

Ten substances constitute the third list of hazardous substances for which priority data needs have been identified by ATSDR. The 10 substances, which are included in the ATSDR Priority List of Hazardous Substances established by ATSDR and the U.S. Environmental Protection Agency (EPA) (66 FR 54014, October 25, 2001), are:

- asbestos
- benzidine
- chlorinated dibenzo-p-dioxins
- 1,2-dibromoethane
- 1,2-dichloroethane
- 1,1-dichloroethene
- ethylbenzene
- pentachlorophenol
- 1,1,2,2-tetrachloroethane
- total xylenes

In developing this list, ATSDR solicited input from EPA and the National Institute of Environmental Health Sciences (NIEHS), both of which also reviewed the draft priority data needs before they were made available for public comment. The priority data needs were initially announced by ATSDR in the **Federal Register** on August 14, 2001 (66 FR 42660). The public was invited to comment on them during a 90-day period. ATSDR received comments from four industry groups and a nonprofit private organization concerning programmatic and substance-specific issues pertaining to the implementation of the research program. ATSDR has identified several generic issues resulting from the public comments. These issues and ATSDR's responses are presented below. ATSDR has finalized the priority data needs for these 10 substances. Both the priority data needs documents (that provide ATSDR's rationale for assigning priority to a data need) and the response to public comments documents are available by requesting them in writing from ATSDR (see **ADDRESSES** section of this Notice).

This Notice also serves as a continuous call for voluntary research proposals. Private-sector organizations may volunteer to conduct research to address specific priority data needs in this Notice by indicating their interest through submission of a letter of intent to ATSDR (see **ADDRESSES** section of this Notice). The letter should include a brief statement that addresses the priority data need(s) to be filled and the methods to be used. A Tri-Agency Superfund Applied Research Committee (TASARC) comprised of scientists from ATSDR, the National Toxicology Program (NTP), and EPA will review all submissions.

DATES: The ATSDR voluntary research program is a continuous program, and

private-sector organizations can volunteer to fill identified data needs from now until that time when ATSDR announces that other research has been initiated for a specific data need.

ADDRESSES: Private-sector organizations interested in volunteering to conduct research to fill identified priority data needs should write to Dr. William Cibulas, Chief, Research Implementation Branch, Division of Toxicology, ATSDR, 1600 Clifton Road, NE., Mailstop E-29, Atlanta, Georgia 30333, or e-mail Dr. Cibulas at wcibulas@cdc.gov. Requests for the priority data needs documents and response to public comments documents should be addressed similarly.

FOR FURTHER INFORMATION CONTACT: Dr. William Cibulas, Chief, Research Implementation Branch, Division of Toxicology, ATSDR, 1600 Clifton Road, NE., Mailstop E-29, Atlanta, Georgia 30333, telephone (404) 498-0140.

SUPPLEMENTARY INFORMATION:

Background

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund) or CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9604(i)], requires that ATSDR (1) develop jointly with EPA a list of hazardous substances found at National Priorities List (NPL) sites (in order of priority), (2) prepare toxicological profiles of these substances, and (3) assure the initiation of a research program to address identified priority data needs associated with the substances.

The primary purpose of this research program is to provide the public and scientific communities with answers to some of the key questions regarding health effects and exposure to these substances. For ATSDR, this research program supplies necessary information to improve the database to conduct public health assessments. This link between research and public health assessments, and the process for distilling priority data needs for ranked hazardous substances from data needs identified in associated ATSDR toxicological profiles, are described in the ATSDR "Decision Guide for Identifying Substance-Specific Data Needs Related to Toxicological Profiles" (54 FR 37618, September 11, 1989).

At the time the Substance-Specific Applied Research Program (SSARP) was initiated on October 17, 1991, a list of priority data needs for 38 priority hazardous substances was announced in the **Federal Register** (56 FR 52178). The

list was subsequently revised based on public comments and published in final form on November 16, 1992 (57 FR 54150). In 1997, ATSDR finalized the priority data needs for a second list of 12 substances (62 FR 40820). Currently, a total of 190 priority data needs have been identified for these 50 substances as described in "Update on the Status of the Superfund Substance-Specific Applied Research Program" (67 FR 4836, January 31, 2002).

In 2001, ATSDR identified the priority data needs for 10 additional hazardous substances and announced them in draft form on August 14, 2001 (66 FR 42660). The public was invited to comment on the draft priority data needs during a 90-day period. The agency responded to all the comments and revised the priority data needs, as needed.

ATSDR's Response to Public Comments

As mentioned in the **SUMMARY** section of this Notice, ATSDR has identified several generic public comments on the priority data needs for the 10 hazardous substances. These comments and ATSDR's responses are presented below.

Comment: Request for ATSDR to clarify if and how any further testing requests or regulatory requirements for testing will be subject to public scrutiny.

Response: ATSDR published the draft priority data needs (PDNs) in the August 14, 2001, **Federal Register** Notice with a public comment period of 90 days. A final list of PDNs will be published following completion of deliberations on the comments received. In the event that a study is to be conducted via the mechanisms described in the **Federal Register** Notice—e.g., industry-sponsored voluntary research, or university-based research supported by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) funds—the study protocol and final report will be reviewed by ATSDR's external peer reviewers, and all documents related to the project will be made available for public inspection at ATSDR. Also, any testing that results from coordination with the U.S. Environmental Protection Agency (EPA) and development of a Toxic Substances Control Act (TSCA) test rule will be subjected to a public comment period consistent with EPA guidelines. ATSDR publishes an update of its Substance-Specific Applied Research Program in the **Federal Register** every three years.

Comment: Concern that the **Federal Register** Notice makes no mention of the use of *in vitro* methodologies.