

open working meeting on November 7, 1997, in Washington, D.C. to discuss the proposed regulations. At the meeting a number of commenters expressed their views and concerns concerning a number of matters, including most importantly the requirement in the proposed rule that banks estimate when granting an exemption, and file annual reports of, aggregate currency deposits and withdrawals by non-listed businesses and payroll customers. The decision to extend the comment period, and the request for additional comments contained in this document, result from that meeting.

Annual Reporting of Aggregate Currency Transactions

In light of the comments made at the meeting, FinCEN does not believe that additional comments concerning the proposed estimation and aggregate currency reporting provision are necessary to complete the administrative record. Thus persons who attended the meeting, and other commenters, need not, if they do not wish to, file written comments regarding these provisions.

The comments made at the open meeting did indicate, however, that it is important that alternatives to annual aggregate currency reporting be brought forward by interested parties. The preamble to the proposed rule specifically sought comment on several such possible alternatives. FinCEN is considering an additional alternative about which it would like to receive specific comments.

The proposed alternative has two elements.

1. The initial designation of a non-listed business or payroll customer as an "exempt person" under the rule would include a specific statement by the bank of the manner in which it applies its "know-your-customer" standards to the tracking of currency deposits of commercial businesses. (The necessary statements could be made once for all exempt persons designated by a bank, as reflective of general bank policies.)

2. The annual renewal of the status of a non-listed or payroll customer as an exempt person would include a certification by the bank. The bank would certify that during the preceding year there was no transaction involving any accounts of the person at the bank that would have required the bank to file a suspicious transaction report with respect to that person under 31 CFR 103.21 (that is, no transaction had occurred with respect to the account that the bank knew, suspected, or had

reason to suspect was described in 31 CFR 103.21(a)(2)(i), (ii), or (iii)).¹

FinCEN specifically invites comment on this alternative and on ways to allow such an alternative to operate with clear lines and without uncertainty or unnecessary burdens. It also again invites suggestion of any other alternatives to the proposed requirement that a bank initially estimate and subsequently report annually the aggregate currency deposits and withdrawals of a non-listed business or payroll customer that the bank wishes to exempt.

Uniform Treatment of Accounts of Exempt Persons

FinCEN understands from comments at the November 7 meeting that banks are concerned about the use of the words "shall" in proposed 31 CFR 103.22(d)(5)(v) and "may" in proposed 31 CFR 103.22(d)(5)(vi). As stated in the notice of proposed rulemaking, the intent of the proposed rule is to reform and simplify the process by which banks may exempt transactions from the reporting requirements. FinCEN believes that relief would be better provided by making both provisions optional rather than mandatory, so that institutions may, but need not, treat all accounts of a person at a single institution as exempt. FinCEN would appreciate comments on whether such a change would improve the operation of the proposed rule.

Commingleing

Other comments at the November 7 meeting indicated that banks were not exempting certain publicly traded businesses, such as grocery stores, under the first phase of exemptive relief, 31 CFR 103.22(h), because of the uncertainty about the treatment of currency deposits that commingle receipts from the sale of groceries with receipts from the sale of money services products such as money orders or money transmissions. FinCEN specifically solicited comments on this matter in the proposed rule, as it relates not only to the treatment of non-listed companies but also listed companies.

The extent to which segregation of funds is required in circumstances such as these is still under consideration, and FinCEN repeats here the request, made in the notice of proposed rulemaking, for comments on that issue. Any rule requiring a grocery store or similar

¹ Under the proposed rule, non-listed businesses are businesses, otherwise eligible for exemption, whose stock is not listed on the nation's major securities exchanges. Payroll customers are businesses, otherwise eligible for exemption, that require cash withdrawals for payroll purposes.

entity that qualifies as a listed entity under 31 CFR 103.22(h)(2)(iii), (iv), or (v) to segregate money from the sale of money services products in order to secure treatment as an "exempt person" for any deposit, will not become effective until the effective date of the proposed regulations, when issued in final form.

Dated: November 24, 1997.

Stephen R. Kroll,

Federal Register Liaison Officer, Financial Crimes Enforcement Network.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 799

[OPPTS-42187K; FRL-5759-2]

RIN 2070-AC76

Proposed Test Rule for Hazardous Air Pollutants; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: EPA is extending the public comment period from December 1, 1997 to January 9, 1998, on the proposed rule published in the **Federal Register** of June 26, 1996 (61 FR 33178)(FRL-4869-1) requiring the testing of 21 hazardous air pollutants (HAPs) for certain health effects. This extension is needed to allow the Agency more time to amend the HAPs test rule proposal.

DATES: Written comments on the proposed rule must be received by EPA on or before January 9, 1998.

ADDRESSES: Submit three copies of written comments on the proposed HAPs test rule, identified by docket control number (OPPTS-42187A; FRL-4869-1) to: Environmental Protection Agency, Office of Pollution Prevention and Toxics (OPPT), Document Control Office (7407), Rm. G-099, 401 M St., SW., Washington, DC 20460.

Comments and data may also be submitted electronically to oppt.ncic@epamail.epa.gov. Follow the instructions under Unit II. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

FOR FURTHER INFORMATION CONTACT: For general information, Susan B. Hazen, Director, Environmental Assistance Division (7408), Rm. ET-543B, Office of Pollution Prevention and Toxics,

Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone (202) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov. For technical information contact: Richard W. Leukroth, Jr., Project Manager, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-0321; fax: (202) 260-8850; e-mail: leukroth.rich@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

Electronic Availability: Electronic copies of this document, all **Federal Register** support documents, and the eleven TSCA test guidelines are available from the EPA Home Page at the **Federal Register** — Environmental Documents entry under “Laws and Regulations” (<http://www.epa.gov/fedrgstr>).

I. Background and General Information

On June 26, 1996 (61 FR 33178), EPA proposed health effects testing, under section 4(a) of TSCA, of the following hazardous air pollutants (HAPs): 1,1'-biphenyl, carbonyl sulfide, chlorine, chlorobenzene, chloroprene, cresols (3 isomers: *ortho*-, *meta*-, *para*-), diethanolamine, ethylbenzene, ethylene dichloride, ethylene glycol, hydrochloric acid, hydrogen fluoride, maleic anhydride, methyl isobutyl ketone, methyl methacrylate, naphthalene, phenol, phthalic anhydride, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, and vinylidene chloride. EPA would use the data generated under the rule to implement several provisions of section 112 of the Clean Air Act and to meet other EPA data needs and those of other Federal agencies. In the HAPs proposal, EPA invited the submission of proposals for pharmacokinetics (PK) studies for the HAPs chemicals, which could provide the basis for negotiation of enforceable consent agreements (ECAs). These PK studies would be used to conduct route-to-route extrapolation of toxicity data from routes other than inhalation to predict the effects of inhalation exposure, as an alternative to testing proposed under the HAPs rule.

On October 18, 1996, EPA extended the public comment period on the proposed rule from December 23, 1996, to January 31, 1997 (61 FR 54383) (FRL-5571-3). This extension was for the purpose of allowing more time for the submission of PK proposals and adequate time for comments on the proposed rule to be submitted after the Agency had responded to the proposals. Due to the complexity of the issues

raised by the eight PK proposals that the Agency received in response to the HAPs proposal and other issues related to test guidelines, EPA successively extended the public comment period (61 FR 67516, December 23, 1996 (FRL-5580-6); 62 FR 9142, February 28, 1997 (FRL-5592-1); 62 FR 14850, March 28, 1997 (FRL-5598-4); 62 FR 29318, May 30, 1997 (FRL-5722-1); 62 FR 37833, July 15, 1997 (FRL-5732-2)); to allow the Agency more time to respond to the PK proposals and to finalize the test guidelines to be referenced in the proposed HAPs test rule. EPA extended the comment period again (62 FR 50546, September 26, 1997 (FRL-5748-8)), to allow the Agency time to complete work on amending the proposed HAPs test rule to incorporate the new TSCA 799 test guidelines, revise the economic analysis in consideration of the new test guidelines, and to complete preliminary technical analyses for each PK proposal. This extension of the comment period is needed to allow the Agency more time to complete work on amending the proposed HAPs test rule.

EPA has completed preliminary technical analyses for each PK proposal submitted in response to the Agency's June 26, 1996 solicitation. These include the HAPs chemicals: hydrogen fluoride, 1,1,2-trichloroethane, ethylene dichloride, maleic anhydride, phthalic anhydride, 1,2,4-trichlorobenzene, diethanolamine, and ethylene glycol. Copies of these preliminary technical analyses have been sent to the submitters and placed in the public record for this action (OPPTS-42187B; FRL-4869-1). The Agency recognizes that submitters may need to revise their proposals based on EPA comments. If the Agency decides to proceed with the ECA process, EPA will announce, in the **Federal Register**, one or more public meetings to discuss the proposals and to negotiate ECAs. In that document, the Agency will solicit persons interested in participating in or monitoring negotiations to develop ECAs based on: the PK testing proposals or revisions thereof, EPA's preliminary technical analyses, and additional comments on EPA's preliminary technical analyses provided by the submitters. The procedures for ECA negotiations are described at 40 CFR 790.22(b).

The Agency emphasizes that the submission of proposals to develop ECAs to conduct alternative testing using PK is no guarantee that EPA and the submitters will, in fact, conclude such agreements. Therefore, EPA urges all submitters of PK proposals to comment on the HAPs proposed rule as an activity separate from the PK proposal/ECA process.

On August 15, 1997, EPA promulgated eleven new TSCA test guidelines (62 FR 43820)(FRL-5719-5), codified at 40 CFR part 799, subpart H. These TSCA part 799 test guidelines were developed based on the Office of Pollution Prevention and Toxic Substances (OPPTS) harmonized guidelines that were developed from the OPPTS guideline harmonization process. In the original HAPs proposal and subsequent notices extending the comment period on the rule, EPA indicated that, for the purposes of this rulemaking and testing under TSCA section 4(a), the Office of Pollution Prevention and Toxics (OPPT) intends to reference final TSCA test guidelines developed from the OPPTS harmonized guidelines. The eleven TSCA test guidelines are included in the record for this rulemaking. EPA is amending the proposed HAPs test rule to reference the eleven new TSCA part 799 test guidelines and to seek comment on the guidelines as referenced in enforceable test standards in the forthcoming amended HAPs proposal. In addition, the amendment will provide a revised economic assessment and describe other changes and clarifications to the proposed test rule. This amendment to the proposed HAPs test rule will be published in the **Federal Register** as soon as possible but in any event no later than January 9, 1998.

II. Public Record

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket control number (OPPTS-42187A; FRL-4869-1) (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 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.

Electronic comments can be sent directly to EPA at oppt.ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket control number (OPPTS-42187A; FRL-4869-1). Electronic

comments on the proposed rule may be filed online at many Federal Depository Libraries.

List of Subjects in 40 CFR Part 799

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

Dated: November 20, 1997.

Charles M. Auer,

Chemical Control Division, Office of Pollution Prevention and Toxics.

Accordingly, EPA is extending the comment period on the proposed rule to January 9, 1997.

[FR Doc. 97-31128 Filed 11-26-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 52 and 64

[CC Docket No. 92-237; DA 97-2439]

Administration of the North American Numbering Plan, Carrier Identification Codes (CICs)

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: On November 21, 1997, the Network Services Division of the Commission's Common Carrier Bureau, released an Order extending the deadline for filing comments to the Further Notice of Proposed Rulemaking in this docket addressing carrier identification code use and assignment [62 FR 54817 (10/22/97)]. The Order is intended to grant the extension request filed by the North American Numbering Council (NANC) and to make the public aware of the extensions of the filing deadlines.

DATES: Comments must be filed on or before March 6, 1998, and reply comments must be filed on or before April 3, 1998.

ADDRESSES: Federal Communications Commission, Secretary, Room 222, 1919 M Street, N.W., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Nightingale, Attorney, Network Services Division, Common Carrier Bureau, (202) 418-2352.

SUPPLEMENTARY INFORMATION:

Administration of the North American Numbering Plan, Carrier Identification Codes (CICs); Order [CC Docket No. 92-237; DA 97-2439]

[Adopted: November 20, 1997; Released: November 21, 1997]

1. On October 9, 1997, the Commission released a *Further Notice of Proposed Rulemaking and Order*¹ in this docket, addressing issues related to Feature Group D carrier identification code (CIC) use and assignment.² In the *FNPRM*, the Commission sought comment on, for example, the use and application of Feature Group D CICs, on the definition of "entity" used to determine who may receive a CIC, and on CIC conservation issues. In the *Order*, the Commission directed the North American Numbering Council (NANC) to present to the Commission, no later than December 15, 1997, the NANC's recommendations on the tentative conclusions and proposals in the *FNPRM*, including any alternatives to them. The Commission stated that NANC's recommendations (including any recommended rules or recommended resolutions of ambiguities or policy disputes) should address, for example, how to define "entity" and whether CIC conservation measures, such as a limit on CIC assignments per entity, a limit on the total number of four-digit CICs available for assignment, and mandatory CIC reclamation procedures, are needed to meet the Commission's numbering policy goals.

2. In a letter dated November 19, 1997, the North American Numbering Council (NANC), through its Chairman, Alan C. Hasselwander, requested extension of the deadlines set in the *FNPRM and Order*. Specifically, NANC asks that the deadline by which it must present recommendations to the Commission, as required by the *Order*, be extended from December 15, 1997, to February 19, 1998 (the day following NANC's February meeting). In addition, NANC requested that the time by which parties must file comments and reply comments in response to the *FNPRM* be extended from November 24, 1997, and December 22, 1997, respectively, to a period following the date for NANC's submission.

¹ Administration of the North American Numbering Plan, Carrier Identification Codes (CICs), *Further Notice of Proposed Rulemaking and Order*, CC Docket No. 92-237, FCC 97-364 (released October 9, 1997) (62 FR 54817 (10/22/97)) (*FNPRM and Order*).

² CICs are numeric codes that enable local exchange carriers (LECs) providing interstate interexchange access services to identify the interstate interexchange carrier (IXC) that the originating caller wishes to use to transmit its interstate call. LECs use the CICs to route traffic to the proper IXC and to bill for the interstate access service provided. CICs facilitate competition by enabling callers to use the services of telecommunications service providers either by presubscription or by dialing CAC, which incorporates that carrier's unique Feature Group D CIC.

3. NANC states that at its November 18, 1997 meeting, the members unanimously agreed that such a delay is required. NANC also asserts that the delay "will allow NANC to assemble a diverse group of industry representatives to consider the questions raised in the Order and work diligently to find common ground." In support of its request that the time by which parties must file comments in response to the *FNPRM* be extended until after the deadline for NANC's submission, NANC states that "industry may achieve a more uniform position if NANC attempts to achieve consensus before interested parties have publicly stated their positions."

4. The Commission does not routinely grant extensions of time.³ It is important, however, that the record be as complete as possible. A recommendation from NANC that reflects consensus based on a diverse group of industry views is desirable. Granting NANC's additional time to submit its recommendation to the Commission increases the likelihood that the recommendation will be comprehensive. Further, if delaying the pleading cycle until after NANC reports will allow NANC to achieve a more uniform view from a cross-section of the industry, because interested parties would not have publicly stated their positions in advance of NANC's opportunity to address them, the record in this proceeding will benefit. For these reasons, we grant NANC's request and, accordingly, we: (1) extend the period of time by which NANC must provide its recommendations to the Commission until February 19, 1998; and (2) extend the period of time by which parties must file comments and reply comments on the issues raised in the *FNPRM* until March 6, 1998, and April 3, 1998, respectively. We emphasize that the comments and reply comments on the *FNPRM* should address the proposals and tentative conclusions raised by the Commission in the *FNPRM*, and should not be limited to NANC's recommendations.

5. Accordingly, *it is ordered*, pursuant to Section 1.46 of the Commission's Rules, 47 CFR § 1.46, that the North American Numbering Council's request to extend the deadline by which it must present recommendations to the Commission in response to the *Order* issued in this proceeding on October 9, 1997, *is granted*, by extending the deadline until February 19, 1998.

6. *It is further ordered*, pursuant to Section 1.46 of the Commission's Rules, 47 CFR 1.46, that the North American

³ See 47 CFR 1.45.