compounds in Maryland's air quality regulations, Code of Maryland Administrative Regulations (COMAR) 26.11.

(B) Revision to COMAR 26.11.13.04: Control of Gasoline and Volatile Organic Compound Storage and Handling from Loading Operations, adopted by the Secretary of the Environment on July 18, 1997, and effective on August 11, 1997, including the following:

(1) Deletion of COMAR 26.11.13.04.C(1)(b), pertaining to the applicability of this regulation to gasoline storage tanks with a capacity greater than 250 gallons and less than 2000 gallons.

(2) Deletion of COMAR 26.11.13.04.C(2), Exemptions.

(3) Deletion of COMAR 26.11.13.04.C(4), Effective Date of Stage I Requirement for Certain Sources.

(ii) Additional material—Remainder of February 6, 1998 State submittal pertaining to COMAR 26.11.13.04 Control of Gasoline and Volatile Organic Compound Storage and Handling from Loading Operations.

[FR Doc. 98–23326 Filed 9–1–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA 119–4074a; FRL–6148–3]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Enhanced Motor Vehicle Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This action serves to remove several conditions of EPA's January 28, 1997 interim final approval of the Commonwealth of Pennsylvania's State Implementation Plan (SIP) revision for its enhanced motor vehicle emissions inspection and maintenance (I/M) program. The Commonwealth has amended its SIP (since EPA granted conditional interim approval of that plan) to address these deficiencies. EPA is removing these conditions by approving two related SIP revisions submitted by Pennsylvania. These revisions serve to bolster the Commonwealth's I/M SIP, and to strengthen its I/M program. The intended effect of this action is to remove several conditions placed by EPA upon the approval of the Commonwealth's SIP. However, as Pennsylvania has yet to address several other outstanding rulemaking conditions on this same SIP, the Commonwealth's I/M SIP will continue to be conditionally approved, in accordance with the Clean Air Act, until the Commonwealth satisfies the remaining conditions.

DATES: This direct final rule is effective on November 2, 1998 without further notice, unless EPA receives adverse comment by October 2, 1998. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Comments should be mailed to Marcia Spink, Associate Director, Office of Air Programs, Mailcode 3AP20, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street—14th Floor, Philadelphia, Pennsylvania 19103; and at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Brian Rehn, (215) 814–2176, or by e-mail at rehn.brian@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

Background

On January 28, 1997, EPA published in the **Federal Register** a document (62 FR 4004) granting conditional interim approval to Pennsylvania's enhanced I/M program SIP (submitted March 22, 1996)—under the authority of both the National Highway Systems Designation Act of 1995, and the Clean Air Act as amended in 1990. The NHSDA established key changes to previous EPA I/M requirements. Under the NHSDA, EPA could not disapprove, or automatically discount the effectiveness of, a state's I/M program solely because it utilized a decentralized testing network. Instead, on the basis of a ''good faith estimate'' by a state, the NHSDA allowed for presumptive equivalency of such decentralized networks to the benchmark of centralized programs. Under the NHSDA, EPA was to grant ''interim'' approval of such decentralized programs, for an 18-month period, at the end of which the state is required to submit an evaluation of the actual effectiveness of the enhanced program.

In Pennsylvania's case, EPA granted interim approval of the enhanced I/M program SIP, but also conditioned approval of that SIP upon the satisfaction of five major deficiencies, and fourteen minor, or de minimus, deficiencies. EPA's January 28, 1997 interim conditional approval stipulated that the five major conditions were to be corrected within one year of approval, and that the de minimus conditions be addressed within eighteen months of approval. On January 9, 1998, EPA published (63 FR 1362) a final rule amending federal I/M requirements for ongoing evaluation methodologies for state I/M programs—one of the major deficiencies of Pennsylvania's program identified by EPA in its January 1998 interim conditional approval. EPA's I/M requirements rule change also served to amend the related condition of the Commonwealth's approval. As a result, the deadline for the Commonwealth to satisfy this condition was extended from February of 1998 to November 30, 1998.

The NHSDA effectiveness demonstration described previously is also due at the end of the 18-month NHSDA, interim approval period. The Commonwealth's interim approval period granted under authority of the NHSDA expires on August 28, 1998.

Status of I/M Program SIP Revisions

On November 13, 1997 and on February 24, 1998, the Commonwealth of Pennsylvania submitted formal revisions to its State Implementation Plan (SIP). These November 13, 1997 SIP revisions consist of Pennsylvania's revised, final I/M program regulations, as well as supporting information and materials. The February 24, 1998 SIP revision contains updated emissions benefit computer modeling to demonstrate that Pennsylvania's program meets federal performance-based standards for enhanced I/M programs. Both SIP revisions are intended to partially satisfy ''major'' and ''minor'', or de minimus, deficiencies identified by EPA in its January 28, 1997 interim conditional approval of the Commonwealth's March 22, 1996 I/M program SIP submittal.

EPA views the November 13, 1997 and the February 24, 1998 SIP revisions as separate, independent SIP amendments from the enhanced I/M SIP revision submitted on March 22, 1996. While these two more recent SIP revisions are related to the March 1996 enhanced I/M SIP revision submitted by the Commonwealth, they serve to supplement and to strengthen the Commonwealth's enhanced I/M program SIP—not to replace it. EPA is today acting only upon the November

1997 and the February 1998 SIP revisions submitted by the Commonwealth to satisfy certain deficiencies of its conditionally approved enhanced I/M plan, and in so doing EPA is not reopening its January 27, 1997 final rulemaking granting conditional interim approval of the Commonwealth's enhanced I/M SIP submitted on March 22, 1996.

Since at the time of this rulemaking action, the Commonwealth has not yet addressed all of the outstanding deficiencies, nor has it submitted its NHSDA I/M network effectiveness demonstration, EPA cannot grant full interim approval at this time. That effectiveness demonstration is not due until August 28, 1998. Therefore, the Commonwealth's I/M SIP revision cannot receive full approval, and instead must maintain a form of conditional interim approval. The Commonwealth has indicated that it will submit its NHSDA effectiveness demonstration and a revision to address all remaining EPA-identified deficiencies prior to August 28, 1998. EPA will act upon those submittals in a separate, later rulemaking action.

Summary of Subject I/M SIP Revisions

The November 13, 1997 SIP revision that is the subject of today's action contains Pennsylvania's enhanced I/M program regulations for all applicable areas of the Commonwealth, as well as supporting information provided to bolster and to better document the conditionally approved March 1996 I/M SIP submission. The regulations were revised, in part, to address deficiencies identified in EPA's January 1997 interim conditional approval of the plan. The supporting information in the November 1997 SIP revision also includes additional information for the Commonwealth's demonstration of the adequacy of windshield stickers as a means to ensure motorist compliance with the enhanced I/M program. In addition, a *Pennsylvania Bulletin* notice certifying the list of counties subject to enhanced I/M that would commence enhanced testing October 1, 1997 was included as part of that SIP revision. Also included, was a description of the Commonwealth's emissions waiver program, as well as a description of the Commonwealth's plan for providing consumers general information on the program and on the effectiveness of repair facilities in performing emissions-related repairs.

The February 24, 1998 SIP amendment contain's Pennsylvania's modeling demonstration, which shows that its enhanced I/M programs (for each subject I/M program area) will achieve the desired emissions benefits by meeting federal performance-based standards.

These two SIP revisions fully satisfy four of the five ''major'' conditions and seven of the fourteen de minimus conditions identified by EPA in its January 28, 1997 interim conditional approval of the Commonwealth's enhanced I/M program.

The conditions that EPA has placed upon its interim approval of Pennsylvania's SIP are codified at 40 CFR 52.2026. Those conditions which the Commonwealth has satisfied in its November 1997 and February 1998 SIP revisions are detailed below. This includes the following ''major'' conditions:

(1) By no later than September 15, 1997, a notice must be published in the Pennsylvania Bulletin by the Secretary of the Pennsylvania Department of Transportation which certifies that the enhanced I/M program is required in order to comply with federal law and also certifies the geographic areas which are subject to the enhanced I/M program (the geographic coverage must be identical to that listed in Appendix A–1 of the March 22, 1996 SIP submittal), and certifies the commencement date of the enhanced I/M program;

(2) The Commonwealth must submit to EPA as a SIP amendment, by November 30, 1998, the final Pennsylvania I/M program evaluation plan requiring an approved alternative sound evaluation methodology to be performed on a minimum of 0.1 percent of the subject fleet each year as per 40 CFR 51.353(c)(3) and which meets the program evaluation elements as specified in 40 CFR 51.353(c). [Note: The Commonwealth submitted, in the November 13, 1997 SIP revision submittal, amendments to its enhanced I/M regulation requiring that the ongoing evaluation of its program be conducted as specified, above. By November 30, 1998, the Commonwealth must submit its actual program evaluation plan including the specific EPA-approved methodology it will use to conduct the ongoing program evaluation required under its I/M regulation. Submittal of that program evaluation plan is necessary to satisfy this condition fully.]

(3) By no later than November 15, 1997, the Commonwealth must submit a demonstration to EPA as an amendment to the SIP that meets the requirements of 40 CFR 51.361 (b)(1) and (b)(2) and demonstrates that Pennsylvania's existing sticker enforcement system is more effective than registration denial enforcement;

(4) Within twelve months of EPA's final interim rulemaking action, Pennsylvania must adopt and submit a final Pennsylvania I/M regulation which requires and which specifies the following: exhaust test procedures, standards, and equipment specifications; and evaporative system functional test methods, standards and procedures; a visual inspection procedure for determining the presence of or tampering with of vehicle emission control devices; and a repair technician training and certification (TTC) program. The test methods and procedures established under the Commonwealth's I/M regulation must be acceptable to EPA, as well as to the Commonwealth. The test methods and standards provided for by the Commonwealth's final regulation must reflect the modeling assumptions found in the Commonwealth's final performance standard modeling demonstration (which must satisfy the requirements of 40 CFR 51.351). Within the same time frame, detailed test equipment specifications and standards (which are acceptable to EPA, as well as to the Commonwealth) for all of the I/M evaporative and exhaust tests provided for by the Commonwealth's regulation (as described above) must be finalized and submitted as a SIP revision to EPA; and

(5) The Commonwealth must perform the final modeling demonstration that its program will meet the relevant enhanced performance standard and submit it to EPA, within twelve months of EPA's final interim rulemaking.

In addition to the above conditions for approval, the EPA required the Commonwealth to correct fourteen minor, or de minimus deficiencies, related to approval of the enhanced I/M program. EPA required that these ''minor'' deficiencies be corrected prior to the end of the 18-month interim period granted to the Pennsylvania enhanced I/M SIP under the National Highway Safety Designation Act of 1995. The de minimus conditions that Pennsylvania satisfied in its November 1997 and February 1998 submittals are all detailed below and include:

(1) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998;

(2) The definition of light duty truck in the definitions section of the final Pennsylvania I/M regulation must provide for coverage up to 9,000 pounds GVWR;

(3) The final Pennsylvania I/M regulation must require implementation of the final full stringency emission standards at the beginning of the second

test cycle so that the state can obtain the full emission reduction program credit prior to the first program evaluation date;

(4) The final Pennsylvania I/M regulation must require a real-time data link between the state or contractor and each emission inspection station as per 40 CFR 51.358(b)(2);

(5) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998;

(6) The Pennsylvania I/M regulation must *only* allow the Commonwealth or a single contractor to issue waivers as per 40 CFR 51.360(c)(1);

(7) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998;

(8) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998;

(9) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998;

(10) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998;

(11) The final Pennsylvania I/M regulation must require that emissions inspectors complete a refresher training course or pass a comprehensive skill examination prior to being recertified and the final SIP revisions must include a commitment that the Commonwealth will monitor and evaluate the inspector training program delivery, per the requirements of 40 CFR 51.367;

(12) The final I/M SIP submittal must include a RFP, or other legally binding document, which adequately addresses how the Commonwealth's selected contractor will comply with the public information requirements of 40 CFR 51.368;

(13) The Pennsylvania I/M regulation must include provisions that meet the requirements of 40 CFR 51.368(a) and 51.369(b) for a repair facility performance monitoring program plan and for providing the motorist with diagnostic information based on the particular portions of the test that were failed; and

(14) This condition has not yet been addressed. To be addressed in a future SIP submittal, expected by August, 1998.

EPA has reviewed the Commonwealth's SIP revisions and determined that they address the above conditions. EPA's detailed review is contained in the technical support document (TSD) it prepared in support of this rulemaking action. The TSD is available, upon request, from the EPA Regional Office listed in the **ADDRESSES** section of this document. EPA is approving the Commonwealth's November 13, 1997 and February 24, 1998 SIP submittals as having satisfied those conditions set forth above. The purpose of this approval action is to remove certain conditions EPA had placed upon the Commonwealth's SIP, which have been addressed by subsequent SIP revisions. EPA is therefore removing these conditions from EPA's conditional interim approval of the Pennsylvania I/M SIP.

EPA is approving these SIP revisions without prior proposal because the Agency views this as a non-controversial SIP amendment and anticipates no adverse comments on this rulemaking action. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse or critical comments related to today's rulemaking be filed. This rule will be effective November 2, 1998 without further notice unless the Agency receives adverse comments by October 2, 1998.

If EPA receives such comments, then EPA will publish a timely withdrawal of the direct final rule informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this rule. Only parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this rule will be effective on November 2, 1998 and no further action will be taken on the proposed rule.

Final Action

EPA is approving the Commonwealth's November 13, 1997 and February 24, 1998 SIP submittals as having fully satisfied four major conditions and seven de minimus conditions identified by EPA in its January 28, 1997 interim conditional approval of the Pennsylvania enhanced I/M SIP [62 FR 4004]. Upon approval of these SIP revisions, there will still remain one major, and seven minor conditions on EPA's interim approval of the Commonwealth's enhanced I/M program SIP. Therefore, EPA is maintaining conditional interim approval of the Commonwealth's SIP, until Pennsylvania addresses all remaining deficiencies and submits a enhanced I/M program network effectiveness demonstration, as required under authority of the National Highway Systems Designation Act of 1995.

For the purpose of clarity and to avoid confusion over the remaining conditions upon interim approval of Pennsylvania's plan, EPA is removing those conditions from 40 CFR 52.2026 which have been satisfied by the Commonwealth's November 1997 and February 1998 SIP revisions. EPA is reserving the sections of 40 CFR 52.2026 that correspond to these conditions, so as not to renumber the outstanding conditions of approval listed in that section. The list of remaining conditions upon interim approval of Pennsylvania's enhanced I/M SIP will now read as follows:

''Major'' Conditions

(1) <Reserved>

(2) The Commonwealth must submit to EPA as a SIP amendment, by November 30, 1998, the final Pennsylvania I/M program evaluation plan requiring an approved alternative sound evaluation methodology to be performed on a minimum of 0.1 percent of the subject fleet each year as per 40 CFR 51.353(c)(3) and which meets the program evaluation elements as specified in 40 CFR 51.353(c). The Commonwealth submitted, in the November 13, 1997 SIP revision submittal, amendments to its enhanced I/M regulation requiring that the ongoing evaluation of its program be conducted as specified, above. By November 30, 1998, the Commonwealth must submit its actual program evaluation plan including the specific EPA-approved methodology it will use to conduct the ongoing program evaluation required under its I/M regulation.

(3) <Reserved>

(4) <Reserved>

(5) <Reserved>

''Minor''/De Minimus Conditions

(1) The final I/M SIP submittal must detail the number of personnel and equipment dedicated to the quality assurance program, data collection, data analysis, program administration, enforcement, public education and assistance, on-road testing and other necessary functions as per 40 CFR 51.354;

(2) <Reserved>

(3) <Reserved>

(4) <Reserved>

(5) The final I/M SIP submittal must provide quality control requirements for one-mode ASM (or two-mode ASM if the Commonwealth opts for it);

(6) <Reserved>

(7) The final I/M SIP submittal must include the RFP, or other legally

binding document, which adequately addresses how the private vendor selected to perform motorist compliance enforcement responsibilities for the Commonwealth's program will comply with the requirements, as per 40 CFR 51.362;

(8) The final I/M SIP submittal must include the RFP that adequately addresses how the private vendor will comply with 40 CFR 51.363, a procedures manual which adequately addresses the quality assurance program and a requirement that annual auditing of the quality assurance auditors will occur as per 40 CFR 51.363(d)(2);

(9) The final I/M SIP submittal must include provisions to maintain records of all warnings, civil fines, suspensions, revocations, violations and penalties against inspectors and stations, per the requirements of 40 CFR 51.364;

(10) The final I/M SIP submittal must include a RFP, or other legally binding document, which adequately addresses how the private vendor selected by the Commonwealth to perform data collection and data analysis and reporting will comply with all the requirements of 40 CFR 51.365 and 51.366; and

(11) <Reserved>

(12) <Reserved>

(13) <Reserved>

(14) The final I/M SIP submittal must contain sufficient information to adequately address the on-road test program resource allocations, methods of analyzing and reporting the results of the on-road testing and information on staffing requirements for both the Commonwealth and the private vendor for the on-road testing program.

Nothing in EPA's rulemaking action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

I. Administrative Requirements

A. Executive Orders 12866 and 13045

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review. The final rule is not subject to E.O. 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks,'' because it is not an ''economically significant'' action under E.O. 12866.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. Conditional approval of a SIP submittal under section 110 and subchapter I, part D of the CAA does not create any new requirements but simply approve requirements that a state is already imposing. Therefore, because the federal SIP approval does not impose any new requirements, EPA certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the CAA, preparation of a flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. [*Union Electric Co.* v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2)]. If a conditional approval is converted to a disapproval under section 110(k), based on the state's failure to meet the commitment, it will not affect any existing state requirements applicable to small entities.

C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit 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 United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this direct final approval action for Pennsylvania's enhanced I/M SIP revision must be filed in the United States Court of Appeals for the appropriate circuit by November 2, 1998. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule pertaining to the Pennsylvania enhanced I/M SIP for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: August 11, 1998.

Thomas C. Voltaggio,

Acting Regional Administrator, EPA Region III.

40 CFR Part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart NN—Pennsylvania

2. Section 52.2026 is amended by removing and reserving paragraphs

(a)(1), (3), (4), and (5), and paragraphs (b)(2), (3), (4), (6), (11), (12), and (13).

3. Section 52.2026 is further amended by adding the following two sentences at the end of paragraph (a)(2):

§ 52.2026 Conditional approval.

* * * * *

(a) * * *

(2) * * * The Commonwealth submitted, in a November 13, 1997 SIP revision submittal, amendments to its enhanced I/M regulation requiring that the ongoing evaluation of its program be conducted as specified in this paragraph. By November 30, 1998, the Commonwealth must submit its actual program evaluation plan including the specific EPA-approved methodology it will use to conduct the ongoing program evaluation required under its I/M regulation.

[FR Doc. 98–23324 Filed 9–1–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 745

[OPPTS–62158A; FRL–6017–8]

RIN 2070–AD11

Lead; Fees for Accreditation of Training Programs and Certification of Lead-based Paint Activities Contractors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is issuing this final rule to establish fees for the accreditation of training programs and certification of contractors engaged in lead-based paint activities pursuant to section 402(a)(3) of the Toxic Substances Control Act (TSCA). As specified in section 402(a)(3), EPA must establish and implement a fee schedule to recover for the U.S. Treasury the Agency's cost of administering and enforcing the standards and requirements applicable to lead-based paint training programs and contractors engaged in lead-based paint activities. Specifically, this rule establishes the fees to be charged in those States and Indian country without authorized programs, for training programs seeking accreditation under 40 CFR 745.225, and for individuals or firms engaged in lead-based paint activities seeking certification under 40 CFR 745.226.

About three-quarters of the nation's housing stock built before 1978 (64 million homes) contains some lead-based paint. When properly maintained and managed, this paint poses little risk. If improperly managed, chips and dust from this paint can create a health hazard. Recent studies indicate that nearly one million children have blood-lead levels above safe limits; the most common source of lead exposure in the United States is lead-based paint. Today's rule supports the effort of 40 CFR part 745, subpart L to ensure that contractors claiming to know how to inspect, assess or remove lead-based paint, dust or soil are well qualified, trained and certified to conduct these activities.

DATES: This rule is effective October 19, 1998 unless significant adverse comments are received by October 2, 1998. If significant adverse comments are received in a timely manner, this rule will be subsequently withdrawn and notice will be published in the **Federal Register** before the effective date.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III of the SUPPLEMENTARY INFORMATION section of this preamble.

FOR FURTHER INFORMATION CONTACT: For technical information: Mike Wilson, Project Manager, National Program Chemicals Division (7404), Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: 202–260–4664; fax: 202–260–1580; e-mail: wilson.mike@epa.gov. For general information: Susan B. Hazen, Director, Environmental Assistance Division (7408), Rm. ET–543B, Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: 202–554–1404, TDD: 202–554–0551; e-mail: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

You may be potentially affected by this action if you operate a training program required to be accredited under TSCA section 402 and 40 CFR 745.225, or if you are a professional (individual or firm) who must be certified to conduct lead-based paint activities in accordance with TSCA section 402 and 40 CFR 745.226. Potentially affected categories and entities may include:

Category	Examples of Regulated Entities
Lead abatement professionals.	Workers, supervisors, inspectors, risk assessors and project designers engaged in lead-based paint activities.
	Firms engaged in lead-based paint activities.
Training programs.	Training programs providing training services in lead-based paint activities.

This table is not intended to be exhaustive, but rather provides a guide to the entities that are likely to be affected by this action. This table lists the types of entities that EPA is now aware could potentially be affected by this action. Other types of entities not listed in this table could also be regulated. To determine whether you or your business is regulated by this action, you should carefully examine the provisions in the regulatory text. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed in the FOR FURTHER INFORMATION CONTACT section.

II. How Can I Get Additional Information or Copies of this or Other Support Documents?

A. Electronically

You may obtain electronic copies of this document and various support documents from the EPA Internet Home Page at http://www.epa.gov/. On the Home Page select ''Laws and Regulations'' and then look up the entry for this document under ''Federal Register - Environmental Documents.'' You can also go directly to the ''Federal Register'' listings at http://www.epa.gov/homepage/fedrgstr/.

B. In Person or by Phone

If you have any questions or need additional information about this action please contact one of the persons identified in the ''FOR FURTHER INFORMATION CONTACT'' section. In addition, the official record for this action has been established under docket control number [OPPTS–62156A], (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of any electronic comments, which does not include any information claimed as Confidential Business Information (CBI), is available for inspection in Rm. NE B–607, Waterside Mall, 401 M St., SW., Washington, DC, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Document Control Office telephone number is 202–260–7093.