

for compliance with the adjusted VOC gasoline standard  
 $n_u$ =the number of batches produced or imported and not designated for compliance with the adjusted VOC gasoline standard  
 $n_a$ =the number of batches produced or imported and designated for compliance with the adjusted VOC gasoline standard and  
 (C) The actual total using the following formula:

$$\text{ACTUAL TOTAL} = \sum_{i=1}^n (V_i \times \text{parm}_i)$$

Where:

$V_i$ =the volume of gasoline batch i  
 $\text{parm}_i$ =the parameter value of gasoline batch i

$n$ =the number of batches of gasoline produced or imported during the averaging period

(ii) [Reserved]

\* \* \* \* \*

(h) \* \* \*

(4) In the case of gasoline containing 10 volume percent ethanol oxygen credits may be generated, transferred and used for such gasoline only if it is not identified in the Product Transfer Document per § 80.77(g)(4)(B)(3) as “adjusted VOC gasoline” as defined in § 80.40(c).

\* \* \* \* \*

5. Section 80.68 is amended by revising paragraph (c)(8)(ii)(B) to read as follows:

**§ 80.68 Compliance surveys.**

\* \* \* \* \*

(c) \* \* \*

(8) \* \* \*

(ii) \* \* \*

(B) The covered area shall have failed the complex model VOC survey if the VOC emissions reduction percentage average of all survey samples is less than the weighted average of the applicable per-gallon standards for VOC emissions reduction calculated according to the following formula:

$$\text{WSTD} = \frac{\text{VOCU} \times n_u + \text{VOCA} \times n_a}{n}$$

Where:

WSTD=Weighted average of the applicable per-gallon VOC standards

VOCU=Per gallon VOC standard applicable in the covered area to RFG containing less than 10% ethanol by volume

VOCA=Per gallon VOC standard applicable in the covered area to RFG containing 10% ethanol by volume

$n_u$ =Number of samples in the VOC

survey with oxygen content less than 3.5% by weight  
 $n_a$ =Number of samples in the VOC survey with oxygen content equal to or greater than 3.5% by weight  
 $n$ =Total number of samples in the VOC survey

\* \* \* \* \*

6. Section 80.69 is amended by revising the introductory paragraph to read as follows:

**§ 80.69 Requirements for downstream oxygenate blending.**

The requirements of this section apply to all reformulated gasoline blendstock for oxygenate blending, or RBOB, to which oxygenate is added at any oxygenate blending facility, except that paragraph (a)(7) of this section does not apply to “adjusted VOC gasoline” as defined in § 80.40(c).

\* \* \* \* \*

7. Section 80.77 is amended by revising paragraph (g)(3) to read as follows:

**§ 80.77 Product transfer documentation.**

\* \* \* \* \*

(g) \* \* \*

(3) Identification of VOC-controlled reformulated gasoline including “adjusted VOC gasoline” as defined in § 80.40(c), or RBOB as gasoline, or RBOB which does not contain any ethanol, or RBOB which contains less than 10 volume % ethanol, or RBOB which must contain 10 volume % ethanol and is used to make “adjusted VOC gasoline”.

\* \* \* \* \*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 125**

[FRL-6734-8]

**Ocean Discharge Criteria: Revisions to Ocean Discharge Criteria Regulations; Notice of Public Meetings**

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

**ACTION:** Notice of meetings.

**SUMMARY:** This document announces that the Environmental Protection Agency (EPA) is inviting all interested members of the public to participate in any or all of a series of public meetings on its plan for revising the Ocean Discharge Criteria regulations and to solicit public input on the plan. These regulations implement section 403 of the Clean Water Act. The EPA is hosting

these meetings in five cities between late July and mid-August 2000.

**DATES:** See Supplementary information section for meeting dates.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** section for meeting locations.

**FOR FURTHER INFORMATION CONTACT:** For general information on the meetings, write Marine Pollution Control Branch, ATTN: Ocean Discharge Criteria, US Environmental Protection Agency, MC 4504F, 1200 Pennsylvania Avenue NW, Washington, DC, 20460, or email to: ocean.discharges@epa.gov, or fax to: 202/260-9920. You may also call Macara Lousberg, at telephone 202/260-9109.

**SUPPLEMENTARY INFORMATION:**

**Public Meeting Information**

The public meetings will be held on the following dates, times and locations:

1. Tuesday, July 25, 2000, 9 a.m. to 12:00 noon; and 1-4:30 p.m., in Washington, DC—Holiday Inn—National Airport, 2650 Jefferson Davis Highway, Arlington, VA 22202
2. Thursday, July 27, 2000, 1-4:30 p.m. and 7-9 p.m., in Boston, MA—Wyndham Boston Hotel, 89 Broad Street, Boston, MA 02110
3. Tuesday, August 1, 2000, 1-4:30 p.m. and 7-9 p.m., in Portland, OR—Portland Conference Center, (Morrison Room), 300 NE Multnomah Street, Portland, OR 97232
4. Thursday, August 3, 2000, 1-4:30 p.m. and 7-9 p.m., in Los Angeles, CA.—Los Angeles Convention Center, 201 S. Figueroa St., Los Angeles, CA 90015
5. Wednesday, August 9, 2000, 1-4:30 p.m. and 7-9 p.m., in Tampa, FL—Holiday Inn Express—Airport Stadium, (Lakeside x4), 4732 N. Dale Mabry Highway, Tampa, FL 33614

Members of the public who plan to attend any of these meetings should write, call, email or fax to the address listed in the **FOR FURTHER INFORMATION CONTACT** section above. Include your name, affiliation, address and phone number, and whether you wish to make a statement. The Agency will use the information to arrange enough time on the agenda for public comment.

**Background**

On May 26, 2000, President Clinton signed Executive Order 13158 which among other things explicitly directs EPA to take action to better protect marine and coastal areas. Section 4(f) of the Executive Order on Marine Protected Areas states:

To better protect beaches, coasts, and the marine environment from pollution, the Environmental Protection Agency (EPA), relying upon existing Clean Water Act authorities, shall expeditiously propose new science-based regulations, as necessary, to ensure appropriate levels of protection for the marine environment. Such regulations may include the identification of areas that warrant additional pollution protections and the enhancement of marine water quality standards. The EPA shall consult with the Federal agencies identified in subsection 4(a) of this order, States, territories, tribes, and the public in the development of such new regulations.

EPA believes that revisions to the Ocean Discharge Criteria (also called the section 403 regulations) is the most appropriate approach to implementing the order.

In 1972, Congress passed the Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA). Under the CWA, point source discharges (*i.e.*, discharges from municipal and industrial facilities) to waters of the United States must obtain a National Pollutant Discharge Elimination System (NPDES) permit, which requires compliance with technology- and water quality-based treatment standards. In addition, because of the complexity and ecological significance of marine ecosystems, discharges to the marine environment beyond the baseline (*i.e.*, the territorial sea, contiguous zone, and oceans) must also comply with section 403 of the CWA (section 403), which specifically addresses impacts from such point sources on marine resources.

The current Ocean Discharge Criteria regulations consider 10 criteria in evaluating NPDES permits for discharges into marine waters. These criteria emphasize an assessment of the impact of an ocean discharge both on the biological community in the area of the discharge and on surrounding biological communities. The current regulations governing section 403 were issued in 1980. Revising these regulations could potentially impact holders of NPDES permits that discharge into ocean waters and anyone who might apply for such a permit in the future.

EPA is holding these five meetings to present EPA's plans for section 403 regulatory revisions in support of the Executive Order. These meetings will provide the interested public an opportunity to comment on EPA's approach for regulatory revisions and to present data or opinions regarding the impacts of ocean discharges under CWA section 403 on the ocean environment.

These five meetings will provide an opportunity for the interested public to

comment on EPA's approach to meeting the requirements of the Executive Order. Specifically, the Agency may reconsider revising the existing scientific standards for protecting coastal and ocean waters under section 403 of the Clean Water Act, and proposing a list of Special Aquatic Sites (SAS's). The Agency's actions may also include strengthening the existing regulations regarding permits to discharge into ocean waters under section 403 of the CWA, including specific protection for SAS's in ocean waters.

Dated: July 7, 2000.

**Robert H. Wayland III,**

*Director, Office of Wetlands, Oceans, and Watersheds.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Parts 260, 261, 268 and 271**

**[FRL-6729-4]**

**RIN 2050-AE65**

#### **Land Disposal Restrictions; Treatment Standards for Spent Potliners From Primary Aluminum Reduction (K088) and Regulatory Classification of K088 Vitrification Units**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to revise certain treatment standards for spent potliners from primary aluminum reduction (EPA hazardous waste: K088) under its Land Disposal Restrictions (LDR) program. These revisions are a direct result of an Agency commitment to investigate whether a more permanent treatment standard for K088 is appropriate. If promulgated, nonwastewater forms of K088 waste would have to meet a new treatment standard, measured by a version of the Toxicity Characteristic Leaching Procedure (TCLP) that uses deionized water as the leaching fluid. The Agency is also proposing to revise the treatment standards for total and amenable cyanide in K088 nonwastewaters. Finally, the Agency is proposing to classify K088 vitrification units as RCRA Subpart X miscellaneous treatment units. As a final matter, we discuss the appropriateness of extending the rationale and regulatory status applied in this proposed rule for K088-vitrification units to all vitrification units treating RCRA hazardous waste.

**DATES:** Written and electronic comments must be received on or before September 11, 2000.

**ADDRESSES:** Commenters should submit an original and two copies of their comments referencing Docket No. F-2000-TSSP-FFFFF to: the RCRA Information Center (RIC), U.S. Environmental Protection Agency Headquarters (5305G), Ariel Rios Building, 1200 Pennsylvania Avenue NW., Washington, DC 20460. Courier deliveries of comments should be submitted to the RIC at the address listed below. Comments may also be submitted electronically through the Internet to: RCRA-docket@epamail.epa.gov. Comments in electronic format should also be identified by the docket number F-2000-TSSP-FFFFF. Submit electronic comments as an ASCII file and avoid the use of special characters and any form of encryption. If possible, EPA's Office of Solid Waste (OSW) would also like to receive an additional copy of the comments on disk in WordPerfect 6.1 file format.

Commenters should not submit electronically any confidential business information (CBI). An original and two copies of the CBI must be submitted separately to: Regina Magbie, RCRA CBI Document Control Officer, Office of Solid Waste (5305W), U.S. EPA, Ariel Rios Building, 1200 Pennsylvania Avenue NW., Washington, DC 20460.

The Agency will consider the public comments during development of any final rule related to this action. The Agency urges commenters submitting data in support of their views to include data evidence that appropriate quality assurance/quality control (QA/QC) procedures were followed in generating the data. Data that the Agency cannot verify through QA/QC documentation may be given less consideration or disregarded in developing regulatory options for the final rule. For guidance see Final Best Demonstrated Available Technology (BDAT) Background Document for Quality Assurance/Quality Control Procedures and Methodology; USEPA, October 23, 1991.

Public comments and supporting materials are available for viewing in the RIC, located at Crystal Gateway One, 1235 Jefferson Davis Highway, First Floor, Arlington, Virginia. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, except for Federal holidays. To review docket materials, the public must make an appointment by calling 703-603-9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$0.15 per page.