment Standards (EPA)

The National Pretreatment Program is part of the water pollution control program of the Clean Water Act (CWA). The program is a joint regulatory effort by local, state, and federal authorities that requires the control of industrial and commercial sources of pollutants discharged to municipal wastewater plants, called publicly owned treatment works (POTWs). Control of pollutants prior to discharge of wastewater to the sewer minimizes the possibility of pollutants interfering with the operation of the POTW and reduces the levels of toxic pollutants in wastewater discharges from the POTW and in the sludge resulting from municipal wastewater treatment.

On July 22, 1999, (64 FR 39564), the U.S. Environmental Protection Agency (EPA) issued a proposed rule (40 CFR part 403) to revise several provisions of the general pretreatment regulations that address restrictions on and oversight of industrial users who introduce pollutants into POTWs. EPA is also proposing changes to certain requirements to be consistent with National Pollutant Discharge Elimination System (NPDES) requirements. The proposals would

reduce the regulatory burden on both industrial users and state and POTW control authorities without affecting environmental protection.

For further information, contact Mr. Jeffrey B. Smith, Permits Division, Office of Wastewater Management, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (202) 260-5586).

E. Lead and Lead Compounds (EPA)

On August 3, 1999, (64 FR 42222), the U.S. Environmental Protection Agency (EPA) promulgated a proposed rule (40 CFR part 372) that proposes to lower the reporting thresholds for lead and lead compounds which are subject to reporting under Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and Section 6607 of the Pollution Prevention Act of 1990 (PPA). EPA believes that lead and lead compounds are persistent, bioaccumulative, and toxic (PBT) chemicals that warrant lower reporting thresholds than those currently established under EPCRA Section 313. This proposed action also includes a limitation on the reporting of lead when contained in certain alloys and proposed modifications to certain reporting exemptions and requirements for lead and lead compounds.

Section 313 of EPCRA requires certain facilities manufacturing, processing, or otherwise using a listed toxic chemical in amounts above reporting threshold levels to report their environmental releases of each chemical annually. These reports must be filed by July 1 of each year for the previous calendar year. Facilities also must report pollution prevention and recycling data for such chemicals pursuant to Section 6607 of the PPA.

For further information, contact Mr. Daniel R. Bushman, Petitions Coordinator, Environmental Assistance Division, Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (phone: (202) 260-3882).

F. Permit Application Requirements for POTWs (EPA)

On August 4, 1999, (64 FR 42434), the U.S. Environmental Protection Agency (EPA) issued a final rule (40 CFR parts 9, 122, 123, 124, and 501) that amends permit application requirements and application forms for publicly owned treatment works (POTWs) and other treatment works treating domestic sewage (TWTDS). TWTDS include facilities that generate sewage sludge, provide commercial treatment of sewage sludge, manufacture a product derived from sewage sludge, or provide disposal of sewage sludge. This rule consolidates POTW application requirements, including information regarding toxics monitoring, whole effluent toxicity testing, industrial user and hazardous waste contributions, and sewer collection system overflows. The most significant revisions require toxics monitoring by major POTWs (and other pretreatment POTWs) and limited pollutant monitoring by minor POTWs. EPA believes that permitting authorities need this information in order to issue permits that adequately protect the nation's water resources. Form 2A replaces existing Standard Form A and Short Form A to account for changes in the National Pollutant Discharge Elimination System (NPDES) program since the

forms were issued in 1973. The regulations also clarify the requirements for TWTDS and allow the permitting authorities to obtain the information needed to issue permits that meet the requirements of the 40 CFR part 503 sewage sludge use or disposal regulations. Form 2S replaces the existing Interim Sewage Sludge Form. Form 2S is similar to the Interim Sewage Sludge Form but requires less information.

EPA is revising these regulations to ensure that permitting authorities obtain the information necessary to issue permits that protect the environment in the most efficient manner. The forms make it easier for permit applicants to provide the necessary information with their applications and minimize the need for additional follow-up requests from permitting authorities.

For further information, contact Ms. Robin Danesi, (phone: (202) 260-2991), or Ms. Wendy Bell, (phone: (202) 260-9534), Permits Division, Office of Wastewater Management, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

G. Air Quality Index Reporting (EPA)

On August 4, 1999, (64 FR 42530), the U.S. Environmental Protection Agency (EPA) promulgated a final rule (40 CFR part 58) that adopts revisions to the uniform air quality index used by states for daily air quality reporting to the general public in accordance with Section 319 of the Clean Air Act (CAA). These changes include the addition of the following elements: (1) a new category described as "unhealthy for sensitive groups;" (2) two new requirements, first, to report a pollutant-specific sensitive group statement when the index is above 100, and second, to use specific colors if the index is reported in a color format; (3) new breakpoints for the ozone sub-index in terms of 8-hour average ozone concentrations; (4) a new sub-index for fine particulate matter; and (5) conforming changes to the sub-indices for coarse particulate matter, carbon monoxide, and sulfur dioxide. In addition, EPA is changing the name of the index from the Pollutant Standards Index to the Air Quality Index. This document discusses the development of related informational materials on pollutant-specific health effects and sensitive groups and on precautionary actions that can be taken by individuals to reduce exposures of concern. It also discusses the interrelationship between the uniform air quality index and other programs that provide air quality information and related health information to the general public, including state and local real-time air quality data mapping and community action programs.

For further information, contact Mr. Terence Fitz-Simons, Emissions, Monitoring, and Analysis Division, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, (phone: (919) 541-0889).

H. Customers First in the Title XI Program (MARAD)

On August 13, 1999, (64 FR 44152), the Maritime Administration (MARAD), U.S. Department of Transportation, promulgated a proposed rule (46 CFR part 298) that would modify certain provisions of the existing regulations which implement Title XI of the 1936 Merchant Marine

Act, as amended. This rule seeks to improve administration of the Title XI program. Title XI loan guarantees are issued for all types of vessel construction and shipyard modernization and improvement projects, except for fishing vessels. The part of the Title XI program related to fishing vessels is administered by the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce. This action responds to Executive Order 12862, September 11, 1993, which calls for a revolution within the federal government to change the way it does business by putting customers first and striving for a customer-driven government that matches or exceeds the best service available in the private sector.

For further information, contact Mr. Mitchell D. Lax, Director, Office of Ship Financing (MAR-530), Maritime Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590, (phone: (202) 366-5744).

H. Water Quality Planning and Management (EPA)

The Clean Water Act (CWA) includes a number of programs aimed at restoring and maintaining water quality. These include: (1) national technology-based effluent limitation guidelines; (2) national water quality criteria guidance; (3) state, territorial, and authorized tribal water quality standards; (4) state, territorial, and authorized tribal nonpoint source management programs; (5) funding provisions for municipal wastewater treatment facilities; (6) state, territorial, and authorized tribal water quality monitoring programs; and (7) the National Pollutant Discharge Elimination System (NPDES) permit program for point sources. These programs have produced significant and widespread improvements in water quality over the last quarter-century, but many waterbodies remain impaired by one or more pollutants.

On August 23, 1999, (64 FR 46012), the U.S. Environmental Protection Agency (EPA) issued a proposed rule (40 CFR part 130) that revises, clarifies, and strengthens the current regulatory requirements for establishing Total Maximum Daily Loads (TMDLs) under the CWA. The goal of establishing TMDLs is to assure that water quality standards are attained and maintained. This proposed rule would provide states, territories, and authorized tribes with the necessary information to identify impaired waters and to establish TMDLs to restore water quality. The proposed rule clarifies and strengthens how TMDLs are established so they can more effectively contribute to improving the nation's water quality. Through this proposal, states, territories, and authorized tribes can tailor their water quality programs to address the characteristics, problems, risks, and implementation tools available in individual watersheds, with meaningful involvement of stakeholders in the local community.

Also on August 23, 1999, (64 FR 46058), EPA promulgated a second proposed rule (40 CFR parts 122, 123, 124, and 131) that revises, clarifies, and strengthens EPA's NPDES program and Water Quality Standards (WQS) regulation under the CWA. This proposed rule is intended to achieve two objectives. The first objective is to achieve reasonable further progress toward attaining water quality standards in impaired waterbodies prior to EPA approval or establishment of a TMDL. The second objective is to achieve reasonable assurance the an established TMDL will be implemented.

For further information, contact Ms. Hazel Groman, Office of Wetlands, Oceans and Watersheds, (phone: (202) 401-4078), or Ms. Kim Kramer, Office of Wastewater Management, (phone: (202) 260-9541), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.