

TABLE 1 TO SUBPART NNN—APPLICABILITY OF GENERAL PROVISIONS  
[40 CFR Part 63, Subpart A to SUBPART NNN]

| General provisions citation | Requirement                        | Applies to subpart NNN | Comment                                    |
|-----------------------------|------------------------------------|------------------------|--|
| 63.8(c)(1)–(c)(4) .....     | CMS Operation/ Maintenance .....   | Yes.                   |  |
| 63.8(c)(5) .....            | .....                              | No .....               | Subpart NNN does not require COMS.         |
| 63.8(c)(6)–(c)(8) .....     | .....                              | Yes.                   |  |
| 63.9(g)(1) .....            | Additional CMS Notifications ..... | Yes.                   |  |
| 63.9(g)(2)–(g)(3) .....     | .....                              | No .....               | Subpart NNN does not require COMS or CEMS. |
| 63.10(e)(1) .....           | Additional CMS Reports .....       | No .....               | Subpart NNN does not require CEMS.         |
| 63.10(e)(2)(i) .....        | .....                              | Yes.                   |  |
| 63.10(e)(2)(ii) .....       | .....                              | No .....               | Subpart NNN does not require COMS.         |
| 63.10(e)(3) .....           | Excess Emissions/CMS Reports ..    | Yes.                   |  |

#### Subpart TTT—[AMENDED]

9. Section 63.147, as proposed at 63 FR 19200 on April 17, 1998, is amended by adding new paragraphs (e)(9) and (e)(10) to read as follows:

##### § 63.1547 Monitoring requirements.

\* \* \* \* \*

(e) \* \* \*

(9) The owner or operator shall operate and maintain the fabric filter so that the alarm on the bag leak detection system does not sound for more than five percent of the total operating time in a six-month reporting period. Each time the alarm sounds and the owner or operator initiates corrective actions within one hour of the alarm, one hour of alarm time will be counted. If the owner or operator takes longer than one hour to initiate corrective actions, alarm time will be counted as the actual amount of time taken by the owner or operator to initiate corrective actions. If inspection of the fabric filter system demonstrates that no corrective actions are necessary, no alarm time will be counted.

(10) The owner or operator shall continuously record the output from the bag leak detection system.

\* \* \* \* \*

#### Subpart XXX—[Amended]

10. Section 63.1625, as proposed at 63 FR 41508 on August 4, 1998, is amended by adding new paragraphs (a)(4)(viii) and (a)(4)(ix) to read as follows:

##### § 63.1625 Monitoring requirements.

\* \* \* \* \*

(a) \* \* \*

(4) \* \* \*

(viii) The owner or operator shall operate and maintain the baghouse so that the alarm on the bag leak detection system does not sound for more than five percent of the total operating time in a six-month reporting period. Each time the alarm sounds and the owner or operator initiates corrective actions within one hour of the alarm, one hour of alarm time will be counted. If the owner or operator takes longer than one hour to initiate corrective actions, alarm time will be counted as the actual amount of time taken by the owner or operator to initiate corrective actions. If inspection of the baghouse demonstrates that no corrective actions are necessary, no alarm time will be counted.

(ix) The owner or operator shall continuously record the output from the bag leak detection system.

\* \* \* \* \*

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Parts 260 and 261

[FRL–6233–5]

RIN 2070–AC72

##### Temporary Suspension of Toxicity Characteristic Rule for Specified Lead-Based Paint Debris

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** EPA is extending the comment period on a proposed rule that would provide a temporary suspension of the toxicity characteristic rule for specified lead-based paint (LBP) debris. EPA has received a request for the extension of the comment period. To ensure that all parties have sufficient opportunity to submit their comments, the Agency will continue to accept comments until April 2, 1999.

**DATES:** The comment period is extended and comments are due on or before April 2, 1999.

**ADDRESSES:** Commenters must send an original and two copies of their comments to: Docket Clerk, Mail Code 5305W, Docket No. F–98–LDP–FFFFF, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Comments should include the docket number F–98–LPDP–FFFFF.

Hand deliveries of comments should be made to the RCRA Information Center (RIC), located at Crystal Gateway 1, First Floor, 1235 Jefferson Davis

Highway, Arlington, VA. Comments may also be submitted electronically through the Internet to: [rcra-docket@epamail.epa.gov](mailto:rcra-docket@epamail.epa.gov). Comments in electronic format should also be identified by the docket number F-98-LPDP-FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special character and any encryption. Commenters should not submit electronically any confidential business information (CBI). An original and two copies of CBI must be submitted to RCRA CBI Document Control Officer, Office of Solid Waste (5305W), Environmental Protection Agency, 401 M street, S.W., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** For general information about the proposed rule, contact the RCRA Hotline, Office of Solid Waste, U.S. Environmental Protection Agency, Washington, DC 20460, (800)424-9346 (toll free); TDD (800) 553-7672 (hearing impaired); in Washington, DC metropolitan area the number is (703) 412-9810; TDD (703) 486-3323 (hearing impaired). For technical information on this proposed rule, contact Ms. Rajani D. Joglekar in the Office of Solid Waste at (703) 308-8806; and for technical information on the proposed TSCA Title IV disposal and management standards, contact: Tova Spector in the Office of Pollution Prevention and Toxics at (202) 260-3467. To obtain copies of the report or other materials referred to in this proposal, contact the RCRA Docket at the telephone number or address listed above.

#### SUPPLEMENTARY INFORMATION:

##### Background

In the **Federal Register** of December 18, 1998 (63 FR 70233), EPA published a proposed rule under Resource Conservation and Recovery Act (RCRA) to provide a temporary suspension of the toxicity characteristic (TC) rule for specified lead-based paint (LBP) debris. EPA proposed this temporary suspension of the TC rule for LBP debris under the authority of RCRA sections 1006(b)(2) and 2002(a). RCRA section 1006(b)(1) requires that the EPA integrate all provisions of RCRA for purposes of administration and enforcement and avoid duplication of environmental regulations provided that it is done in a manner consistent with the goals and policies expressed in RCRA and in the other acts referred to this section (42 U.S.C. 6905(b)(1)). Simultaneously with the temporary suspension of the TC for LBP debris, the Agency published a proposal under the Toxic Substances Control Act (TSCA)

concerning disposal and management of LBP debris (63 FR 70190). In both documents, EPA provided a 60-day comment period and announced two public meetings. In response to requests by interested parties, EPA is extending the comment period by 45 days. Comments must now be received by April 2, 1999.

#### List of Subjects in 40 CFR Parts 260 and 261

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

**Elizabeth A. Cotsworth,**

*Acting Director, Office of Solid Waste.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 745

[OPPTS-62160A; FRL-6061-2]

RIN 2070-AC72

### Lead: Management and Disposal of Lead-Based Paint Debris; Extension of Comment Period

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** EPA is extending the comment period on a proposed rule that would provide new standards for the management and disposal of lead-based paint (LBP) debris. EPA has received a request for the extension of the comment period to ensure that all parties have sufficient opportunity to submit their comments, the Agency will continue to accept comments until April 2, 1999.

**DATES:** Comments are due on or before April 2, 1999.

**ADDRESSES:** Each written comment must bear the docket control number OPPTS-62160A. All comments should be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. G-099, East Tower, Washington, DC 20460.

Written comments and data may also be submitted electronically to: [oppt.ncic@epa.gov](mailto:oppt.ncic@epa.gov). Follow the instructions in Unit II. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

All written comments which contain information claimed as CBI must be clearly marked as such. Three copies, sanitized of any comments containing information claimed as CBI, must also be submitted and will be placed in the public record for this rulemaking. Persons submitting information, any portion of which they believe is entitled to treatment as CBI by EPA, must assert a business confidentiality claim in accordance with 40 CFR 2.203(b) for each such portion. This claim must be made at the time that the information is submitted to EPA. If a submitter does not assert a confidentiality claim at the time of submission, EPA will consider this as a waiver of any confidentiality claim and the information may be made available to the public by EPA without further notice to the submitter.

#### FOR FURTHER INFORMATION CONTACT:

*General information:* National Lead Information Center's Clearinghouse, 1-800-424-LEAD (5323). *For TSCA technical and policy questions:* Tova Spector, Office of Pollution Prevention and Toxics (7404), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-3467; e-mail address: [spector.tova@epa.gov](mailto:spector.tova@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In the **Federal Register** of December 18, 1998 (63 FR 70190) (FRL-5784-3), EPA published a proposed rule under sections 402 and 404 of the Toxic Substances Control Act (TSCA). Title IV of TSCA provides for new standards for the management and disposal of lead-based paint debris. Section 402 of TSCA (15 U.S.C. 2682) governing lead-based paint activities. Section 404 of TSCA (15 U.S.C. 2684) requires that any State that seeks to administer and enforce the requirements established by the Agency under section 402 of TSCA must submit to the Administrator a request for authorization of such a program. Simultaneously, EPA published a proposed rule suspending the toxicity characteristic for lead-based paint under the Resource Conservation and Recovery Act (RCRA) (63 FR 70232) (FRL-5783-7). In both documents, EPA provided a 60-day comment period and two public meetings. In response to requests by interested parties, EPA is extending the comment period by 45 days for the TSCA proposed rule. Comments must now be received by April 2, 1999. Elsewhere in today's **Federal Register**, EPA is extending the comment period for the proposed RCRA rule suspending the toxicity characteristic for lead-based paint.