

pp. 210-215, 14th Edition pp. 144-147; or Inductively Coupled Plasma Method, "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis of Water and Wastes—Method 200.7," available from EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268.

(6) Manganese—Atomic Absorption Method, "Methods for Chemical Analysis of Water and Wastes," pp. 116-117 EPA, Office of Technology Transfer, Washington, DC 20460, 1974, or "Standard Methods for the Examination of Water and Wastewater," 13th Edition, pp. 210-215, 14th Edition, pp. 144-147; or Inductively Coupled Plasma Method, "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis of Water and Wastes—Method 200.7," available from EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268.

(11) Zinc—Atomic Absorption Method, "Methods for Chemical Analysis of Water and Wastes," pp. 155-156, EPA Office of Technology Transfer, Washington, DC 20460, 1974, or "Standard Methods for the Examination of Water and Wastewater," 13th Edition, pp. 210-215, 14th Edition, pp. 144-147; or Inductively Coupled Plasma Method, "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis of Water and Wastes—Method 200.7," available from EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268.
[FR Doc. 86-22410 Filed 10-22-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 766

[OPTS-83002B; FRL-2916-4]

Testing and Reporting Requirements for Polyhalogenated Dibenzo-p-Dioxins/Dibenzofurans; Addition of Chlorinated and Brominated Benzenes to List of Precursor Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Amendment to proposed rule.

SUMMARY: This document amends portions of EPA's proposed rule, published in the Federal Register of December 19, 1985 (50 FR 51794), by adding 18 chlorinated and brominated benzene chemicals to the list of 12 precursor chemicals in that proposal, issued under sections 4 and 8 of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2603. In this proposed rule,

EPA seeks additional public comment on the need to report on these 18 chlorinated and brominated benzene chemicals under section 8(a) of TSCA. The proposed rule would require, among other things, reporting on possible dioxin/furan contamination by manufacturers of certain chemicals. EPA also seeks comment on whether manufacturers of chemicals made from precursor chemicals should also be required to submit existing test data showing that the chemicals have been tested for the presence and levels of dioxins or furans.

DATE: Submit written comments on or before November 24, 1986. If persons request time for oral comment by November 7, 1986, EPA will hold a public meeting on December 8, 1986 on this amendment in Washington, DC. For further information on arranging to speak at the meeting, contact the TSCA Assistance Office.

ADDRESS: Since some comments are expected to contain confidential business information (CBI), all comments should be sent in triplicate to: Document Control Officer (TS-790), Office of Toxic Substances, Environmental Protection Agency, Rm. NE-G004, 401 M St., SW., Washington, DC 20460.

Comments should include the docket number OPTS-83002B. Non-CBI comments received on this Notice will be available for reviewing and copying from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays, in Rm. C-004, at the above address.

FOR FURTHER INFORMATION CONTACT: Edward A. Klein, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M St. SW., Washington, DC 20460, (202-554-1404).

SUPPLEMENTARY INFORMATION:

I. Background

On December 19, 1985, EPA proposed under section 4 of TSCA to require manufacturers and importers of 14 commercial organic chemicals to test for the presence of certain chlorinated and brominated dioxins and furans, and to require testing for 20 other organic chemicals not currently manufactured or imported commercially in the United States, if their manufacture or importation should resume. This rule also proposed several reporting requirements under section 8(a), (c), and (d) of TSCA. The reader is referred to the Federal Register of December 19, 1985 (50 FR 51794) for a detailed discussion of these proposed testing and reporting requirements.

Among the reporting requirements proposed under section 8(a) was a requirement that chemical manufacturers submit data on production volume, manufacturing process, reaction conditions, exposure, use, and disposal of end products resulting from the use of any of the 12 precursor chemicals (used as feedstocks or intermediates) listed under § 706.23(a) of the proposed rule. EPA requested these data on the precursor chemicals because these substances can, during further processing and under certain reaction conditions, lead to the formation of dioxins and furans in other chemicals, even though the precursor chemicals are not themselves contaminated.

The 18 chlorinated and brominated benzenes listed in this proposed rule were listed by EPA in Reference 37 of the record (opts-83002) for the proposed rulemaking cited above, and were originally considered for testing by EPA on the basis of their potential for dioxin/furan contamination. At the time of publication of the proposed rule, however, EPA did not believe that the reaction and processing conditions typically employed in the manufacture of commercial organic chemicals which used these chlorinated or brominated benzenes as precursors would result in the potential for dioxin/furan formation. Comments received in response to the proposed rule, however, have indicated several pathways by which the chlorinated and brominated benzenes may produce dioxins and furans. For example, chlorinated benzenes which are subjected to reaction temperatures of 600°C in the presence of oxygen yield both chlorinated dioxins and chlorinated dibenzofurans. Similarly, chlorinated benzenes heated and mixed with alkaline products produce chlorinated dibenzofurans. Chlorinated benzenes can also react with ortho-chlorophenols to produce chlorinated phenyl ethers, which when heated without oxygen have been shown to produce chlorinated dibenzofurans. Brominated benzenes are expected to react similarly to chlorinated benzenes to produce brominated dioxins and dibenzofurans.

EPA requires further information on the exact circumstances under which these chemicals are processed and the reaction conditions to which they are subject during the production of other chemicals. Therefore, EPA is proposing to amend the proposed rule by adding the following 18 chlorinated and brominated benzenes to the list of precursor chemicals subject to section

8(a) reporting requirements of this proposed rule:

CAS No. and chemical name

82-68-8	Pentachloronitrobenzene
85-22-3	Pentabromoethylbenzene
86-61-2	1,4-Dichloro-2-nitrobenzene
87-61-6	1,2,3-Trichlorobenzene
89-69-0	2,4,5-Trichloronitrobenzene
95-50-1	o-Dichlorobenzene
95-94-3	1,2,4,5-Tetrachlorobenzene
99-54-7	1,2-Dichloro-4-nitrobenzene
106-37-6	Dibromobenzene
106-46-7	p-Dichlorobenzene
108-70-3	1,3,5-Trichlorobenzene
108-86-1	Bromobenzene
108-97-7	Chlorobenzene
117-18-6	1,2,4,5-Tetrachloro-3-nitrobenzene
120-82-1	1,2,4-Trichlorobenzene
348-51-6	o-Chlorofluorobenzene
350-30-1	3-Chloro-4-fluoronitrobenzene
626-39-1	Tribromobenzene

EPA will review production, use, exposure, and disposal data to complete a comprehensive overview of uses, exposures, risks and benefits of chemicals made from these precursor chemicals to determine whether a significant risk from exposure to chemicals produced using these precursor chemicals may exist, and whether chemical products made from these precursor chemicals should be proposed for testing.

EPA also seeks comment on whether manufacturers of chemicals made from chlorinated or brominated benzene precursor chemicals should also be required to submit existing test data showing that the chemicals have been tested for the presence and levels of dioxins/furans. Submission of such data, in addition to providing EPA with information on existing levels of dioxin/furan contamination, may benefit the manufacturer. Under the proposed rule, EPA will review the production, use, exposure, and disposal data submitted for chemicals manufactured from these precursor chemicals. Should these data show that there is a minimal or nonexistent likelihood for dioxin/furan formation, or existing test data are submitted that show that the chemicals made from these precursor chemicals have been tested for the presence of dioxins and furans below the limits of quantification (LOQ), and are found to be free of dioxin/furan contamination at the lowest specified LOQ, EPA may exempt the manufacturer from any further testing under section 4 of TSCA.

II. Other Regulatory 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: EPA has previously performed

the required analysis for this proposed rule, and has determined that this proposed regulation is not "Major". The impact of the cost of reporting for the 18 chlorinated and brominated benzene precursor chemicals listed in this amendment to the proposed rule will not change this determination. Reporting costs for each product made from the precursor chemicals listed in this proposed rule will range from \$1,607 to \$3,214 per chemical, depending on the complexity of process and use data needed to complete the Dioxins/Furans Report Form (EPA 7910-51) specified in the proposed rule. This additional cost of reporting is not expected to have an impact on any firm's decision to manufacture or import the chemical reported on. Further, no significant adverse effects are expected on competition, employment, investment, productivity, or innovation or on the ability of United States-based enterprises to compete with foreign-based enterprises. This amendment to the proposed rule was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (15 U.S.C. 601 et seq., Pub. L. 96-354), EPA is certifying that the addition of the 18 chlorinated and brominated benzenes to the list of precursor chemicals included in this rule, if promulgated, will not have a significant impact on a substantial number of small businesses, because small chemical manufacturers and importers have been exempted from this reporting requirement. The reader is referred to Unit XI.B of EPA's proposed rule (50 FR 51810) for a detailed description of small businesses.

C. Paperwork Reduction Act

OMB has approved the information collection requirements contained in the proposed rule under the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq., and has assigned OMB control number 2070-0420 for submission of information under section 8(a). Comments on this amendment to the proposed rule should be submitted to the Office of Information and Regulatory Affairs: OMB, 276 Jackson Place NW.; Washington, DC 20503 marked "Attention: Desk Officer for EPA." The final rule will respond to any OMB or public comments received in response to this amendment to the proposed rule.

List of Subjects in 40 CFR Part 766

Dioxins/furans, Environmental protection, Hazardous substance,

Reporting and recordkeeping requirements, Testing.

Dated: October 15, 1986.

Victor J. Kimm,

Acting Assistant Administrator for Pesticides and Toxic Substances.

PART 766—[AMENDED]

Therefore, it is proposed that proposed 40 CFR Part 766 be amended as follows:

1. The authority for proposed Part 766 continues to read as follows:

Authority: 15 U.S.C. 2607.

2. In § 766.23(a), by amending the list of chemicals by inserting, in numerical order, 18 chemicals to read as follows:

§ 766.23 Reporting on precursor chemicals

(a) * * *

CAS No. and chemical name

82-68-8	Pentachloronitrobenzene
85-22-3	Pentabromoethylbenzene
86-61-2	1,4-Dichloro-2-nitrobenzene
87-61-6	1,2,3-Trichlorobenzene
89-69-0	2,4,5-Trichloronitrobenzene
* * *	* * *
95-50-1	o-Dichlorobenzene
* * *	* * *
95-94-3	1,2,4,5-Tetrachlorobenzene
* * *	* * *
99-54-7	1,2-Dichloro-4-nitrobenzene
106-37-6	Dibromobenzene
106-46-7	p-Dichlorobenzene
108-70-3	1,3,5-Trichlorobenzene
108-86-1	Bromobenzene
108-97-7	Chlorobenzene
117-18-6	1,2,4,5-Tetrachloro-3-nitrobenzene
120-82-1	1,2,4-Trichlorobenzene
348-51-6	o-Chlorofluorobenzene
350-30-1	3-Chloro-4-fluoronitrobenzene
* * *	* * *
626-39-1	Tribromobenzene
* * *	* * *

[FR Doc. 86-23998 Filed 10-22-86; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California; Availability of Amendment to Management Plan

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan and request for comments.