

published a **Federal Register** Notice of final decision to adopt the North American Industry Classification System (NAICS) for the United States. NAICS is a new industry classification system that will replace the Standard Industrial Classification (SIC) system that has traditionally been used by government agencies for collecting statistical data and for other administrative and regulatory purposes. Under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act of 1990 (PPA), facilities that are classified in specified SIC codes are subject to Toxics Release Inventory (TRI) reporting. In this notice, EPA is proposing to include in the regulations the NAICS codes that correspond to the SIC codes that are currently subject to the TRI reporting requirements. EPA is also proposing that facilities that are subject to TRI reporting requirements report both SIC and NAICS codes on EPCRA section 313 reporting forms for the first full reporting period after the effective date of the final rule. Thereafter, facilities that are subject to TRI reporting requirements would be required to report their NAICS codes only. Finally, EPA is proposing to amend the regulations to extend the exemption provided therein to owners of covered facilities who lease, with no

other business interest, such facilities to operators of establishments that are classified in any SIC code or NAICS code that is subject to TRI requirements. EPA is soliciting comments on these proposals and on a list of NAICS codes that will correspond to the SIC codes that are currently subject to TRI reporting requirements.

DATES: Written comments, identified by the docket control number *OEI-10017*, must be received by EPA on or before May 20, 2003.

ADDRESSES: Comments may be submitted by mail: Send three copies of your comments to: Document Control Office, Office of Environmental Information (OEI), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Comments may also be submitted electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C and I.D. of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For general information on TRI, contact the Emergency Planning and Community Right-to-Know Hotline at (800) 424-9346 or (703) 412-9810, TDD (800) 553-7672, <http://www.epa.gov/epaoswer/hotline/>. For specific information on this rulemaking contact: Judith Kendall, Toxics Releases Inventory Program Division (2844), OEI, Environmental

Protection Agency, Ariel Rios Building, 1200 Pennsylvania Ave. NW., Washington, DC 20460, Telephone: 202-566-0750; Fax: 202-566-0741; email: kendall.judith@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does This Notice Apply to Me?

Entities that may be affected by this action are those facilities that have 10 or more full time employees or the equivalent 20,000 hours per year, that manufacturer, process, or otherwise use certain toxic chemicals listed on the Toxics Release Inventory (TRI), and which are required under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act (PPA) to report annually to EPA and States their environmental releases and other waste management quantities of such chemicals. Under Executive Order 13148, revised April 26, 2000 (65 FR 24599), all of federal facilities are to comply with the provisions set forth in Section 313 of EPCRA and section 6607 of the PPA. Federal facilities are to comply with those provisions without regard to SIC or NAICS delineations.

Potentially affected categories and entities may include, but are not limited to:

Category	Examples of potentially affected entities
Industry	SIC major group codes 10 (except 1011, 1081, and 1094), 12 (except 1241), or 20 through 39; industry codes 4911, 4931, or 4939 (limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce); or 4953 (limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. section 6921 et. seq.), or 5169, or 5171, or 7389 (limited to facilities primarily engaged in solvent recovery services on a contract or fee basis).
Federal Government	Federal facilities.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding likely to be affected by this action. Other types of entities are listed in the table could also be affected. To determine whether your facility would be affected by this action, you should carefully examine the applicability criteria in part 372, subpart B of Title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

B. How Can I Get Copies of This Document and Other Related Information?

1. *In person.* EPA has established an official public docket for this action under Docket ID No. TRI-2002-0003.

The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of this official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the OEI Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744,

and the telephone number for the OEI Docket is (202) 566-1752.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the EPA Internet under the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public dockets, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

Certain types of information will not be placed in the EPA Docket.