Regulatory Evaluation is unnecessary. The entities most likely to be affected are pleasure craft wishing to view the fireworks from the water as well as fishing vessels and other commercial vessel traffic wishing to transit the area. Spectator vessels will still be able to view the fireworks from the water but will be required to do so at a distance more than 350 yards from the barge, which will not cause them undue hardship. Fishing vessels will be prohibited from transiting through the area while the zone is in effect. This will not have a significant economic impact on them because of the short duration of the zone and extensive advisories which will be made. Most of the fishermen who work out of New Bedford are aware that the fireworks and accompanying safety zone will be in place the evening of December 31, 1993. The commercial terminals in the harbor have been notified and any scheduled traffic will be aware of the safety zone. Thus, this safety zone should not cause undue hardship to any entity.

Small Entities

For the reasons discussed in the Regulatory Evaluation, the Coast Guard expects the economic impact of this rule to be minimal on all entities. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. et seq.) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.)

Federalism

The Coast Guard has analyzed this final rule in accordance with the principals and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient federalism implication to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that under section 2.B.2.C of Commandant Instruction M16475.1B, this is an action under Coast Guard statutory authority to protect public safety and is categorically excluded from further environmental documentation. A Categorical Exclusion Determination will be made available in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Final Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165, as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 USC 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5, 49 CFR 1.46.

2. A temporary § 165.T01-153 is added to read as follows:

§ 165.T01-153 Safety Zone: New Bedford Harbor, New Bedford, MA.

(a) *Location.* The following area is a safety zone: All waters in a 350 yard radius around the fireworks barge anchored in New Bedford Harbor, MA, in the vicinity of New Bedford Channel Lighted Bell Buoy 16 (LLNR 16895).

(b) *Effective date.* This regulation becomes effective between 11 p.m. on December 31, 1993, and 1 a.m. on January 1, 1994, unless terminated sooner by the Captain of the Port.

(c) *Regulations.* The general regulations governing safety zones contained in 165.23 apply.

Dated: December 14, 1993.

M.D. Robinson,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 93-31520 Filed 12-23-93; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 165

[CGD01-93-151]

RIN 2115-AA97

Safety Zone Regulations; Kill Van Kull, NY and NJ

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone in the waters near Bergen Point West Reach in the Kill Van Kull of New York and New Jersey. This zone imposes requirements in addition to the Regulated Navigation Area (RNA) already in existence for these waters. This zone is divided into two sections. The first is the southern portion of the channel which contains a work area where concentrated drilling and blasting will be conducted and no vessel is permitted to transit. The second section includes the remainder of the safety zone which surrounds the work area. Vessel passage in this section is permitted under the criteria set forth in these regulations. This action is necessary to protect the maritime community from the possible dangers and hazards to navigation associated with the extensive blasting and dredging operations which are being conducted in the work area of the channel and with the restrictions in channel width.

EFFECTIVE DATES: These regulations become effective at 8 a.m., December 7, 1993 and will terminate at 8 a.m., March 1, 1994, unless terminated sooner by Captain of the Port (COTP) NY.

FOR FURTHER INFORMATION CONTACT: LT R. Trabocchi of Captain of the Port, New York (212) 668-7934.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are LT R. Trabocchi, Project Manager, Captain of the Port, New York, and CDR J. Astley, Project Attorney, First Coast Guard District, Legal Office.

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing a NPRM would be contrary to the public interest since this regulation is intended to lessen the restrictions imposed on vessels transiting this area while maintaining requirements sufficient to ensure the safety of the port.

On May 28, 1993, the U.S. Coast Guard Captain of the Port, New York published a final rule (58 FR 30987) implementing requirements in addition to the RNA in existence in the Kill Van Kull located at 33 CFR 165.165. Due to comments received from the local industry, the Coast Guard Captain of the Port deems it appropriate to lessen the restrictions imposed by that final rule.

Background and Purpose

The area included within this safety zone is now regulated by regulations (1) through (7) of the RNA and the additional regulations implemented in this rulemaking. These safety zone regulations, in conjunction with the existing RNA regulations, are designed to allow vessels to transit safely and to protect the port and maritime community. Due to the experience gained through the duration of this project, the Coast Guard Captain of the Port, New York considered it appropriate to lessen the restrictions previously imposed. The previous requirements for tugs read that all vessels 350 feet to 700 feet require one assist vessel and all vessels greater than 700 feet require two assist vessels when transiting from the Kill Van Kull (or vice versa) or from Newark Bay to the Arthur Kill (or vice versa) by way of the work area. The new requirement eliminates the need for assist vessels if under 700 feet and only requires vessels greater than 700 feet to have two assist vessels when transiting from Kill Van Kull to the Arthur Kill (or vice versa). This rule also removes the restrictions of having an assist vessel accompany all hawser tows. Removing these restrictions will create less of a burden on the vessel traffic needing to transit this area.

Regulatory Assessment

This regulation is not a significant regulatory action under Executive Order 12866 and is not significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979). In light of the regulations limited scope, the small size of the affected area, the minimal restrictions that are in place and the advance notice available to the community, the Coast Guard expects the economic impact of this rulemaking to be so minimal that a Regulatory Evaluation is unnecessary. The channel will not be completely closed therefore allowing vessels to still make their destination with minor restrictions. Vessel operators who do not wish to comply with the safety zone restrictions in this area of the KVK have the option of choosing an alternate route by taking the Arthur Kill to or from Newark Bay.

Small Entities

Because it expects the impact of these regulations to be minimal, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that these regulations do not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of these regulations and concluded that under section 2.B.2.c. of Commandant Instruction M16475.1B, it is an action under the Coast Guard's statutory authority to protect public safety, and thus is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is included in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Regulations

In consideration of the foregoing, part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A temporary section 165.T01–151 is added to read as follows:

§ 165.T01–151 Safety Zone: Kill Van Kull, Bergen Point West Reach (Western Portion)—New York and New Jersey.

(a) *Location.* (1) The following area has been declared a Safety Zone: All waters of the Kill Van Kull West of the 074°08′00″W line of longitude, East of the 074°09′36″W line of longitude and South of the 40°39′06″N line of latitude.

(2) Within this safety zone exists a "Work Area" where concentrated drilling and blasting is being conducted. The "Work Area" includes all waters bounded by the following points:

Latitude	*Longitude*
40°38′24″ N	074°08′52″ W
40°38′24″ N	074°09′03″ W
40°38′31″ N	074°09′15″ W
40°38′37″ N	075°09′06″ W
40°38′31″ N	074°08′54″ W

thence to the point of the beginning.

The eastern and western edges of this "Work Area" are marked by lighted buoys set by the Coast Guard.

(b) *Effective date.* These regulations become effective at 8 a.m., on December 7, 1993 and will terminate at 8 a.m., March 1, 1994, unless terminated sooner by Captain of the Port, New York.

(c) *Regulations.* (1) *"Work Area":* In accordance with the general regulations in § 165.23 of this part, entry into or movement within the "Work Area" of the safety zone is prohibited unless authorized by the Captain of Port.

(2) For all other waters of the safety zone described in paragraph (a)(1) the COTP has included the following requirement in addition to paragraphs d(1) through (6) of § 165.165:

(i) Prior to entering this safety zone, the master, pilot, or operator of each vessel, 300 gross tons or greater and tugs with tows, shall notify Vessel Traffic Center (VTS) New York regarding the employment of assist vessels and intentions while transiting the safety zone.

(ii) Tug requirements: All vessels greater than 700 feet require two assist vessels when transiting from Kill Van Kull to the Arthur Kill (or vice versa).

(iii) Transit between Bergen Point West Reach and South of Shooters Island Reach is prohibited.

(3) *Waiver.* The Captain of the Port New York may, upon request, authorize a deviation from any regulation in this section if it is found that the proposed operations can be done safely. An application for deviation must be received at least 4 hours before the intended operation(s) and must state the need and describe the proposal.

Dated: December 7, 1993.

L.L. Hereth,

Acting Commander, U.S. Coast Guard, Captain of the Port, New York.

[FR Doc. 93–31519 Filed 12–23–93; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 165

[CGD01–93–152]

RIN 2115–AA97

Safety Zone Regulations: Kill Van Kull, NY and NJ

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone in the waters near Bergen Point West Reach in the Kill Van Kull of New York and New Jersey. This zone imposes requirements in addition to the Regulated Navigation Area (RNA) already in existence for these waters. This zone is divided into two sections. The first is the southern portion of the channel which contains a work area where concentrated drilling and blasting will be conducted and no vessel is permitted to transit. The second section includes the remainder of the safety zone which surrounds the work area. Vessel passage in this section is permitted under the criteria set forth in these regulations. This action is necessary to protect the maritime community from the possible dangers and hazards to navigation associated

with the extensive blasting and dredging operations which are being conducted in the work area of the channel and with the restrictions in channel width.

EFFECTIVE DATES: These regulations become effective at 8 a.m., December 7, 1993 and terminate at 8 a.m., March 1, 1994, unless terminated sooner by Captain of the Port (COTP) NY.

FOR FURTHER INFORMATION CONTACT: LT R. Trabocchi of Captain of the Port, New York (212) 668–7934.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are LT R. Trabocchi, Project Manager, Captain of the Port, New York, and CDR J. Astley, Project Attorney, First Coast Guard District, Legal Office.

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing an NPRM would delay this regulation's effective date and would be contrary to the public interest since immediate action is needed to protect the public from the dangers associated with this channel deepening project.

On April 7, 1992 a final rule was published as Part 165.165 of this title, which imposed a Regulated Navigation Area (RNA) over the entire Kill Van Kull (KVK) for the duration of a three year deepening project. On February 26, 1993, the Coast Guard COTP New York established a safety zone based on daily experiences and studies compiled since the initiation of the KVK dredging operations. This safety zone was needed to safeguard the users of this waterway and the immediate waterfront communities from the hazards associated with this ongoing project. On December 1, 1993 this safety zone inadvertently lapsed prior to publication of an amendment to extend its duration.

An amendment to extend the duration of the safety zone was necessary because on October 7, 1993, the U.S. Army Corps of Engineers advised Vessel Traffic Service New York, that the dredging project in the Kill Van Kull would not be completed as scheduled on December 1, 1993. As a result, Commanding Officer, Vessel Traffic Service New York, requested that a safety zone be in place until March 1, 1994.

This safety zone, effective December 7, 1993, reinstitutes the February 26, 1993 safety zone and imposes the same restrictions. This new safety zone, effective through March 1, 1994, is needed to continue protecting the users of this waterway and the immediate waterfront communities from the hazards associated with this ongoing project.

Background and Purpose

In August 1991, the Army Corps of Engineers (ACOE) and the Port Authority of New York and New Jersey commenced an extensive channel deepening project in the Kill Van Kull and Constable Hook area. The Coast Guard published a Regulated Navigation Area on April 7, 1992, to ensure the safety of vessels in the areas of blasting and dredging. On January 13, 1993, the ACOE notified the Coast Guard that they were prepared to begin operations in the area of Bergen Point West Reach (Phase V of the RNA) on March 8, 1993.

In May 1992, after publication of the RNA, the National Marine Research Center submitted a study to the U.S. Coast Guard COTP, New York. This study used the Marine Safety International's Computer Aided Operations Research Facility (MSI/CAORF) full-mission, real-time ship-handling simulator. During the study, New York Harbor pilots conned simulated vessels of various characteristics around the southern tip of Bergen Point, New Jersey, between Newark Bay and Bergen Point West Reach of the KVK. Currents, wind conditions, bank forces, tug assistance, vessel aerodynamics and hydrodynamics and other variables were represented. Representatives of the Port of New York, the Corps of Engineers and Coast Guard Vessel Traffic System (VTS) New York participated in the design of the tests and in formulating the conclusions and recommendations. The MSI/CAORF study revealed that vessels with a smaller length over all (LOA) could transit this area safely under the maximum credible adverse conditions. The study recommended that any operational restrictions take into account the LOA of vessels and the restrictions be placed on vessels under certain wind conditions. The Port Authority of New York and New Jersey gathered local pilots, vessel operators, and Coast Guard VTS New York to review the results of the MSI/CAORF study. This group reached a consensus that expanded upon the study recommendations, incorporating currents, winds, vessel size and local hands-on experience.

Based on the MSI/CAORF study, lessons learned from vessel groundings and collisions, and experience gained during the previous two years of the project, the Captain of the Port believes it is necessary to impose restrictions in the area of Bergen Point West Reach in addition to the requirements of the existing RNA. The area included within this safety zone is now regulated by regulations (1) through (7) of the RNA and the additional regulations implemented in this rulemaking. These safety zone regulations, in conjunction with the existing RNA regulations, are designed to allow vessels to transit safely and to protect the port and maritime community.

Regulatory Assessment

This regulation is not a significant regulatory action under Executive Order 12866 and not significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979). In light of the regulations limited scope, the small size of the affected area, the short duration, and the advance notice available to the community, the Coast Guard expects the economic impact of this rulemaking to be so minimal that a Regulatory Evaluation is unnecessary. The channel will not be completely closed therefor, allowing vessels to still make their destination with minor restrictions. Vessel operators who do not wish to comply with the safety zone restrictions in this area of the KVK have the option of choosing the south route by taking the Arthur Kill to or from Newark Bay.

Small Entities

Because it expects the impact of these regulations to be minimal, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive order 12612, and it has been determined that these regulations do not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of these regulations and concluded that under section 2.B.2.c. of Commandant Instruction M16475.1B, it is an action under the Coast Guard's statutory authority to protect public safety, and thus is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Regulations

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A new Section 165.T01–152 is added to read as follows:

§ 165.T01–152 Safety Zone: Kill Van Kull, Bergen Point West Reach—New York and New Jersey.

(a) *Location.* (1) The following area has been declared a Safety Zone: All waters of the Kill Van Kull Channel, bounded by the following points:

Latitude	*Longitude*
40°38′27″ N	074°08′32″ W
40°38′24″ N	074°08′52″ W
40°38′25″ N	074°09′03″ W
40°38′29″ N	074°09′14″ W
40°38′40″ N	074°09′07″ W
40°38′40″ N	074°08′53″ W
40°38′34″ N	074°08′44″ W
40°38′35″ N	074°08′32″ W
to buoy "G 13"	

thence to the point of the beginning.

(2) Within this safety zone exists a "Work Area" where concentrated drilling and blasting is being conducted. The "Work Area" includes all waters bounded by the following points:

Latitude	*Longitude*
40°38′27″ N	074°08′32″ W
40°38′24″ N	074°08′52″ W
40°38′31″ N	074°08′55″ W
40°38′29″ N	074°08′43″ W
40°38′31″ N	074°08′33″ W

thence to the point of the beginning.

The eastern and western edges of the "Work Area" are marked by lighted buoys set by the Coast Guard.

(b) *Effective date.* These regulations become effective at 8 a.m., December 7, 1993, and terminate at 8 a.m., March 1, 1994, unless terminated sooner by Captain of the Port, New York.

(c) *Regulations.* (1) "Work Area": In accordance with the general regulations in § 165.23 of this part, entry into or movement within the "Work Area" of the safety zone is prohibited unless authorized by the Captain of the Port.

(2) For all other waters of the safety zone described in paragraph (a)(1) the COTP has included the following requirements in addition to the RNA regulations in 33 CFR 165.165(d):

(i) Prior to entering this safety zone, the master, pilot, or operator of each vessel, 300 gross tons or greater and tugs with tows, shall notify Vessel Traffic Service (VTS) New York regarding the employment of assist vessels and intentions while transiting the safety zone.

(ii) *Tug requirements:* All vessels (including all tow configurations from stem to stern) over 350 feet in length require one assist vessel. All vessels over 700 feet require two assist vessels.

(iii) *Tidal current restrictions:* Vessels over 700 feet in length with a draft greater than 33 feet are restricted to movements within one hour either side of the slack water on ebb and flood tides while outbound.

(iv) *Astern tows:* Hawser tows are not permitted unless the tow is accompanied by an assist vessel.

(v) *Wind conditions:*

(A) In winds from 20 to 34 knots:

(*1*) Cargo ships may not transit through the safety zone.

(*2*) Tankers in ballast may not transit through the safety zone.

(*3*) Tugs with tank barge tows less than 350 feet (stem of tug to stern of barge) loaded or light, require an assist vessel.

(B) In wings greater than 34 knots, no vessels 300 gross tons or greater and all tugs with tows are prohibited from transiting the safety zone.

(3) *Waiver.* The Captain of the Port New York may, upon request, authorize a deviation from any regulation in this section if it is found that the proposed operations can be done safely. An application for deviation must be received not less than 4 hours before the intended operation(s) and must state the need and describe the proposal.

Dated: December 7, 1993.

L.L. Hereth,

Commander, U.S. Coast Guard, Acting Captain of the Port, New York.

[FR Doc. 93–31513 Filed 12–23–93; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[OPPTS–50613A; FRL–4743–2]

Significant New Use Rule; Technical Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment.

SUMMARY: EPA issued a direct final rule published in the **Federal Register** of October 4, 1993. That document inadvertently omitted language for protection in the workplace requirements under 40 CFR 721.63 that would allow manufacturers, importers, and processors to use the new chemical exposure limits requirements as an alternative to specific respirator requirements in the significant new use rules (SNURs) for two chemical substances, and the numerical value of 1 ppm in the hazard communication program requirements under § 721.72 in the SNUR for one of the chemical substances. EPA intended to include these requirements as stated in the preamble of the direct final SNUR for these two substances. This action is necessary so that the SNURs are consistent with their corresponding TSCA section 5(e) consent orders. Because this is a nonsubstantive change, notice and public comment are not required.

DATES: This document is effective on December 27, 1993.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–543A, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554–1404; TDD: (202) 554–0551.

SUPPLEMENTARY INFORMATION: EPA is including language for protection in the workplace requirements under § 721.63 for 40 CFR 721.4250 and 721.5310, and the numerical value of 1 ppm in the hazard communication program requirements under § 721.72 for 40 CFR 721.5310. The requirements were inadvertently omitted in the direct final rule published in the **Federal Register** of October 4, 1993 (58 FR 51694).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous materials, Recordkeeping and reporting requirements, Significant new uses.

Dated: December 13, 1993.

Joseph A. Carra,

Acting Director, Office of Pollution Prevention and Toxics.

Therefore, 40 CFR part 721 is amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625.

2. In § 721.4250(a)(2)(i) by adding a sentence at the end of the paragraph to read as follows:

§ 721.4250 Hexanoic acid, 2-ethyl-, ethenyl ester.

(a) * * *

(2) * * *

(i) * * * As an alternative to the respiratory requirements in this section, manufacturers, importers, and processors may use the New Chemical Exposure Limits provisions, including sampling and analytical methods which have previously been approved by EPA for this substance, found in the 5(e) consent order for this substance.

* * * * *

3. In § 721.5310(a)(2)(i) by adding a sentence at the end of the paragraph and by revising the last sentence in paragraph (a)(2)(ii) to read as follows:

721.5310 Neononanoic acid, ethenyl ester.

(a) * * *

(2) * * *

(i) * * * As an alternative to the respiratory requirements in this section, manufacturers, importers, and processors may use the New Chemical Exposure Limits provisions, including sampling and analytical methods which have previously been approved by EPA for this substance, found in the 5(e) consent order for this substance.

(ii) * * * When using this substance, use respiratory protection, unless workplace airborne concentrations are maintained at or below an 8–h TWA of 1 ppm.)

* * * * *

[FR Doc. 93–31468 Filed 12–23–93; 8:45 am]

BILLING CODE 6560–50–F

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40 CFR Parts 712 and 716

[OPPTS–82041; FRL–4644–1]

Preliminary Assessment Information and Health and Safety Data Reporting; Addition of Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Interagency Testing Committee (ITC) in its 31st Report to EPA revised the Toxic Substances Control Act (TSCA) section 4(e) Priority List by designating for testing 24 chemical substances and recommending two revised chemical categories from the 28th ITC report. There are no recommended with intent-to-designate chemicals. The ITC recommendations must be given priority consideration by EPA in promulgating test rules. EPA is adding the 24 chemical substances and two categories of chemical substances to two model information-gathering rules: The Toxic Substances Control Act (TSCA) Section 8(a) Preliminary Assessment Information Rule (PAIR) and the TSCA Section 8(d) Health and Safety Data Reporting Rule. These model rules will require manufacturers, importers, and processors of the specific substances and members of the categories to report production, use, exposure-related and unpublished health and safety data to EPA. Also, this rule amends a previous addition to the PAIR and 8(d) rule made in response to the ITC's addition of white phosphorus to the Testing Priority List (TPL) in their 29th Report. For white phosphorus, CAS No. 12185–10–3 will be added to both rules as an identifier.

DATES: This rule will become effective on January 26, 1994.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, TSCA Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. E–543, Washington, DC 20460, Telephone: (202) 554–1404, TDD: (202) 554–0551.

SUPPLEMENTARY INFORMATION: This rule adds 24 chemical substances and two categories of substances to both the PAIR and the section 8(d) Health and Safety Data Reporting Rule. Manufacturers, processors, and importers of these chemicals will be required to report unpublished health and safety data and/or end use, exposure, and production volume data to EPA. Because the ITC has expressed no need for ecological effects information for the 24 substances being added to the section 8(d) rule under the category designated "OSHA Chemicals in Need of Dermal Absorption Testing," EPA is exempting from ecological effects data reporting these substances under the section 8(d) rule.

I. Background

Section 4(e) of TSCA established the ITC and authorized it to recommend to EPA chemical substances and mixtures (chemicals) to be given priority consideration in proposing test rules under section 4. For some of these chemicals, the ITC may designate that EPA must respond to its recommendations within 12 months. In this time, EPA must either initiate a rulemaking to test the chemical or publish in the **Federal Register** its reasons for not doing so.

On January 28, 1993, EPA announced the receipt of the 31st Report from the ITC. It was then published by EPA on May 5, 1993 (58 FR 26898). The 31st Report revises the Committee's priority list of chemicals by designating 24 chemical substances and recommending two categories to the section 4(e) priority list (for a total of 37 chemical substances). For the chemicals listed under § 716.120(d) of the section 8(d) rule and falling within the category "OSHA Chemicals in Need of Dermal Absorption Testing" the reporting of ecological effects data will not be required. Because no member of the ITC has expressed a need for this data, the ITC feels there is no need to collect this information at this time. This rule adds 24 chemical substances and two categories of substances to both the PAIR and the section 8(d) Health and Safety Data Reporting Rule. These two rules are model information gathering rules which assist EPA in responding to the ITC recommendations.

EPA issued the PAIR under section 8(a) of TSCA (15 U.S.C. 2607(a)), and it is codified at 40 CFR part 712. This model section 8(a) rule establishes standard reporting requirements for manufacturers and importers of the chemicals listed in the rule at 40 CFR 712.30. These manufacturers and importers are required to submit a one-time report on general volume, end use, and exposure-related information using the Preliminary Assessment Information Manufacturer's Report (EPA Form 7710–35). EPA uses this model section 8(a) rule to gather current information on chemicals of concern quickly.

EPA issued the model Health and Safety Data Reporting Rule under section 8(d) of TSCA (15 U.S.C. 2607(d)), and it is codified at 40 CFR part 716. The section 8(d) model rule requires past, current, and prospective manufacturers, importers, and processors of listed chemicals to submit to EPA copies and lists of unpublished health and safety studies on the listed chemicals that they manufacture, import, or process. These studies provide EPA with useful information and have provided significant support for EPA's decision making under TSCA sections 4, 5, 6, 8, and 9. These model rules provide for the automatic addition of ITC priority list chemicals. Whenever

EPA announces the receipt of an ITC report, EPA may, at the same time without further notice and comment, amend the two model information-gathering rules by adding the recommended chemicals. The amendment adding these chemicals to the PAIR and the Health and Safety Data Reporting Rule becomes effective 30 days after publication.

II. Chemicals To Be Added

In its 31st Report to EPA, the ITC designated 24 chemical substances and recommended for priority consideration two categories of substances; there are no recommended with intent-to-designate chemicals. The 24 chemical substances are of regulatory interest to the Occupational Safety and Health Administration (OSHA) because of a lack of dermal absorption test data. These chemicals, listed in the category "OSHA Chemicals in Need of Dermal Absorption Testing," will be exempt from reporting ecological effects data under section 8(d). The two categories are propylene glycol ethers and esters and methyl ethylene glycol ethers and esters. These two categories were previously recommended in the 28th ITC Report (56 FR 41212, August 19, 1991) based on concerns raised by the National Institute of Occupational Safety and Health (NIOSH) with glycol ethers and esters that are metabolized in humans to known reproductive toxicants. The two categories were subsequently revised to reflect comments by ITC member agencies that not all of these chemicals are of concern as to their possible metabolism to known reproductive toxicants, and to reflect interest in learning about types and quantities of certain of these chemical substances that are likely to be used in consumer products, and possible exposures that may result from their consumer use. For a complete listing of the substances, see the regulatory text section of this document or the ITC's 31st Report published in the **Federal Register** of May 5, 1993 (58 FR 26898).

Additionally, in the 29th ITC report (56 FR 67424), the chemical substance white phosphorus (CAS No. 7723–14–0) was recommended for priority consideration. The ITC subsequently determined that another CAS number identifier (12185–10–3) also represented white phosphorus. To ensure that the ITC member agencies have adequate information so that reasoned testing decisions may be made, white phosphorus (CAS No. 12185–10–3) will be placed on both the PAIR and the section 8(d) rules.

III. Reporting Requirements

A. Preliminary Assessment Information Rule

All persons who manufactured or imported the chemical substances named in this rule during their latest complete corporate fiscal year must submit a Preliminary Assessment Information Manufacturer's Report (EPA Form No. 7710–35) for each manufacturing or importing site at which they manufactured or imported a named substance. A separate form must be completed for each substance and submitted to the Agency no later than March 28, 1994. Persons who have previously and voluntarily submitted a Manufacturer's Report to the ITC or EPA may be able to submit a copy of the original Report to EPA or to notify EPA by letter of their desire to have this voluntary submission accepted in lieu of a current data submission. See § 712.30(a)(3).

Details of the reporting requirements, the basis for exemptions, and a facsimile of the reporting form, are provided in 40 CFR part 712. Copies of the form are available from the TSCA Environmental Assistance Division at the address listed under **FOR FURTHER INFORMATION CONTACT**.

B. Health and Safety Data Reporting Rule

Listed below are the general reporting requirements of the section 8(d) model rule.

1. Persons who, in the 10 years preceding the date a substance is listed, either have proposed to manufacture, import, or process, or have manufactured, imported, or processed the listed substance must submit to EPA: A copy of each health and safety study which is in their possession at the time the substance is listed.

2. Persons who, at the time the substance is listed, propose to manufacture, import, or process, or are manufacturing, importing, or processing the listed substance must submit to EPA:

a. A copy of each health and safety study which is in their possession at the time the substance is listed.

b. A list of health and safety studies known to them but not in their possession at the time the substance is listed.

c. A list of health and safety studies that are ongoing at the time the substance is listed and are being conducted by or for them.

d. A list of each health and safety study that is initiated after the date the substance is listed and is conducted by or for them.

e. A copy of each health and safety study that was previously listed as ongoing or subsequently initiated and is now complete—regardless of completion date.

3. Persons who, after the time the substance is listed, propose to manufacture, import, or process the listed substance must submit to EPA:

a. A copy of each health and safety study which is in their possession at the time they propose to manufacture, import, or process the listed substance.

b. A list of health and safety studies known to them but not in their possession at the time they propose to manufacture, import, or process the listed substance.

c. A list of health and safety studies that are ongoing at the time they propose to manufacture, import, or process the listed substance, and are being conducted by or for them.

d. A list of each health and safety study that is initiated after the time they propose to manufacture, import, or process the listed substance, and is conducted by or for them.

e. A copy of each health and safety study that was previously listed as ongoing or subsequently initiated and is now complete—regardless of the completion date.

The bulk of reporting is required at the time the substance is listed. Persons described in categories 1 and 2 do all or most of their health and safety data reporting at the start of the reporting period. The remaining reporting requirements, specifically categories 2(d), 2(e), and 3, continue prospectively.

Detailed guidance for reporting unpublished health and safety data is provided in the **Federal Register** of September 15, 1986 (51 FR 32720). Also found there are explanations of the reporting exemptions.

C. Submission of PAIR Reports and Section 8(d) Studies

PAIR reports and section 8(d) health and safety studies must be sent to: TSCA Document Processing Center (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, ATTN: (insert either PAIR or 8(d) Reporting).

D. Removal of Chemical Substances from the Rules

Any person who believes that section 8(a) or 8(d) reporting required by this rule is unwarranted, should promptly submit to EPA in detail the reasons for that belief. EPA, in its discretion, may remove the substance from this rule for good cause (40 CFR 712.30 and 716.105). When withdrawing a substance from the rule, EPA will issue a rule amendment for publication in the **Federal Register.**

IV. Release of Aggregate Data

EPA will follow procedures for the release of aggregate statistics as prescribed in the **Federal Register** notice of June 13, 1983 (48 FR 27041). Included in the notice are procedures for requesting exemptions from the release of aggregate data. Exemption requests concerning the release of aggregate data on any chemical substance must be received by EPA no later than March 28, 1994.

V. Economic Analysis

A. Preliminary Assessment Information Rule

EPA estimates the PAIR reporting cost of this rule is $375,570. To calculate this figure, EPA used information from a variety of published sources as well as information from OPPTS's Risk Management 1 (RM1) reports on similar chemicals to generate a list of 156 firms that manufacture and/or import the 38 chemicals at a total of 234 sites. The published sources used include: SRI International's *Directory of Chemical Producers, Chemical Economics Handbook*, and *Specialty Chemicals*; other multiclient studies; the U.S. International Trade Commission's *Synthetic Organic Chemicals*; and company product literature. An unknown number of the businesses affected by the addition of the chemicals to the Priority List may quality as a small business as defined in 40 CFR 712.25(c). However, for this analysis it is assumed that all firms identified will report. Therefore, EPA expects 156 firms to generate a total of 234 reports (some sites produce more than one of the 38 chemicals).

Reporting costs (dollars)	
(a) 234 reports estimated at $843 per report	$197,262
(b) 234 sites at $762 per site	$178,308
Total cost	$375,570
Mean cost per site: $375,350/234 sites	$1,605
Mean cost per firm: $375,350/156 firms	$2,407
Reporting burden (hours)	
(a) Rule familiarization: 18 h/site X 234 sites	4,212 h
(b) Reporting: 16 h/report X 234 reports	3,744 h
Total burden hours	7,956 h
Average burden per site at 7,956 h/234 sites	34 h
Average burden per firm at 7,956 h/156 firms	51 h
EPA costs (dollars):	
Processing cost = 234 reports at $95/report	$22,230

B. Health and Safety Data Reporting Rule

EPA estimates the total reporting costs for establishing section 8(d) reporting requirements for 38 chemicals will be $163,906. This cost estimate is high because the Agency is uncertain about the likely number of respondents to the rule. Although EPA has used the best available data to make its economic projections, much of the information is based upon the 1986 TSCA Inventory Update and secondary information from industry sources. Therefore, EPA tends to overestimate rather than underestimate reporting burden. The estimated reporting costs are broken down as follows:

Initial corporate review	$ 48,635
Site identification	17,926
File searches at site	36,856
Photocopying existing studies	6,218
Title listing	1,868
Managerial review for CBI	36,216
Reporting on newly-initiated studies	784
Submission of newly-initiated studies	1,400
Submissions after initial reporting period	14,003
Total	$163,906
Reporting burden (hours)	
Initial review: 2 h/firm X 468 firms	936 h
(b) Reporting: 6.2 h/firm X 468 firms	2,902 h
Total reporting burden hours	3,838 h

VI. Rulemaking Record

The following documents constitute the record for this rule (docket control number OPPTS–82041). A public version of the record, without any CBI, is available in the TSCA Nonconfidential Information Center (NCIC), also known as, TSCA Public Docket Office, from 12 noon to 4 p.m., Monday through Friday, except legal holidays. NCIC is located in Rm. E–G102, 401 M St., SW., Washington, DC 20460.

1. This final rule.
2. The economic analysis for this rule.
3. The 31st Report of the ITC.

VII. Regulatory Assessment Requirements

A. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a Regulatory Impact Analysis. This rule is not major because it will not result in an effect on the economy of $100 million or more, an increase in costs or prices, or any of the adverse effects described in the Executive Order.

This amendment was not submitted to the Office of Management and Budget (OMB) for review, because the automatic listing of substances recommended by the ITC is provided for in 40 CFR 712.30(c) and 716.105(b).

B. Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by OMB under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB control numbers 2070–0054 for PAIR reporting and 2070–0004 for TSCA section 8(d) reporting.

Public reporting burden for this collection of information is estimated to average 34 hours for PAIR per response and 8.2 hours for section 8(d), including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, (2131), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA."

List of Subjects in 40 CFR Parts 712 and 716

Environmental protection, Chemicals, Hazardous substances, Health and safety data, Recordkeeping and reporting requirements.

Dated: November 16, 1993.

Charles M. Auer,

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

Therefore, 40 CFR Chapter I is amended as follows:

PART 712—[AMENDED]

1. In part 712:

a. The authority citation for part 712 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. Section 712.30 is amended by adding in CAS number sequence one substance to the list in paragraph (w) and adding three categories alphabetically in paragraph (x) to read as follows:

§ 712.30 Chemical lists and reporting periods.

* * * * *

(w) * * *

CAS No.	Substance	Effective date	Reporting date
	* * * * * * *		
12185–10–3	White phosphorus	1/26/94	3/28/94
	* * * * * * *		

(x) * * *

CAS No.	Substance	Effective date	Reporting date
	* * * * * * *		
Methyl ethylene glycol ethers and esters:			
3121-61-7	Ethylene glycol monomethyl ether acrylate	1/26/94	3/28/94
23783-42-8	Tetraethylene glycol monomethyl ether	1/26/94	3/28/94
OSHA Chemicals in Need of Dermal Absorption Testing:			
60–29–7	Ethyl ether	1/26/94	3/28/94
75–65–0	*tert*-Butyl alcohol	1/26/94	3/28/94
76–22–2	Camphor	1/26/94	3/28/94
78–92–2	*sec*-Butyl alcohol	1/26/94	3/28/94
79–20–9	Methyl acetate	1/26/94	3/28/94
97–77–8	Disulfiram	1/26/94	3/28/94
100–25–4	*p*-Dinitrobenzene	1/26/94	3/28/94
105–46–4	*sec*-Butyl acetate	1/26/94	3/28/94
106–42–3	*p*-Xylene	1/26/94	3/28/94
107–31–3	Methyl formate	1/26/94	3/28/94

CAS No.	Substance	Effective date	Reporting date
107–66–4	Dibutyl phosphate	1/26/94	3/28/94
108–03–2	1-Nitropropane	1/26/94	3/28/94
108–87–2	Methylcyclohexane	1/26/94	3/28/94
109–66–0	Pentane	1/26/94	3/28/94
110–83–8	Cyclohexene	1/26/94	3/28/94
111–84–2	Nonane	1/26/94	3/28/94
123–92–2	Isoamyl acetate	1/26/94	3/28/94
142–82–5	Heptane (*n*-Heptane)	1/26/94	3/28/94
287–92–3	Cyclopentane	1/26/94	3/28/94
532–27–4	*a*-Chloroacetophenone	1/26/94	3/28/94
540–88–5	*tert*-Butyl acetate	1/26/94	3/28/94
628–63–7	*n*-Amyl acetate	1/26/94	3/28/94
7631–90–5	Sodium bisulfite	1/26/94	3/28/94
7681–57–4	Sodium metabisulfite	1/26/94	3/28/94
Propylene glycol ethers and esters:			
108–65–6	Propylene glycol monomethyl ether acetate	1/26/94	3/28/94
110–98–5	Dipropylene glycol	1/26/94	3/28/94
770–35–4	1-Phenoxy-2-propanol	1/26/94	3/28/94
20324–32–7	1–(2-Methoxy-1-methylethoxy)-2-propanol	1/26/94	3/28/94
20324–33–8	Tripropylene glycol methyl ether	1/26/94	3/28/94
28677–93–2	Methoxy-1-propanol	1/26/94	3/28/94
29387–86–8	Propylene glycol monobutyl ether	1/26/94	3/28/94
29911–28–2	Dipropylene glycol butyl ether	1/26/94	3/28/94
42978–66–5	Tripropylene glycol diacrylate	1/26/94	3/28/94
57018–52–7	Propylene glycol mono-*tert*-butyl ether	1/26/94	3/28/94
88917–22–0	Dipropylene glycol monomethyl ether acetate	1/26/94	3/28/94
	* * * * * * *		

PART 716–[AMENDED]

2. In part 716:

a. The authority citation for part 716 continues to read as follows:

Authority: 15 U.S.C. 2607(d).

b. Section 716.20 is amended by adding paragraph (b)(3) to read as follows:

§716.20 Studies not subject to the reporting requirements.

* * * * *

(b) * * *

(3) For the listed chemicals under §716.120(d) in the category "OSHA Chemicals in Need of Dermal Absorption Testing," studies on ecological effects.

c. Section 716.120 is amended by adding, in CAS number sequence, one substance to the list in paragraph (a), and adding three categories alphabetically to paragraph (d) to read as follows:

§716.120 Substances and listed mixtures to which this subpart applies.

* * * * *

(a) * * *

CAS No.	Substance	Special exemptions	Effective date	Sunset date
	* * * * * * *			
12185–10–3	White phosphorus		1/26/94	1/26/04
	* * * * * * *			

(d) * * *

Category	CAS No.	Special exemptions	Effective date	Sunset date
* * * * * * *				
Methyl ethylene glycol ethers and esters:				
Ethylene glycol monomethy ether acrylate	3121–61–7	....	1/26/94	1/26/04
Tetraethylene glycol monomethyl ether	23783–42–8	....	1/26/94	1/26/04

Category	CAS No.	Special exemptions	Effective date	Sunset date
OSHA Chemicals in Need of Dermal Absorption Testing:				
n-Amyl acetate	628–63–7	§ 716.20(b)(3) applies.	1/26/94	1/26/04
sec-Butyl acetate	105–46–4	§ 716.20(b)(3) applies.	1/26/94	1/26/04
tert-Butyl acetate	540–88–5	§ 716.20(b)(3) applies.	1/26/94	1/26/04
sec-Butyl alcohol	78–92–2	§ 716.20(b)(3) applies.	1/26/94	1/26/04
tert-Butyl alcohol	75–65–0	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Camphor	76–22–2	§ 716.20(b)(3) applies.	1/26/94	1/26/04
a-Chloroacetophenone	532–27–4	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Cyclohexene	110–83–8	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Cyclopentane	287–92–3	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Dibutyl phosphate	107–66–4	§ 716.20(b)(3) applies.	1/26/94	1/26/04
p-Dinitrobenzene	100–25–4	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Disulfiram	97–77–8	§ 716.20(b)(3) applies.	1/26/94	1/26/94
Ethyl ether	60–29–7	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Heptane (*n*-Heptane)	142–82–5	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Isoamyl acetate	123–92–2	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Methyl acetate	79–20–9	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Methylcyclohexane	108–87–2	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Methyl formate	107–31–3	§ 716.20(b)(3) applies.	1/26/94	1/26/04
1-Nitropropane	108–03–2	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Nonane	111–84–2	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Pentane	109–66–0	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Sodium bisulfite	7631–90–5	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Sodium metabisulfite	7681–57–4	§ 716.20(b)(3) applies.	1/26/94	1/26/04
p-Xylene	106–42–3	§ 716.20(b)(3) applies.	1/26/94	1/26/04
Propylene glycol ethers and esters:				
Dipropylene glycol	110–98–5		1/26/94	1/26/04
Dipropylene glycol butyl ether	29911–28–2		1/26/94	1/26/04
Dipropylene glycol monomethyl ether acetate	88917–22–0		1/26/94	1/26/04
1-(2-Methoxy-1-methylethoxy)-2-propanol	20324–32–7		1/26/94	1/26/04
Methoxy-1-propanol	28677–93–2		1/26/94	1/26/04
1-Phenoxy-2-propanol	770–35–4		1/26/94	1/26/04
Propylene glycol monobutyl ether	29387–86–8		1/26/94	1/26/04
Propylene glycol monomethyl ether acetate	108–65–6		1/26/94	1/26/04
Propylene glycol mono-*tert*-butyl ether	57018–52–7		1/26/94	1/26/04
Tripropylene glycol diacrylate	42978–66–5		1/26/94	1/26/04
Tripropylene glycol methyl ether	20324–33–8		1/26/94	1/26/04

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[FR Doc. 93-31268 Filed 12-23-93; 8:45 am]

BILLING CODE 6560-50-F

40 CFR Parts 712 and 716

[OPPTS-82037; FRL-4008-4]

Preliminary Assessment Information and Health and Safety Data Reporting; Addition of Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Interagency Testing Committee, in its 28th Report to EPA, revised the Toxic Substances Control Act (TSCA) Section 4(e) Testing Priority List (TPL) by designating for testing 6 substances, and recommending for testing 3 substances and 11 categories of chemical substances. Subsequently, for reasons stated in its 31st and 32nd Reports to EPA (issued in January and April of 1993, respectively), the ITC amended the set of substances and chemical groups added to the TPL via the 28th Report, leaving as 28th List additions two chemical substances (thiophenol and acetone) and one chemical category (cyanoacrylates). In support of ITC activities and/or EPA follow-up in response to the ITC additions, EPA generally collects data on ITC listed substances via two model information gathering rules: The TSCA section 8(a) Preliminary Assessment Information Rule (PAIR) and the TSCA section 8(d) Health and Safety Data Reporting Rule. Because of commitments by industry to develop certain data on acetone, EPA is at this time adding only thiophenol (CAS No. 108-95-5) and certain members of the chemical category cyanoacrylates to these two model information gathering rules. Additionally, EPA is adding ethylene bis(5,6-dibromonorbornane-2,3-dicarboximide) (CAS No. 52907-07-0) to the PAIR and section 8(d) rule. This chemical substance, added to the TPL via the 25th ITC Report, was previously added to the PAIR and section 8(d) rule under CAS No. 41291-34-5. The CAS number 52907-07-0 has replaced CAS number 41291-34-3 on the TSCA Inventory of Chemical Substances. This action requires manufacturers, importers, and processors of the specific substances and chemical categories members to report unpublished health and safety data, and manufacturers and importers to report production, use and exposure-related data to EPA. Finally, this rule makes certain technical corrections to previous chemical substance listings under the PAIR and section 8(d) rules.

DATES: This rule will become effective on January 26, 1994.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, TSCA Environmental Assistance Division (7408), Office of Prevention, Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW., Rm. E-543, Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

SUPPLEMENTARY INFORMATION: This rule adds two chemical substances and one category of substances to the PAIR and to the section 8(d) Health and Safety Data Reporting Rule. Manufacturers, processors, and importers of these chemicals will be required to report unpublished health and safety data, and manufacturers and importers will be required to report end use, exposure, and production volume data to EPA.

This rule also corrects four typographical errors in final section 8(a) and/or 8(d) rules published in the **Federal Registers** of June 5, 1990 (55 FR 23052), and August 29, 1991 (56 FR 42692). In 55 FR 23052, the CAS number for 2-propenoic acid, (1-methylethylidene)bis(2,6-dibromo-4,1-phenylene) ester was incorrectly listed as 55205-38-7 in §§ 712.30(x) and 716.120(d); it should read 55205-38-4. In 56 FR 42692, the CAS number for benzeneacetaldehyde, 4-methyl- was incorrectly listed as 99-72-9 in §§ 712.30(x) and 716.120(d); it should read 104-09-6; ethanol, 2-(2-ethoxyethoxy)-, acetate (CAS No. 112-15-2) was incorrectly listed as carbinol acetate in §§ 712.30(x) and 716.120(d); and 3-sulfolene (CAS No. 77-79-2) was incorrectly listed as sulfolene in §§ 712.30(x) and 716.120(d).

I. Background

Section 4(e) of TSCA established the ITC and authorized it to recommend to EPA chemical substances and mixtures (chemicals) to be given priority consideration in proposing test rules under section 4. For some of these chemicals, the ITC may designate that EPA must respond to its recommendations within 12 months. In this time, EPA must either initiate a rulemaking to test the chemical or publish in the **Federal Register** its reasons for not doing so.

On June 6, 1991, EPA announced the receipt of the 28th Report from the ITC. It was then published by EPA on August 19, 1991 (56 FR 41212). The 28th ITC Report was later revised by the ITC via their 31st Report (received by EPA January 28, 1993, published in the **Federal Register** May 5, 1993 (58 FR 26898)) and their 32nd Report (received by EPA June 2, 1993, published in the **Federal Register** July 16, 1993 (58 FR 38490)). In their 31st Report, the ITC revised two chemical groups added to the TPL in their 28th Report. These revised chemical groups, propylene glycol ethers and esters and methyl ethylene glycol ethers and esters, are now being considered by the ITC as added to the TPL in their 31st Report. EPA has issued section 8 rules on chemicals included in the 31st ITC Report in a notice published elsewhere in today's issue of the **Federal Register**.

In their 32nd Report, the ITC removed from the TPL four chemicals added in the 28th Report because certain members of the chemical industry have committed to develop dossiers and necessary test data under the Screening Information Data Set (SIDS) program of the Organization for Economic Cooperation and Development (OECD). The SIDS program is a consensus testing regimen developed for screening high production chemicals and is accepted by all OECD member nations. The four chemicals are: *n*-Butanol (CAS No. 71-36-3), isobutanol (CAS No. 78-83-1), dimethyl terephthalate (CAS No. 120-61-6), and di(2-ethylhexyl)adipate (CAS No. 103-23-1). Because of the ITC's removal of these substances from the TPL, and because of commitments by industry to develop data on acetone, EPA is adding only thiophenol to the PAIR and section 8(d) rules from the group of substances originally added to the TPL via the 28th Report of the ITC.

Additionally, the 32nd ITC Report acted to amend the 28th ITC Report by removing two chemicals and eight chemical categories. In summary, these substances and categories were removed because of competing priorities within the ITC; however, the ITC plans to continue evaluating them on a chemical-by-chemical basis to assess possible concerns of ITC-member agencies, and may be included in later reports of the ITC. The two chemicals are allyl alcohol (CAS No. 107-18-6) and 2,4-dichlorophenol (CAS No. 120-83-2); the eight chemical categories are: Alkynes, nitroalcohols, phosphoniums, hydrazines, oxiranes, alkoxysilanes, aldehyde hydrates, and isothiocyanates. As a result of their removal from the TPL, EPA is not at this time collecting section 8 data for these substances.

Finally, this rule adds to the section 8(a) and section 8(d) rules an additional CAS number to a previously listed substance. The 25th ITC Report PAIR and section 8(d) rule published in the **Federal Register** of December 12, 1989 (54 FR 51131), included the chemical substance ethylene bis(5,6-dibromonorbornane-2,3-dicarboximide),