

40 CFR Parts 795, 798, and 799**[OPTS-42115A; FRL 3795-7]****Brominated Flame Retardants (group I): Proposed Rule; Extension of Public Comment Period****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed Rule: Notice of public meeting and extension of comment period.**SUMMARY:** EPA is extending the written comment period for the brominated flame retardants (group I) proposed rule published in the *Federal Register* on June 25, 1991. EPA is also announcing a public meeting to discuss the proposed rule to be held on November 20, 1991. EPA is extending the comment period at the request of the Chemical Manufacturers Association Brominated Flame Retardant Industry Panel which indicated generally that gathering and compiling data required more time.**DATES:** Written comments should be submitted on or before October 10, 1991. A public meeting will be held on November 20, 1991, from 9:30 a.m. to 11:30 a.m. For further information on arranging to speak at the meeting see the section of this notice entitled "Public Meeting".**ADDRESSES:** Submit written comments in triplicate, identified by the document control number OPTS-42115A, to: TSCA Public Information Office (TS-793), Office of Toxic Substances, Environmental Protection Agency, rm. NE G004, 401 M St., SW., Washington, DC 20460. The Public record supporting this action is available for public inspection and copying at the TSCA Public Information Office, in rm. NE G004, at the address given, from 8 a.m. to 12 noon, and 1 p.m. to 4 p.m. Monday through Friday, except legal holidays.

Information submitted on any comment concerning this proposed rule may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A

copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be disclosed publicly by EPA by placing it in the public record without prior notice to the submitter. The meeting will be held at EPA headquarters, 401 M St., SW., Washington, DC, 20460, room 101, Northeast Mall.

FOR FURTHER INFORMATION CONTACT: David Kling, Acting Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, rm. E-543B, 401 M St., SW., Washington, DC 20460. (202-554-1404), TDD: (202-554-0551).

SUPPLEMENTARY INFORMATION: EPA is extending the comment period and announcing a public meeting on the proposed brominated flame retardant test rules.

I. Extension of Comment Period

In the Federal Register published on June 28, 1991, (56 FR 29140), EPA proposed health and environmental effects and chemical fate testing for brominated flame retardants (group I) under section 4 of the Toxic Substance Control Act (TSCA). Testing was proposed because EPA has concluded that activities involving these BFRs may pose an unreasonable risk of injury to human health or the environment as suggested by certain preliminary data; existing data are inadequate to assess the risks to human health and the environment posed by exposure to these substances; and testing of each of the five BFRs is necessary to develop such data. The Chemical Manufacturers Association (CMA) Brominated Flame Retardant Industry Panel (BFRIP) requested a 90-day extension of the comment period. BFRIP cited several reasons for the extension including: (1) The extensiveness of the proposed testing; (2) the addition of three new or modified test guidelines, and two tests incorporated by reference; (3) the necessity of consulting with representatives of other companies within CMA and outside experts to adequately address the impact of this testing; (4) EPA's having recently proposed another rule, under 40 CFR part 766, that involves many of these same BFRs, and requires the attention of many of the same people who should also comment on this proposed rule; and (5) BFRIP's anticipation that compiling and coordinating all of the anticipated comments will require more time.

EPA considers BFRIP's request for an extension of the comment period reasonable for the reasons set forth in their request but believes a 90-day

extension is unwarranted and would unreasonably delay final rulemaking for these chemicals. Therefore, EPA is extending the comment period for 45 days for the test rule brominated flame retardants (group I), until October 10, 1991.

II. Public Meeting

A public meeting will be held on November 20, 1991, at EPA Headquarters 401 M St., SW., Washington, DC, 20460, rm. 101 Northeast Mall, from 9:30 a.m. to 11:30 am to discuss the BFR's (group I) proposed rule. Persons who wish to attend or present comments at the meeting should call Mary Louise Hewlett (202) 260-8162 by November 7, 1991. While the meeting will be open to the public, active participation will be limited to those persons who arranged to present comments and to designated EPA participants.

Participants are requested to submit copies of their statements by the meeting date. These statements and a transcript of the meeting will become part of EPA's record for the rulemaking.

III. Rulemaking Record

EPA has established a record for this rulemaking, (docket number OPTS-42115A). This record contains the proposed rule published in the Federal Register on June 25, 1991. The information on which this extension of the comment period is based is listed below and has also been added to the record for this rulemaking:

CMA. Letter from Gordon D. Strickland, Chemical Manufacturers Association, to Linda J. Fisher, U.S. Environmental Protection Agency. Re: Proposed TSCA Section 4 Test Rule For Brominated Flame Retardants (Group I) — Docket No. OPTS-42115. July 30, 1991.

List of Subjects in 40 CFR Parts 785, 796, and 799

Chemicals, Chemical export, Chemical fate, Environmental effects, Environmental protection, Hazardous substances, Health effects, Laboratories, Reporting and recordkeeping requirements, Testing, Incorporation by reference.

Authority: 15 U.S.C. 2603.

Dated: August 22, 1991.

Joseph S. Carra,

Acting Director, Office of Toxic Substance.

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