

through August 20, 1999, depending on the number of public participants.

If you wish to participate in the hearing, you must file four copies of a notice of intention to appear. This notice must be postmarked on or before July 16, 1999. Your notice of intention to appear, which will be available for inspection and copying at the OSHA Docket Office (Room N2625), must contain the following information:

1. The name, address, and telephone number of each person to appear;
2. The capacity in which the person will appear;
3. The approximate amount of time required for the presentation;
4. The issues that will be addressed;
5. A brief statement of the position that will be taken with respect to each issue; and,
6. Whether the party intends to submit documentary evidence and, if so, a brief summary of that evidence.

Mail the notice of intention to appear to: Docket Office, Docket S-042, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. The telephone number of the Docket Office is (202) 693-2350.

You may also transmit your notice of intention to appear by facsimile to (202) 693-1648 (Attention: Docket S-042), by July 16, 1999, provided that you send an original and 3 copies of the notice to the Docket Office postmarked no more than 3 days later.

#### *Filing of Testimony and Evidence Before the Hearing*

If you request more than 10 minutes for your presentation at the hearing, or if you will be submitting documentary evidence, you must provide us with four copies of the complete text of the testimony and documentary evidence. One copy must not be stapled or bound and must be suitable for copying. You must provide the Docket Office with these materials postmarked no later than July 23, 1999.

We will review all testimony and evidence in light of the amount of time requested in the notice of intention to appear. If the information contained in a submission does not justify the amount of time requested, we will allocate a more appropriate amount of time and notify the participant of that fact prior to the informal public hearing.

If you do not submit your materials in accordance with the schedule and other requirements, we may limit your presentation to 10 minutes. We may also ask you to return for questioning at a later time.

Any party who has not filed a notice of intention to appear may be allowed to testify for no more than 10 minutes

as time permits, at the discretion of the Administrative Law Judge, but will not be allowed to question witnesses.

Notices of intention to appear, testimony, and evidence will be available for copying at the Docket Office at the address noted above.

#### *Conduct and Nature of the Hearing*

The hearing on the PPE Payment proposal will be conducted under OSHA's standards-setting procedures in 29 CFR part 1911. It should be noted that under section 1911.4, the Assistant Secretary may also implement alternative procedures to expedite the proceedings or for other good cause, upon reasonable notice.

The hearing will be presided over by an Administrative Law Judge (ALJ) who makes no decision or recommendation on the merits of OSHA's proposal. The ALJ's responsibility is to ensure that the hearing proceeds at a reasonable pace and in an orderly manner. The ALJ, therefore, will have all of the powers necessary and appropriate to conduct a full and fair informal hearing as provided in 29 CFR part 1911, including the powers:

1. To regulate the course of the proceedings;
2. To dispose of procedural requests, objections, and comparable matters;
3. To confine the presentations to the matters pertinent to the issues raised;
4. To regulate the conduct of those present at the hearing by appropriate means;
5. At the Judge's discretion, to question and permit the questioning of any witness and to limit the time for questioning; and,
6. At the Judge's discretion, to keep the record open for a reasonable, stated time (known as the post-hearing comment period) to receive written information and additional data, views, and arguments from any person who has participated in the oral proceedings.

An OSHA standards hearing provides interested persons with an opportunity to make effective oral presentations, without procedural restraints that unnecessarily impede or protract the rulemaking process. The hearing is primarily for information gathering and clarification. It is an informal administrative proceeding, rather than an adjudication. The technical rules of evidence, for example, do not apply. The regulations that govern OSHA hearings, combined with the pre-hearing guidelines that the ALJ will issue for this hearing, will ensure fairness and due process, and will enable OSHA to develop a clear, accurate, and complete record. Questions of relevance, procedure, and participation generally

will be decided in favor of the most effective development of the record.

Signed at Washington, D.C., this 17th day of May 1999.

**Charles N. Jeffress,**

*Assistant Secretary of Labor.*

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BILLING CODE 4510-26-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 141, 142 and 143

[FRL-6347-6]

#### Proposed Public Notification Regulations—Announcement of Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The United States Environmental Protection Agency (EPA) is announcing a series of public meetings to solicit comments on proposed changes to the drinking water public notification regulations (64 *FR* 25963, May 13, 1999) and on the draft public notification handbook (EPA 816-R-99-004). The public notification regulations apply to owners and operators of public water systems which fail to comply with the drinking water standards and related regulations under the Safe Drinking Water Act. EPA is developing the handbook to aid water systems in their efforts to prepare effective public notices.

**DATES:** EPA is scheduling meetings in four locations to obtain public comment on the proposed regulations and to work with interested parties to develop the final handbook:

May 26, 9 a.m., Madison, Wisconsin  
June 2, 5 p.m. and June 3, 10 a.m.,

Washington, D.C.

June 8-9, 10 a.m., Allentown,

Pennsylvania

June 23-24, 10 a.m., Phoenix, Arizona

**ADDRESSES:** EPA is requesting that interested parties register with the Safe Drinking Water Hotline at 1-800-426-4791 prior to the scheduled meeting date. Those registering with the Hotline seven days in advance of the meeting date will be sent copies of the agenda and supporting materials.

**FOR FURTHER INFORMATION CONTACT:** The Safe Drinking Water Hotline at 1-800-426-4791 for exact schedules and agendas for the public meetings. Copies of the proposed regulation and the draft Handbook may be obtained by calling the Hotline or by downloading the

documents from Office of Ground Water and Drinking Water's web site at <http://www.epa.gov/safewater>. For technical queries, you may contact Carl Reever, EPA rule manager, at (202) 260-7273, or via e-mail at [reeverts.carl@epa.gov](mailto:reeverts.carl@epa.gov).

**SUPPLEMENTARY INFORMATION:** At each of the four meeting locations, EPA will conduct three meetings. Participants may attend all or some of the meetings at a particular location. The purpose of Meeting 1 will be to obtain public comment on the proposed public notification regulation. The meeting will include a short presentation on the requirements of the proposed rule, followed by an opportunity for the public to comment on the proposed regulation. The purpose of Meeting 2 will be to discuss in a workgroup setting the draft public notification handbook. The meeting will include a group discussion of the use and applicability of the draft public notification handbook, as well as breakout sessions testing the handbook through development of sample notices. The purpose of Meeting 3 will be to obtain public comment on sample public notices developed using the draft public notice handbook. The meeting will focus on two mock notices for different violations. Members of the public are invited to attend Meeting 3 sessions as observers and/or to provide comment during a public comment period at the end of each session.

The public meetings will take place at the following locations:

1. *Madison, Wisconsin, May 26*—All meetings will be at the Best Western Inn at the Park; 22 S. Carroll Street; Madison, Wisconsin 53703. Meeting 1 will start at 9 a.m. Meeting 2 will start at approximately 10:30 a.m. Meeting 3 will start in the late afternoon (exact time still to be determined).

2. *Washington, D.C., June 2-3*—Meetings 1 and 2 will be on June 3 at the U.S. EPA, Waterside Mall; North Conference Center Room 1; 401 M Street, SW.; Washington, DC 20460. Meeting 1 will start at 10 a.m. Meeting 2 will start at approximately 11:30 a.m. and continue to about 4 p.m. Meeting 3 will be June 2 at The Cadmus Group, 1901 N. Fort Myer Drive, Suite 1016, Arlington, Virginia. The time of this meeting has not yet been determined.

3. *Allentown, Pennsylvania, June 8-9*—All meetings will be at the Days Inn and Conference Center, 1151 Bulldog Drive; Allentown, Pennsylvania. Meeting 1 will start at 10 a.m. on June 8 and end at approximately 12 p.m. Meeting 2 will start at approximately 1 p.m. and continue until 5 p.m. and then

resume on June 9 starting at 9 a.m. until approximately 3 p.m. Meeting 3 will be on June 8 in the late afternoon or early evening (exact time still to be determined).

4. *Phoenix, Arizona*—All meetings will be at the Arizona Department of Environmental Quality; 3033 North Central; Conference room 1709; Phoenix, Arizona. Meeting 1 will start at 10 a.m. on June 23 and end at approximately 12:00 p.m. Meeting 2 will start at approximately 1 p.m. and continue until 5 p.m. and then resume on June 24 starting at 9 a.m. until approximately 3 p.m. Meeting 3 will be on June 23 in the late afternoon or early evening (exact time still to be determined).

Dated: May 14, 1999.

**Cynthia C. Dougherty,**

*Director, Office of Ground Water and Drinking Water.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-300868; FRL-6083-3]

RIN 2070-AC18

### Formaldehyde; Proposed Revocation of Exemptions from the Requirement of Tolerances

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

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to revoke exemptions from the requirement of tolerances for residues found in 40 CFR 180.1032 for formaldehyde or a mixture of methylene bispropionate and oxy(bismethylene) bispropionate in or on the grains of barley, corn, oats, sorghum, and wheat and the forages of alfalfa, bermuda grass, bluegrass, brome grass, clover, cowpea hay, fescue, lespedeza, lupines, orchard grass, peanut hay, peavine hay, rye grass, soybean hay, sudan grass, timothy, and vetch from postharvest application use as a fungicide to treat animal feeds. This action is being taken because there are no registered uses for formaldehyde on these commodities. EPA expects to determine whether any individuals or groups want to support these exemptions. The regulatory actions in this proposal are part of the Agency's reregistration program under the Federal Insecticide, Fungicide, and

Rodenticide Act (FIFRA), and the tolerance reassessment requirements of the Federal Food, Drug, and Cosmetic Act (FFDCA). By law, EPA is required to reassess 33% of the tolerances in existence on August 2, 1996, by August 1999, or about 3,200 tolerances. The regulatory actions proposed in this document pertain to the proposed revocation of 22 exemptions, which would be counted among reassessments made toward the August 1999 review deadline of FFDCA section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996.

**DATES:** Comments must be received on or before July 23, 1999.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit IV. of this proposal.

**FOR FURTHER INFORMATION CONTACT:** Phil Budig, Special Review Branch (7508C), Special Review and Reregistration Division, Office of Pesticide Programs, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location: Special Review Branch, CM #2, 6th floor, 1921 Jefferson Davis Hwy., Arlington, VA, Telephone: (703) 308-8029; e-mail: [budig.phil@epa.gov](mailto:budig.phil@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. What Is the Contribution to Tolerance Reassessment?

By law, EPA is required to reassess 33% of the tolerances in existence on August 2, 1996, by August 1999, or about 3,200 tolerances. As of March 1999, EPA has reassessed over 2,400 tolerances. The regulatory actions proposed in this document pertain to the proposed revocation of 22 exemptions, which count toward the August 1999 review deadline of FFDCA section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996.

#### II. Does This Proposal Apply To Me?

You may be affected by this proposal if you sell, distribute, manufacture, or use pesticides for agricultural applications, process food, distribute or sell food, or implement governmental pesticide regulations. Pesticide reregistration and other actions (see FIFRA section 4(g)(2)) include tolerance and exemption reassessment under FFDCA section 408. Potentially affected categories and entities may include, but are not limited to: