

specific type and frequency of behavior that a child exposed to a product will exhibit depends on the age of the child and the characteristics and pattern of use of the product. The adverse health effects of lead poisoning in children are well-documented and may have long-lasting or permanent consequences. These effects include neurological damage, delayed mental and physical development, attention and learning deficiencies, and hearing problems. Because lead accumulates in the body, even exposures to small amounts of lead can contribute to the overall level of lead in the blood and to the subsequent risk of adverse health effects. Therefore, any unnecessary exposure of children to lead should be avoided. The scientific community generally recognizes a level of 10 micrograms of lead per deciliter of blood as a threshold level of concern with respect to lead poisoning. To avoid exceeding that level, young children should not chronically ingest more than 15 micrograms of lead per day from consumer products.

#### Guidance

Under the Federal Hazardous Substances Act (FHSA), 15 U.S.C. 1261(f)(1), household products that expose children to hazardous quantities of lead under reasonably foreseeable conditions of handling or use are "hazardous substances." A household product that is not intended for children but which creates such a risk of injury because it contains lead requires precautionary labeling under the Act. 15 U.S.C. 1261(p). A toy or other article intended for use by children which contains a hazardous amount of lead that is accessible for children to ingest is a banned hazardous substance. 15 U.S.C. 1261(q)(1)(B). In evaluating the potential hazard associated with products that contain lead, the Commission staff considers these major factors on a case-by-case basis: the total amount of lead contained in a product, the bioavailability of the lead, the accessibility of the lead to children, the age and foreseeable behavior of the children exposed to the product, the foreseeable duration of the exposure, and the marketing, patterns of use, and life cycle of the product.

Paint and similar surface coatings containing lead have historically been the most commonly-recognized sources of lead poisoning among the products within the Commission's jurisdiction. The Commission has, by regulation, banned (1) paint and other similar surface coatings that contain more than 0.06% lead ("lead-containing paint"), (2) toys and other articles intended for use by children that bear lead-

containing paint, and (3) furniture articles for consumer use that bear lead-containing paint. 16 CFR part 1303. In recent years, however, the Commission staff has identified a number of disparate products—some intended for use by children and others simply used in or around the household or in recreation—that presented a risk of lead poisoning from sources other than paint. These products included vinyl miniblinds, crayons, figurines used as game pieces, and children's jewelry.

In several of these cases, the staff's determination that the products presented a risk of lead poisoning resulted in recalls or in the replacement of those products with substitutes, in addition to an agreement to discontinue the use of lead in future production. The Commission believes that, had the manufacturers of these lead-containing products acted with prudence and foresight before introducing the products into commerce, they would not have used lead at all. This in turn would have eliminated both the risk to young children and the costs and other consequences associated with the corrective actions.

The Commission urges manufacturers to eliminate lead in consumer products to avoid similar occurrences in the future. However, to avoid the possibility of a Commission enforcement action, a manufacturer who believes it necessary to use lead in a consumer product should perform the requisite analysis before distribution to determine whether the exposure to lead causes the product to be a "hazardous substance." If the product is a hazardous substance and is also a children's product, it is banned. If it is a hazardous household substance but is not intended for use by children, it requires precautionary labeling. This same type of analysis also should be performed on materials substituted for lead.

The Commission also notes that, under the FHSA, any firm that purchases a product for resale is responsible for determining whether that product contains lead and, if so, whether it is a "hazardous substance." The Commission, therefore, recommends that, prior to the acquisition or distribution of such products, importers, distributors, and retailers obtain information and data, such as analyses of chemical composition or accessibility, relevant to this determination from manufacturers, or have such evaluations conducted themselves.

Dated: January 15, 1998.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 98-1456 Filed 1-21-98; 8:45 am]

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## CONSUMER PRODUCT SAFETY COMMISSION

### Sunshine Act Meeting

**TIME AND DATE:** Wednesday, January 28, 1998, 10:00 a.m.

**LOCATION:** Room 420, East West Towers, 4330 East-West Highway, Bethesda, Maryland.

**STATUS:** Open to the Public.

**MATTER TO BE CONSIDERED:**

#### *Bicycle Helmets*

The Commission will consider options for a final safety standard for bicycle helmets.

For a recorded message containing the latest agenda information, call (301) 504-0709.

**CONTACT PERSON FOR ADDITIONAL INFORMATION:** Sadye E. Dunn, Office of the Secretary, 4330 East-West Highway, Bethesda, MD 20207 (301) 504-0800.

Dated: January 20, 1998.

**Sadye E. Dunn,**

*Secretary.*

[FR Doc. 98-1665 Filed 1-20-98; 2:25 pm]

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## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Public Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Limited Reevaluation Study for the Deepening of the Arthur Kill-Howland Hook Marine Terminal Navigation Channels

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Correction.

**SUMMARY:** In previous **Federal Register** notice (Vol. 62, No. 196, pages 52698-52699) Thursday, October 9, 1997, make the following correction:

On page 52698, in column 3, line 34, the sentence "Comments will be accepted for forty-five (45) days after publishing of this notice." should be deleted. Unfortunately, the DSEIS, previously experienced publishing delays which resulted in the document not being readily available for public comment at the time when the previous

notice was published in the **Federal Register**. The DSEIS however, is not available for public review and comment. The revised comment period will commence on the publication date of this notice for forty five (45) days and end on the date indicated below.

**DATES:** Comments must be received not later than March 9, 1998.

**ADDRESSES:** The DSEIS may be obtained from the Army Corps of Engineers, Planning Division, 26 Federal Plaza, New York, NY 10278-0090.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jenine Gallo, Project Biologist, CENAN-PL-EA, Corps of Engineers, New York District, 26 Federal Plaza, NY, NY 10278-0090, Tel. 212-264-4549.

**SUPPLEMENTARY INFORMATION:** None.

**Gregory D. Showalter,**

*Army Federal Register Liaison Officer.*

[FR Doc. 98-1488 Filed 1-21-98; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Addendum to the Atlantic Coast of Long Island, From Fire Island Inlet to Montauk Point, New York (Reach 1-Fire Island Inlet to Moriches Inlet Interim Plan for Storm Damage Protection)

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** In previous **Federal Register** notice (Vol. 62, No. 228, pages 63134-63135) Wednesday, November 26, 1997, subject notice was published to provide an opportunity for public comment during the public scoping phase of the project. Based on comments received by this office, certain changes are required to the document and are provided in the **SUPPLEMENTARY INFORMATION** paragraph.

**FOR FURTHER INFORMATION CONTACT:** Mr. Stephen A. Couch, Study Manager, (212) 264-9077; Mr. Peter M. Weppeler, EIS Coordinator, (212) 264-4663; Planning Division, Corps of Engineers, New York District, 26 Federal Plaza, New York, New York 10278-0090.

**SUPPLEMENTARY INFORMATION:** On page 63134, in column 3, last paragraph, revise Section 1 to read:

#### 1. Location of Proposed Action

The project area is located entirely in Suffolk County, Long Island, New York, along the Atlantic and bay-shore of the towns of Babylon, Islip, and Brookhaven. The study area includes Great South

Bay, which is connected to the Atlantic Ocean through Fire Island Inlet, a federal navigation channel. Great South Bay is connected to Moriches Bay by a narrow channel behind the barrier island. The westernmost portion of the study area, Fire Island Inlet, is located approximately 52 miles by water east of the Battery, New York. The project area includes the Atlantic Ocean and Great South Bay, Fire Island, Moriches Inlet, barrier beaches, the mainland of Long Island fronted by Fire Island, as well as suitable offshore borrow areas that will supply material for beach construction and replenishment. The study area is approximately 30 miles long. The lands and waters within the proposed project area are owned by various interests and are subject to various uses. The Federal Government (Department of the Interior, National Park Service (NPS)) has jurisdiction over approximately 26 miles of the area included within the boundaries of the Fire Island National Seashore (FINS). The New York State government has jurisdiction over Robert Moses State Park (Office of Parks, Recreation and Historic Preservation), tidal waters (bays) (Department of Environmental Conservation) and submerged lands offshore to the three-mile limit (Department of State). The Suffolk County government (Department of Parks and Recreation) has jurisdiction over county parks located at Smith Point and Moriches Inlet. Most of the remaining land is held by private landowners located in Towns of Babylon, Brookhaven, and Islip and Villages of Ocean Beach and Saltaire. There are 17 "exempted" and 3 Seashore District (non-exempted) communities within the boundaries of FINS. An exempted community is one that is defined by the 1964 FINS Enabling Legislation (Pub. L. 88-587), and described by the Federal Zoning Regulations, 36 CFR part 28, as falling within the boundaries of the Community Development District. The Seashore District is comprised of all portions of the lands and waters within the boundary of FINS, which are not included in the Community Development District, comprising all private and public developments. The improved private properties in either district are exempted from the acquisition authority of the Secretary of the Interior, as long as the development conforms to all local and federal zoning requirements at the time of construction. There are five NPS facilities on Fire Island under the jurisdiction of FINS. They are: the Lighthouse Area, Sunken Forest/Sailors

Haven, Talisman, Watch Hill, and Smith Point.

On page 63135, in column 1, first paragraph, revise Section 2 to read:

#### 2. Description of Potential Interim Alternatives

##### *No Federal Action*

The No Federal Action alternative for this proposed project means that no interim measures would be taken by the Federal government to provide storm damage protection in the study area. Other entities (State and local agencies, private interests, etc.) could undertake measures intended to prevent or minimize further storm damage and the Federal Government could proceed with the Reformulation Study. For evaluation of the interim project, the No-Action alternative recognizes that the Breach Contingency Plan is in place, and that any breach of the barrier island that may occur within this area would be closed using the authority provided by the Breach Contingency Plan.

#### 3. Non-Structural Alternatives

##### *Buy-Out Plan/Land Use Regulations/Flood-Proofing*

A buyout plan would include the permanent evacuation of areas within the floodplain subject to erosion or inundation, including the mainland and barrier island. This would involve the acquisition of land and structures either by purchase or by exercising the power of eminent domain. Following this action, structures in the affected areas could be demolished or relocated. Other potential land use regulations may include a range of management techniques, including zoning, subdivision regulations, building codes, and setback ordinances. Other flood-proofing strategies include raising structures or providing walls or floodshields around structures, in addition to relocations.

#### 4. Beach Nourishment Alternatives

Beach nourishment involves the placement of sand extracted from an offshore borrow source onto an eroding shoreline to restore its form and to provide an adequate protective beach. A beach fill plan typically includes a berm (that slopes to the sea floor) backed by a dune. Together, the dune and the berm combine to prevent erosion and inundation damages to leeward areas. Beach nourishment requires the periodic placement of sand to offset erosion of the beach fill in order to maintain the designed level of protection.