

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 302 and 355**

[SW H-FRL-7594-4]

RIN 2050-AE12

Reportable Quantity Adjustments for Carbamates and Carbamate-Related Hazardous Waste Streams; Reportable Quantity Adjustment for Inorganic Chemical Manufacturing Processes Waste (K178)**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA or “the Agency”) is proposing reportable quantity (RQ) adjustments for 28 individual carbamates and five carbamate-related hazardous waste streams listed as hazardous wastes under the Resource Conservation and Recovery Act, and as hazardous substances with one-pound statutory RQs under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). In addition, EPA is proposing to adjust the one-pound

statutory RQ of another hazardous waste stream, K178, which is unrelated to the carbamates addressed in this rule.

EPA thoroughly evaluated the intrinsic properties of these substances to assess the possibility of harm from the release of each substance into the environment and to determine the appropriate levels that require release notification. The proposed RQ adjustments will relieve the regulated community and emergency response personnel from the burden of making and receiving reports of releases that are unlikely to pose a threat to public health or welfare or the environment.

DATES: To make sure we consider your comments on this proposed rule, they must be postmarked on or before February 2, 2004. Comments postmarked after this date will be marked “late” and may not be considered.

ADDRESSES: Comments submitted by regular U.S. Postal Service mail should be sent to: Docket Coordinator, Superfund Docket Office, Mail Code 5202T, U.S. Environmental Protection Agency Headquarters, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Comments may also be submitted electronically, in person, or by special delivery. To ensure

proper receipt by EPA, it is imperative that you identify the appropriate docket control number in the subject line on the first page of your comment. These docket control numbers, as well as detailed instructions on how to submit your comments, are provided in the section entitled “How and to Whom Do I Submit Comments?” in the supplemental information portion of this preamble.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA, Superfund, and EPCRA Hotline at 800/424-9346 or TDD 800/553-7672 (hearing impaired). In the Washington, DC metropolitan area, call 703/412-9810 or TDD 703/412-3323 (hearing impaired). For information on specific aspects of the rule, contact Lynn Beasley of the Office of Emergency and Remedial Response (5204G), U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Ms. Beasley’s e-mail address is beasley.lynn@epa.gov, and her telephone number is 703/603-9086.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Potentially Regulated Entities*

Type of entity	Examples of affected entities
Industry	Manufacturers, handlers, transporters, and other users of carbamates. These substances are often used as insecticides, fungicides, herbicides, accelerators in the vulcanization of rubber, or as chemical intermediates in the manufacture of drugs, pesticides, or resins. In addition, entities that may release K178 waste streams will also be affected.
State, Local, or Tribal Governments	State Emergency Response Commissions, and Local Emergency Planning Committees.
Federal Government	National Response Center, and any Federal agency that may release these carbamates and waste streams.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility, company, business, or organization is regulated by this action, you should carefully examine the proposed changes to 40 CFR parts 302 and 355. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

B. How Can I Get Copies of Support Documents for This Rule?

1. *Docket.* EPA has established an official public docket for the Carbamates and Carbamate-Related Hazardous

Waste Streams (Docket ID No. SFUND-2002-0010) and an official public docket for the Inorganic Chemical Manufacturing Processes Waste (K178) (Docket ID No. SFUND-2002-0011). 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 the 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 Superfund 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 Superfund Docket is (202) 566-0270. You may copy a maximum of 100 pages from any regulatory docket at no cost. Additional copies cost \$0.15 per page. The Docket Office will mail copies of materials to you if you are located outside the Washington, DC metropolitan area.

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 docket, and to