

Dated: July 30, 1998.
Winston A. Smith,
Acting Regional Administrator, Region 4.
 [FR Doc. 98-33482 Filed 12-17-98; 8:45 am]
 BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 745

[OPPTS-62156E; FRL-6048-3]

RIN 2070-AC63

Lead; Identification of Dangerous Levels of Lead; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; correction.

SUMMARY: EPA is making corrections to a proposed rule that would provide guidelines for managing lead in paint, dust, and soil in residences and child-occupied facilities. The proposed rule was issued under section 403 of the Toxic Substances Control Act (TSCA). The corrections address typographical errors and other drafting errors.

DATES: Written comments on the proposed rule remain due on or before December 31, 1998.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III. of this document.

FOR FURTHER INFORMATION CONTACT: For general information contact: National Lead Information Center's Clearinghouse, 1-800-424-LEAD (5323). For technical and policy questions contact: Jonathan Jacobson, Telephone: 202-260-3779, e-mail: jacobson.jonathan@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does This Notice Apply To Me?

The following table identifies the entities that would be involved in the implementation of regulations that would be affected by today's proposal and the effect of the proposal on implementation of those regulations.

Category	Examples of Entities	Effect of Proposal
Lead abatement professionals	Workers, supervisors, inspectors, risk assessors, and project designers engaged in lead-based paint activities	Provides standards that risk assessors would use to identify hazards and evaluate clearance tests; helps determine when certified professionals would be required to perform abatements
Training providers	Firms providing training services in lead-based paint activities	Provides standards that training providers would have to teach in their courses
HUD and other Federal agencies that own residential property		Proposed standards identify hazards that Federal agencies would have to abate in pre-1960 housing prior to sale
Property owners that receive assistance through Federal housing programs	State and city public housing authorities, owners of multifamily rental properties that receive project-based assistance, owners of rental properties that lease units under HUD's tenant-based assistance program	Proposed standards identify hazards that property owners would have to abate or reduce as specified by regulations currently being developed by HUD under authority of Title X, section 1012
Property owners	Owner occupants, rental property owners, public housing authorities, Federal agencies	Proposed standards identify hazards that would have to be disclosed under EPA/HUD joint regulations promulgated under Title X, section 1018

This table is not intended to be exhaustive, but rather provides a guide for readers likely to be affected by this action through implementation of the elements of the programs discussed in this notice. To determine whether you, your business, or your agency is affected, you should carefully examine the Requirements for Lead-Based Paint Activities at 40 CFR part 745, subpart L and subpart Q and Lead-Based Paint Disclosure at 40 CFR part 745, subpart F and 24 CFR part 35, subpart H. The regulations covering evaluation and control of lead-based paint hazards in HUD-associated and Federally-owned housing are currently under development. Proposed regulations were published in the **Federal Register** on June 7, 1996 (61 FR 29169). If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the "FOR FURTHER INFORMATION CONTACT" section.

II. How Can I Get Additional Information or Copies of This Document or Other Documents?

A. Electronic Availability

Electronic copies of this document are available from the EPA Home Page at the **Federal Register** - Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/>).

B. In Person or By Phone

If you have any questions or need additional information about this action, you may contact the technical person identified in the "FOR FURTHER INFORMATION CONTACT" section. In addition, the official record for this proposed rule, including the public version, has been established for this proposed rule under docket control number OPPTS-62156E (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of any electronic comments, which does not include any information claimed as Confidential

Business Information (CBI), is available for inspection in the TSCA Nonconfidential Information Center, Rm. NE-B607, Waterside Mall, 401 M St., SW., Washington, DC, from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The TSCA Nonconfidential Information Center telephone number is 202-260-7099.

III. How and To Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. Be sure to identify the appropriate docket control number, OPPTS-62156E, in your correspondence.

1. *By mail.* Submit written comments to: Document Control Office (7407), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 401 M St., SW., Rm. G-099, East Tower, Washington, DC 20460.

2. *In person or by courier.* Deliver written comments to: Document Control Office in Rm. G-099, East Tower, Waterside Mall, 401 M St., SW.,

Washington, DC, Telephone: 202-260-7093.

3. **Electronically.** Submit your comments and/or data electronically by e-mail to: oppt.ncic@epa.gov. Please note that you should not submit any information electronically that you consider to be CBI. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comment and data will also be accepted on disks in WordPerfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number OPPTS-62156E. Electronic comments on this proposed rule may also be filed online at many Federal Depository Libraries.

IV. How Should I Handle CBI Information That I Want To Submit To the Agency?

You may claim information that you submit in response to this document as CBI by marking any part or all of that information as 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 included in the public docket by EPA without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult with the technical person identified in the "FOR FURTHER INFORMATION CONTACT" section.

V. What Should I Consider As I Prepare My Comments for EPA?

We invite you to provide your views on the various options we propose, new approaches we haven't considered, the potential impacts of the various options (including possible unintended consequences), and any data or information that you would like the Agency to consider during the development of the final action. You may find the following suggestions helpful for preparing your comments:

- Explain your views as clearly as possible.
- Describe any assumptions that you used.
- Provide solid technical information and/or data to support your views.
- If you estimate potential burden or costs, explain how you arrived at the estimate.
- Tell us what you support, as well as what you disagree with.
- Provide specific examples to illustrate your concerns.
- Offer alternative ways to improve the rule or collection activity.

• Make sure to submit your comments by the deadline in this notice.

• At the beginning of your comments (e.g., as part of the "Subject" heading), be sure to properly identify the document you are commenting on. You can do this by providing the docket control number assigned to the document, along with the name, date, and **Federal Register** citation, or by using the appropriate EPA or OMB ICR number.

VI. What Related Actions Preceded Today's Document?

In the **Federal Register** of June 3, 1998 (63 FR 30302) (FRL-5791-9), EPA published a proposed rule under Title IV of the Toxic Substances Control Act (TSCA). On July 22, 1998 (63 FR 39262) (FRL-6017-4), EPA extended the public comment period by 30 days, until October 1, 1998. On October 1, 1998, EPA announced in the **Federal Register** (63 FR 52662) (FRL-6037-7) that it would extend the public comment period until November 30, 1998. On November 5, 1998 (63 FR 59754) (FRL-6044-9), EPA announced in the **Federal Register** that it would hold a public meeting on December 4, 1998 and extend the public comment period until December 31, 1998 to accommodate the meeting. The corrections in this document are minor and do not affect anyone's ability to comment with the current public comment period. As such, comments remain due to EPA on or before December 31, 1998.

During the public comment period, interested parties have identified several errors in the proposed rule published in the **Federal Register** of June 3, 1998 (63 FR 30302). The errors consist of typographical errors and other drafting errors. This document corrects these errors.

VII. What Actions Were Required By the Various Regulatory Assessment Mandates?

This document does not impose any requirements. It only corrects errors in a proposed rule. As such, this document does not require review by the Office of Management and Budget (OMB) under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). For the same reason, it does not require any action under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4), or Executive Order 12898, entitled *Federal Actions to*

Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Pub. L. 104-113, section 12(d) (15 U.S.C. 272 note). In addition, no action is needed under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*). These determinations are based on this document. For information about the determinations made for the original proposed rule, please refer to the **Federal Register** of June 3, 1998 (63 FR 30349).

VIII. Are There Any Impacts on Tribal, State, and Local Governments?

There are no impacts on the State, local, or tribal governments. Under Executive Order 12875, entitled *Enhancing Intergovernmental Partnerships* (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local, or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 12875 requires EPA to provide to the Office of Management and Budget a description of the extent of EPA's prior consultation with representatives of affected State, local, and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local, and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's proposed rule does not create an unfunded federal mandate on State, local, or tribal governments. The proposed rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this proposed rule.

Under Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely

affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's proposed rule does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this proposed rule.

List of Subjects in 40 CFR Part 745

Environmental protection, Hazardous substances, Lead-based paint, Lead poisoning, Reporting and recordkeeping requirements.

Dated: December 11, 1998.

William H. Sanders III,

Director, Office of Pollution Prevention and Toxics.

In FR Doc. 98-14736 published on June 3, 1998 (63 FR 30302) make the following corrections:

1. On page 30322, in the table entitled "Table 3.—Hazard Evaluation and Control Costs", under the second heading of the table entitled "Single-Family", in the fifth entry, "45,706" is corrected to read "5,706".

2. On the same page, in the same table, under the third heading of the table entitled "Multi-family (per unit)", in the fifth entry, "12,275" is corrected to read "2,275".

3. On page 30351, in the first column, under the paragraph entitled "4. *Sensitivity and uncertainty analyses.*", in the second paragraph, in the seventh line, "(Refs. 109 and 110)." is corrected to read "(Refs. 107 and 108).".

§ 745.227 [Corrected]

4. On page 30354, in the third column, in § 745.227(d)(4), remove the second sentence.

[FR Doc. 98-33630 Filed 12-17-98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

[CC Docket No. 91-346; FCC 98-322]

Intelligent Networks

AGENCY: Federal Communications Commission.

ACTION: Termination of proposed rule proceeding.

SUMMARY: The Federal Communications Commission terminates the proceeding concerning third-party access to the local exchange carriers' intelligent networks. Since we conclude that most of the issues raised in this proceeding have been addressed by the *Local Competition Order*, or are being considered in the *Computer III Further Notice*, which is the Commission's current review of its *Open Network Architecture* (ONA) and *Computer III* requirements, we terminate this proceeding.

FOR FURTHER INFORMATION CONTACT:

Claudia Fox, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1580 or via the Internet at cfox@fcc.gov. Further information may also be obtained by calling the Common Carrier Bureau's TTY number: 202-418-0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order adopted December 2, 1998, and released December 4, 1998. The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center, 1919 M St., NW, Room 239, Washington, DC. The complete text of this document also may be obtained through the World Wide Web, at <http://www.fcc.gov/Bureaus/Common Carrier/Orders/fcc98322.wp>, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th St., NW, Washington, DC 20036.

Synopsis of Order

1. In this Order, we terminate the proceeding concerning third-party access to the local exchange carriers' (LECs') intelligent networks. We conclude that most of the issues raised in this proceeding have been addressed

by the *Local Competition Order*, 61 FR 45476, August 29, 1996, or are being considered in the *Computer III Further Notice*, 63 FR 9749, February 26, 1998, which is the Commission's current review of its *Open Network Architecture* (ONA) and *Computer III* requirements.

2. The Commission initiated the *Intelligent Networks* proceeding (56 FR 65721, Dec. 18, 1991) in 1991 to consider whether the Commission should apply ONA requirements for the unbundling of network functionalities to the LECs' deployment of intelligent network technology. In 1993, the Commission adopted a Notice of Proposed Rulemaking that proposed requiring all Tier 1 LECs that deploy advanced intelligent networks (AIN) to provide third parties with mediated access to those capabilities. The Commission specifically proposed to require that Tier 1 LECs provide third parties with access to their service management systems for the creation and deployment of AIN-based services.

3. In February 1996, the Telecommunications Act of 1996 (1996 Act) became law, bringing sweeping changes to regulation of the telecommunications industry. Among other things, section 251 of the Act requires that incumbent LECs: (1) provide interconnection with requesting telecommunications carriers; (2) provide requesting telecommunications carriers with access to unbundled network elements; (3) offer retail services for resale at wholesale rates; and (4) provide physical collocation necessary for interconnection or access to unbundled network elements at the premises of the incumbent LEC.

4. In August 1996, the Commission adopted regulations that implement the local competition provisions of the 1996 Act. With respect to AIN, the Commission determined that it was technically feasible for incumbent LECs to provide requesting telecommunication carriers with unbundled access to both the service creation environment and service management system, and access to the service control point for the purpose of interconnecting with a requesting carrier's switch. The Commission also concluded that there was not enough evidence to determine the technical feasibility of interconnecting third-party call-related databases to the incumbent LEC's signaling system.

5. On January 30, 1998, the Commission released the *Computer III Further Notice*, which proposes to revise the safeguards under which the Bell Operating Companies provide information services in light of the requirements of the 1996 Act. Among