

Region III, 841 Chestnut Building, Philadelphia, PA 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460; and State of Maryland Department of the Environment, Air Management Association, 2500 Broening Highway, Baltimore, Maryland, 21224.

FOR FURTHER INFORMATION CONTACT: Linda Miller (215) 597-7547.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this Federal Register.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401-7671q.

Dated: October 24, 1995.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

[FR Doc. 96-4443 Filed 2-27-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 764

[OPPTS-62089A; FRL-5349-4]

RIN 2070-AC17

Re-opening of Rulemaking Record on Proposed Ban of Acrylamide and N-methylolacrylamide Grouts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Re-opening of rulemaking record and request for comment.

SUMMARY: This Notice re-opens the rulemaking record for 30 days on the proposed rule banning acrylamide and NMA grouts. The rulemaking record is being re-opened in order to obtain data bearing on the durability of NMA grouts relative to acrylamide grouts.

DATES: Submitted data must be received on or before March 29, 1996.

ADDRESSES: Comments and data should be sent to: Document Control Office (7407), Office of Pollution Prevention and Toxics, Rm. E-G99, Environmental Protection Agency, 401 M St., SW.,

Washington, DC 20460. The envelope should be marked attention: "Grout Durability Data."

FOR FURTHER INFORMATION CONTACT:

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551, e-mail: TSCA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA proposed a rule in the Federal Register of October 2, 1991 (FR 56 49863), that would have ultimately banned all manufacture, importation, distribution and use of acrylamide and N-methylolacrylamide (NMA) grouts. The public comment period closed in March of 1992, and a Public Hearing was held on March 2, 1992. The Agency is now considering dropping NMA from the regulation.

Both acrylamide and NMA grouts are used mainly to prevent the infiltration of ground and surface water into sewer systems, in order to maintain the functional capacity of sewer water treatment works. The grouts are injected into joints, cracks and fissures in sewer lines and manholes. Following application, these grouts solidify into a stiff impervious gel. Sewer line sealing entails sealing main and lateral sewer line pipes and joints remotely using closed-circuit video cameras, an inflatable packer, and a grout delivery system. Manhole sealing is accomplished manually by a worker using a hand-held device to inject grouts into holes that have been drilled into the sides of manholes. Grouts have two additional minor uses: structural water control and geotechnical applications.

Acrylamide grouts generally consist of a 19:1 mixture of acrylamide and a cross-linking agent. The grout is prepared by adding water and small amounts of other chemicals, including catalysts, activators or accelerators, and inhibitors. In gel form, the grout contains less than 0.05 percent free acrylamide. These grouts were first introduced into U.S. commerce about 40 years ago, and quickly became popular because of their low cost and superior performance. Acrylamide grouts are first mixed into a solution formed by combining the grout with triethanolamine, an activator, and water. A separate solution of ammonium persulfate, an initiator, and water is also required. When the grout solution and the initiator solution are mixed together, they react to form a stiff polymerized gel.

NMA grouts were explicitly developed as a substitute for the more hazardous acrylamide grouts, and have been in use for about 9 years. Commercial NMA is a chemical mixture consisting of about 90 percent N-methylolacrylamide monomer and small amounts of acrylamide, formaldehyde, and methylene bisacrylamide. NMA grouts are mixed in the same way as acrylamide grouts, except that sodium persulfate is used as the initiator rather than ammonium persulfate. They are applied in the same manner as acrylamide grouts, using the same equipment for generally the same applications.

Although the rule proposed in 1991 would have ultimately banned both acrylamide grouts and NMA grouts, the Agency is now leaning heavily toward dropping NMA from the rule because of: (1) NMA's lower toxicity relative to acrylamide; (2) a lowered estimate of the size of the population at risk; (3) NMA's efficacy as a substitute for acrylamide grouts; and (4) NMA's low cost relative to other potential substitutes. Based upon these four factors, EPA is re-considering its earlier conclusion that NMA grouts present an unreasonable risk. Of the four factors, the only one about which there may be some doubt is the third--the efficacy of NMA as a substitute for acrylamide. The only question in this regard, moreover, has to do with the relative durability of NMA--i.e., will joints, cracks, and other fissures sealed with NMA grouts remain sealed as long as those sealed with acrylamide grouts, all else being equal.

Although the information presently available to the Agency suggests that the two grouts are equally durable, some have questioned whether this is the case. Specifically, the National Association of Sewer Service Companies (NASSCO) submitted two letters, dated August 15 and 17, 1995, that they asserted call into question the relative durability of NMA grouts. Both submissions are being made a part of the rulemaking record, and are available for inspection in the public docket. At a subsequent meeting held with NASSCO on October 3, 1995, however, they agreed that the submitted data do not indicate that NMA grouts are less durable than acrylamide grouts. Although the NASSCO representatives then agreed to submit such data, none has been received to date. A summary of that meeting has also been placed into the public docket. In view of the foregoing, and in order to obtain the best information available on this specific issue, the Agency is re-opening the rulemaking record for 30 days, and requesting any empirical and reliable

data anyone may have regarding the durability of NMA grouts relative to acrylamide grouts. Useful information, for this purpose, would include controlled experimental data that explicitly compare the potential longevity of NMA grouts to acrylamide grouts under verifiable and replicable conditions. Other data will be considered to the extent that they are reliable and permit direct comparison of the durability of acrylamide to NMA grouts. In contrast, anecdotal information regarding experiences with these grouts following application in sewers or manholes will generally not be useful. Such extraneous factors as the competence of the grouters, the quality of their equipment and grouting material, the conditions of the pipes being grouted, the nature of the surrounding soil, and the frequency and rigor of follow-up inspections shape these real world outcomes more than the particular grout used. In addition, such data cannot address the relative durability of the two grouts, since only one is generally applied in any given operation.

Submitted information will be most useful if provided with sufficient documentation to ensure credibility. Such documentation would include:

1. Copies of the original research.
2. Quality assurance plans prepared for the research.
3. Peer reviews conducted on the research.
4. The statistical significance of the findings.
5. Copies, or at least citations, of any research replicated by the submitted research.
6. Statements regarding agreement or conflict with other research.
7. Discussion of the practical significance of the findings.

In addition, the Agency is interested in promotional material that sellers of acrylamide and NMA grouts (both importers and grouters) make available to purchasers in which the grouting properties of the chemicals are discussed, and annual sales volume data, in comparable units, for both acrylamide and NMA grouts since NMA was introduced onto the market. Sales information would be particularly helpful if broken down by use (i.e., sewer lines, manholes, etc.).

EPA is re-opening the record to solicit information concerning the relative durability and efficacy of acrylamide and NMA because the Agency has received recent assertions that credible information relating to this subject exists, but has never been provided to the Agency. EPA has not received any suggestions that other new information

exists that may materially affect some issue relevant to this rulemaking other than the relative durability of acrylamide and NMA. If any person has material information, which was not previously submitted, relating to any other issue relevant to the determination of whether acrylamide and/or NMA grouts present an unreasonable risk to health or the environment, that information may be submitted during the comment period. For example, any neurotoxicity information with regard to acrylamide and NMA. Such submissions should be accompanied by a brief cover letter explaining why the submitter considers the information relevant to this rulemaking and why the information was not submitted during the initial comment period. If significant new information on other issues is presented during the comment period, that information may be considered by the Agency in its preparation of a final rule. If any person believes it necessary to respond to any new information submitted during this comment period, a response to the new information may be submitted within 2 weeks of the close of the comment period.

Anyone responding to this request for information may assert a claim of confidentiality for the information submitted. Any claim of confidentiality must accompany the information when it is submitted to EPA. Information claimed as confidential must be clearly marked with the statement "Confidential," "Trade Secret," or other appropriate designation. EPA will disclose information subject to a claim of confidentiality only to the extent permitted by TSCA section 14 and 40 CFR part 2, subpart B. If a person does not assert a claim of confidentiality for information at the time it is submitted to EPA, EPA may make the information public without further notice to that person.

List of Subjects

Environmental protection,
Acrylamide and N-methylolacrylamide,
Reporting and recordkeeping.

Dated: February 13, 1996.

Lynn R. Goldman,

*Assistant Administrator for Prevention,
Pesticides and Toxic Substances.*

[FR Doc. 96-4028 Filed 2-27-96; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[WT Docket No. 96-6; DA 96-225]

Flexible Service Offerings in the Commercial Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of time.

SUMMARY: In this *Order*, we extend the period which comments and reply comments must be filed in the CMRS Flex proceeding (WT Docket No. 96-6). We grant NARUC's motion for extension of time because the deadline of February 26, 1996 for filing initial comments falls two days before the conclusion of its previously scheduled winter meeting. With respect to the date for filing reply comments, we find that the deadline does not give NARUC's members sufficient time to review initial comments and formulate a response. The intended effect of this *Order* is to extend the comment date to March 1, 1996 and extend the reply comment date to March 25, 1996.

DATES: Comments are due on or before March 4, 1996, reply comments are due on or before March 25, 1996.

ADDRESSES: Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Mika Savir, Wireless Telecommunications Bureau, Commercial Wireless Division, at (202) 418-0620.

SUPPLEMENTARY INFORMATION: This *Order* in WT Docket No. 96-6, adopted February 22, 1996, and released February 22, 1996, is available for inspection and copying during normal business hours in the FCC Reference Center, Room 230, 1919 M Street NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street NW., Suite 140, Washington DC 20037 (202) 857-3800.

Synopsis of Order

1. The Commission released the *Notice*, Amendment to the Commission's Rules to Permit Flexible Service Offerings in the Commercial Mobile Radio Services, *Notice of Proposed Rulemaking*, WT Docket No. 96-6, FCC 96-17, 61 FR 6189 (February 16, 1996) (*Notice*), on January 25, 1996. The National Association of Regulatory Utility Commissioners ("NARUC") has