

**List of Subjects in 40 CFR Part 721**

Environmental protection, Chemicals, Hazardous materials, Recordkeeping and reporting requirements.

Dated: June 24, 1997.

**Charles M. Auer,**

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

Therefore, 40 CFR part 721 is amended as follows:

**PART 721—[AMENDED]**

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

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

**§ 721.3020 [Removed]**

2. By removing § 721.3020.

**§ 721.3040 [Removed]**

3. By removing § 721.3040.

[FR Doc. 97-17178 Filed 7-1-97; 8:45 am]

BILLING CODE 6560-50-F

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 721**

[OPPTS-50622D; FRL-5715-2]

RIN 2070-AB27

**Aliphatic Ester; Revocation of a Significant New Use Rule**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is revoking a significant new use rule (SNUR) promulgated under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for aliphatic ester based on a new evaluation of toxicity data. Based on the data the Agency determined that it could no longer support a finding that activities not described in the TSCA section 5(e) consent order may result in significant changes in human exposure.

**DATES:** This rule is effective August 1, 1997.

**FOR FURTHER INFORMATION CONTACT:**

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

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of August 30, 1995 (60 FR 45072)(FRL-4629-2) EPA issued a SNUR establishing significant new uses

for aliphatic ester. Because of additional data EPA has received for this substance, EPA is proposing to revoke this SNUR.

**I. Background**

The Agency proposed the revocation of the SNUR for this substance in the **Federal Register** of February 4, 1997 (62 FR 5196)(FRL-5580-7). The background and reasons for the revocation of the SNUR are set forth in the preamble to the proposed revocation. The Agency received no public comment concerning the proposed revocation. As a result, EPA is revoking this SNUR.

**II. Background and Rationale for Revocation of the Rule**

During review of the PMN submitted for the chemical substance that is the subject of this revocation, EPA concluded that regulation was warranted based on the fact that activities not described in the section 5(e) consent order may result in significant changes in human exposure. Based on these findings, a SNUR was promulgated.

EPA has revoked the section 5(e) consent order that is the basis for this SNUR and determined that it could no longer support a finding that activities not described in the section 5(e) consent order may result in significant changes in human exposure. The proposed revocation of SNUR provisions for this substance designated herein is consistent with this finding.

In light of the above, EPA proposed to revoke the SNUR provisions for this chemical substance. When this revocation becomes final, EPA will no longer require notice of any company's intent to manufacture, import, or process this substance. In addition, export notification under section 12(b) of TSCA will no longer be required.

**III. Rulemaking Record**

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket number OPPTS-50622D (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as confidential business information (CBI), is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC.

**IV. Regulatory Assessment**

This final 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 final 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).

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 at 62 FR 29688 (June 2, 1997), and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

**V. Submission to Congress and the General Accounting Office**

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the Agency has submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This is not a major rule as defined by 5 U.S.C. 804(2).

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Dated: June 24, 1997.

**Charles M. Auer,**

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

Therefore, 40 CFR part 721 is amended as follows:

**PART 721—[AMENDED]**

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

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

**§ 721.2815 [Removed]**

2. Section 721.2815 is removed.  
[FR Doc. 97-17179 Filed 7-1-97; 8:45 am]  
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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**49 CFR Parts 1002 and 1180**

[STB Ex Parte No. 556]

**Railroad Consolidation Procedures—  
Modification of Fee Policy: Correction**

**AGENCY:** Surface Transportation Board (Board).

**ACTION:** Final rules: correction of effective date.

**SUMMARY:** The Board is correcting the effective date for the final rules relating to the Board's fee policy for proceedings involving major railroad consolidations, which were published at 62 FR 28375 on May 23, 1997. The corrected effective date appears below.

**DATES:** The effective date of the final rules published at 62 FR 28375 on May 23, 1997, is corrected from May 15, 1997 to May 5, 1997.

**FOR FURTHER INFORMATION CONTACT:** Kathleen M. King, (202) 565-1639 or David T. Groves, (202) 565-1551. [TDD for the hearing impaired: (202) 565-1695.]

**SUPPLEMENTARY INFORMATION:** On March 4, 1997, at 62 FR 9714, the Board published interim rules that modified the Board's user fee policy for proceedings involving major railroad

consolidations under 49 CFR part 1180 and the Board's corresponding fee regulations at 49 CFR part 1002. Subsequently on May 23, 1997, at 62 FR 28375, the Board adopted those interim rules with one minor modification. Because an incorrect effective date was given in the document published on May 23, 1997, the Board is issuing this document to show that the effective date of those rules is corrected to be May 5, 1997.

Decided: June 25, 1997.  
By the Board, Vernon A. Williams,  
Secretary.

**Vernon A. Williams,**  
*Secretary.*  
[FR Doc. 97-17345 Filed 7-1-97; 8:45 am]  
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