

Docket number: OPPTS-50615.

Basis for revocation of SNUR: Based on short term studies on a series of acrylate substances and long term dermal bioassays on triethylene glycol diacrylate and triethylene glycol dimethacrylate, EPA no longer supports a carcinogenicity concern for this substance. Based on that assessment, EPA can no longer make the finding that activities not described in the PMN may result in significant changes in human exposure.

CFR citation: 40 CFR 721.8654.

B. What is the Agency's Authority for Taking this Action?

During review of the PMNs submitted for the chemical substances that are the subject of this proposed revocation, EPA concluded that regulation was warranted based on available information that indicated activities not described in the TSCA section 5(e) consent order or the PMN might result in significant changes in human or environmental exposure as described in section 5(a)(2) of TSCA. Based on these findings, SNURs were promulgated.

EPA has revoked the TSCA section 5(e) consent order that is the basis for one of the SNURs and no longer finds that activities other than those described in the TSCA section 5(e) consent order or the PMN may result in significant changes in human or environmental exposure. The revocation of SNUR provisions for these substances is consistent with the findings set forth in the preamble to the proposed revocation of each individual SNUR.

Therefore, EPA is proposing to revoke the SNUR provisions for these chemical substances. When this revocation becomes final, EPA will no longer require notice of intent to manufacture, import, or process these substances. In addition, export notification under section 12(b) of TSCA will no longer be required.

III. Regulatory Assessment Requirements

This proposed rule revokes or eliminates an existing regulatory requirement and does not contain any new or amended requirements. As such, the Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled "Regulatory Planning and Review" (58 FR 51735, October 4, 1993).

Since this proposed rule does not impose any requirements, it does not contain any information collections subject to approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or require any other action under

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4).

Nor does it require any prior consultation as specified by Executive Order 12875, entitled "Enhancing the Intergovernmental Partnership" (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (59 FR 7629, February 16, 1994) or require OMB review in accordance with Executive Order 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997).

On August 4, 1999, President Clinton issued a new executive order on Federalism, Executive Order 13132 (64 FR 43255, August 10, 1999), which will take effect on November 2, 1999. In the interim, the current Executive Order 12612 (52 FR 41685, October 30, 1987) on Federalism still applies. This proposed rule will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 12612.

In addition, pursuant to section 605(b) of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency has determined that SNUR revocations, which eliminate requirements without imposing any new ones, have no adverse economic impacts. The Agency's generic certification for SNUR revocations appears on June 2, 1997 (62 FR 29684) (FRL-5597-1) and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 1, 1999.

Ward Penberthy,

*Acting Director, Chemical Control Division,
Office of Pollution Prevention and Toxics.*

Therefore, it is proposed that 40 CFR part 721 be amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 would continue to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625 (c).

§ 721.3180, 721.8654 [Removed]

2. By removing §§ 721.3180 and 721.8654.

[FR Doc. 99-30241 Filed 11-18-99; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[WT Docket 96-198; FCC 99-181]

Access to Internet Telephony and Computer Based Equipment by Persons With Disabilities

AGENCY: Federal Communications Commission.

ACTION: Notice of inquiry.

SUMMARY: This document examines the need and legal basis for applying rules similar to those developed for telecommunications services and customer premise equipment pursuant to section 255 to internet telephony and computer based equipment that performs the same functions that customer premise equipment performs.

DATES: Comments are due January 13, 2000 and reply comments are due on February 14, 2000.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 445 Twelfth Street S.W., Room TW-A325, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Ellen Blackler, Common Carrier Bureau. 202-418-0491.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's further Notice of Inquiry in WT Docket 96-198, adopted on July 14, 1999 and released on September 29, 1999. The full text of the Notice of Inquiry, including Commissioners' statements, is available for inspection and copying during normal business hours in the FCC Reference Center, 445 Twelfth Street, SW, Room CY-257, Washington, D.C. Alternate formats (computer diskette, large print, audio cassette and Braille) are available to persons with disabilities by contacting Martha Contee at (202) 418-0260 (voice), (202) 418-2555 (TTY), or at mcontee@fcc.gov. The Further Notice of Inquiry can be downloaded in WP or ASCII text at: <http://www.fcc.gov/dtf/>.

Summary of Further Notice of Inquiry

I. Overview

1. We are cognizant, in general, of the speed with which innovative next generation technologies are changing the way communications services are

offered to the public, and the challenges posed to the disability community by these new technologies if they are not accessible. We lack, however, knowledge of the specific characteristics of those changes, and the implications for accessibility for people with disabilities. Given the rapid evolution of communications and the pace of technological innovation, we need to ensure that as new services and networks are developed they are designed to provide access to persons with disabilities.

2. All paper filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 Twelfth Street S.W., Room TW-A325, Washington, DC 20554. Accordingly, we are issuing this Notice of Inquiry (NOI) to aid our understanding of the access issues presented by communications services and equipment not covered by the section 255 rules. Our goal is to take full advantage of the promise of new technology, not only to ensure that advancements do not leave people with disabilities behind, but also to harness the power of innovation to break down the accessibility barriers we face today and prevent their emergence tomorrow. While we are interested in all aspects of communications technology that may present accessibility issues, we specifically request information on two types, Internet telephony and computer-based equipment that replicates telecommunications functionality.

II. Internet Telephony

3. Internet Protocol telephony ("Internet" or "IP" telephony) services enable real-time voice transmission using the Internet Protocol (IP), a packet-switched communications protocol. The services can be provided in two basic ways: computer-to-computer IP telephony conducted through special software and hardware at an end user's premises; or phone-to-phone IP telephony conducted through "gateways" that enable applications originating and/or terminating on the public switched network. Phone-to-phone IP telephony is provided through computer gateways that allow end users to make and receive calls using their traditional telephones. Gateways translate the circuit-switched voice signal into IP packets, and vice versa, and perform associated signalling, control, and address translation functions. The voice communications can then be transmitted along with other data on the "public" Internet, or can be routed through intranets or other private data networks for improved performance.

4. We ask commenters to provide any further information as to the extent to which phone-to-phone IP telephony services might impact the disability community, and the steps, we should take to address any adverse impacts in order to fulfill the goals of section 255, or otherwise promote the accessibility of this technology. Commenting parties should offer specific suggestions as to the appropriate role for the Commission in guaranteeing access and the statutory basis for that role. For example, commenters should address ways in which phone to phone IP telephony may be interpreted as falling within the purview of section 255. Commenters should provide specific definitions of the services or equipment to which the statute might apply, and the appropriate means of limiting its application to only those services and equipment. Commenters should address the ways, if any, in which industry bodies can ensure access without regulatory action. Commenters should also describe the specific access issues or experiences that might arise with IP telephony. For example, will TTY tones be adequately transmitted in a packet-switched environment? Will persons with speech disabilities whose speech patterns and voice outputs from alternative and augmentative communications devices may fall outside of traditional voice patterns, face additional communications barriers with packetized voice services?

5. We further ask commenters to address what efforts manufacturers of equipment that performs phone-to-phone IP telephony functions and providers of phone-to-phone IP telephony services are currently making to ensure that such equipment and services are accessible. What improvements in accessibility may be possible through the use of phone-to-phone IP telephony? Are there natural opportunities for incorporating accessibility into IP telephony? Can greater accessibility be achieved if requirements are adopted early in the development of IP Telephony? Is it possible that greater levels of accessibility will be readily achievable with IP telephony than conventional telephony? How will compatibility with assistive technology affect the use of IP telephony?

6. Commenters should also address the extent to which IP telephony is now, or soon will be, an effective substitute for conventional circuit-switched telephony. As Internet usage grows, phone-to-phone voice IP telephony may be used with increasing frequency as an alternative to more traditional telephone service. How extensive is Internet

telephony usage today? What is the projected usage of Internet telephony in the near future? What is the projected use of various kinds of IP telephony by persons with disabilities?

7. Commenters are asked to describe differences in characteristics between computer-based and phone-based IP telephony, and whether such differences merit different treatment by the Commission. Given the rapid pace of technological change in the telecommunications marketplace, we also ask commenters to apprise us of any new technologies that may impact the availability of accessible services and equipment.

III. Computer Based Equipment

8. We also seek comment on another aspect of the network of the future—the movement of telecommunications and information service functions from the network, or the terminal equipment which connects directly to the network, into computer equipment which does not connect to the network directly. This computer hardware and software is not typically regarded as CPE, but may, in fact, deliver the same functions we seek to make accessible. For instance, voicemail, interactive menus, or phone-to-phone IP telephony in current network topologies can reside in equipment located on the service provider's premises, but such functionalities are also available in several forms to end users on their own premises. For example, voicemail can be purchased from a carrier, can be provided via software and a private branch exchange (PBX), or can be provided through a computer that connects with the PBX, but is not generally regarded as part of the PBX. It is this latter application as to which we seek comment.

9. These software applications shift the potential for accessibility solutions from the core of the network to the end user's premises. We therefore ask commenters to address whether equipment that provides these capabilities, but which does not connect directly into the public network (or otherwise directly receive the transmission of the telecommunications), should be considered to be CPE subject to the requirements of section 255. We note, for example, that this Order does not currently reach a software telephone or the personal computer on which it resides, even though it performs the same functions as the traditional telephone.

10. We ask commenters to address the need to include this computer-based equipment as CPE or otherwise apply

the provisions of these rules to that equipment in order to ensure access. We also ask commenters to address whether failure to bring such equipment within the scope of section 255 would create a serious gap in coverage that would interfere with our ability to effectively implement its provisions. Commenters should offer suggestions as to the appropriate role for the Commission in ensuring access for this kind of equipment and the statutory basis for that role. We also ask about the potential for this kind of equipment for improving accessibility and its compatibility with assistive technology. Is it possible that greater levels of accessibility will be readily achievable if this kind of equipment has accessibility requirements?

IV. Procedural Matters

11. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, interested parties may file comments as follows: Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

12. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic copy by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message: "get form <your email address>." A sample form and directions will be sent in reply.

13. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All paper filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 Twelfth Street S.W., Room TW-A325, Washington, DC 20554.

14. Parties who choose to file by paper should also submit their

comments on diskette to Al McCloud, Network Services Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street SW, Room 6-A423, Washington, DC 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM-compatible format using WordPerfect 5.1 for Windows or a compatible software. The diskette should be accompanied by a cover letter and should be submitted in read-only mode. The diskette should be clearly labeled with the commenter's name, proceeding, including the lead docket number in the proceeding (CC Docket No. 96-198), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase (Disk Copy—Not an Original.) Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters should send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th St. NW, Washington, DC 20037.

15. Alternate formats (computer diskette, large print, audio cassette and Braille) are available to persons with disabilities by contacting Martha Contee at (202)418-0260 (voice), (202)418-2555 (TTY), or at mcontee@fcc.gov. The Further Notice of Inquiry can be downloaded in Wp or ASCII test at: <http://www.fcc.gov/df/>.

V. Ordering Clauses

16. The authority contained in sections 1, 2, 4, 201(b), 208, 251(a)(2), 255, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154, 201(b), 208, 251(a)(2), 255, 303(r), this Notice of Inquiry IS ADOPTED and comments ARE REQUESTED.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

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DEPARTMENT OF TRANSPORTATION

49 CFR Ch. I

Office of the Secretary

[Docket OST-1996-1880]

Nondiscrimination on the Basis of Handicap in Air Travel

AGENCY: Office of the Secretary, DOT.

ACTION: Notice of public meeting.

SUMMARY: DOT is convening a public meeting to discuss whether the Department should commence a rulemaking to require certain additional accommodations for hearing-impaired passengers under the Air Carrier Access Act of 1986. This notice announces the date, time, location, and procedures for the public meeting.

DATES: The public meeting is scheduled for November 30, 1999, from 9 a.m. to 5 p.m. EST.

ADDRESSES: The public meeting will be held in Room 2101 at the Department of Transportation, 400 Seventh Street, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Sophy Chen, Office of the Assistant General Counsel for Regulation and Enforcement, telephone number (202) 366-9353 or via email at sophy.chen@ost.dot.gov; or Robert Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, telephone number (202) 366-9310 (voice) or (202) 755-7687 (TDD), or via email at bob.ashby@ost.dot.gov.

SUPPLEMENTARY INFORMATION:

Background

In a November 1996 notice of proposed rulemaking (NPRM), the Department proposed to amend the Department's Air Carrier Access Act (ACAA) rules regarding seating accommodations for individuals with disabilities and the stowage of collapsible electric wheelchairs (61 FR 56481; November 1, 1996). In that NPRM, the Department also requested comments on the following four suggestions the Department had received regarding accommodations for persons with hearing impairments: (1) Captioning of video material (e.g., movies and other entertainment features) shown on the aircraft; (2) making telecommunications devices for the deaf (TDDs) available where air phone service is provided to other passengers; (3) providing assistive listening technology for public address announcements in the aircraft; and (4) providing electronic message or assistive listening technology in gate areas. The Department sought comments on the need for such accommodations, as well as their technical feasibility and cost.

The Department received several comments, which are available in Docket OST-1996-1880. The Department's dockets are available at DOT Headquarters, 400 Seventh Street, SW., Washington, DC, in Room PL-104 and can also be accessed at the Department's Docket Management