

September 15, 1997

**NOTICE: SOLICITATION FOR COMMENTS ON DRAFT
SECTION 112(l) RULEMAKING**

NOTE TO: Section 112(l) Stakeholders

SUBJECT: Comments Solicited on Draft Revisions to Part 63 Subpart E Rule to Implement Section 112(l) of the Clean Air Act

We are notifying you that the “first draft” preamble and rule describing current Environmental Protection Agency’s (EPA) staff thinking on changes to the rule implementing section 112(l) of the Clean Air Act, i.e., revisions to part 63, subpart E are available on EPA’s OAR Policy and Guidance Web Site and the Unified Air Toxics Web Site. It should be noted that these documents are works in progress and do not represent official EPA policy. We have not yet received concurrence from the other EPA offices, however we have done our best to incorporate the views that they have expressed to date. Due to the fact that release of these documents is later than anticipated, we elected to present this as a “snapshot” of our current thinking. You should also note that it does not reflect the outcome of work that is ongoing in California related to making equivalency determinations for monitoring, record keeping, and reporting requirements.

Our overall goal is to allow more flexibility for States in demonstrating to EPA that their air toxics rules are no less stringent than EPA’s. We ask for your thoughts on whether changes indicated are helpful enough in the name of providing additional flexibility, for EPA to continue in the rulemaking process, given the substantial resources involved in this effort. We are also interested in your views on whether the draft substitution options provide adequate safeguards and opportunity for EPA and public review and comment. Additionally, we would like to know if this package is helpful for sources in reducing the potential for “dual regulations” situations.

Due to the length of time involved in the concurrence process within EPA, the 90-day review period at the Office of Management and Budget, and our desire to propose these revisions as soon as possible, we would prefer to receive your comments via E-mail or fax rather than holding another stakeholder meeting. However, we would consider another meeting if there were significant interest in such a meeting.

Please feel free to call me at (919) 541-5503, or Tom Driscoll at (919) 541-5135, if you would like to discuss these documents. Also, please provide any specific written comments to Tom by October 31, 1997. His fax number is (919) 541-5509 and his e-mail address is "Driscoll.Tom@epamail.epa.gov."

Sincerely yours,

Karen Blanchard
Group Leader
Integrated Implementation Group
Office of Air Quality Planning
and Standards

Attachments

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