

reason, only the provisions associated with the initial reporting period in subpart A are being removed. In addition, the headings for both subparts A and B are being removed so that part 710 no longer has any subpart designations. Coresponding references are also being corrected where necessary.

*C. Part 712, Subpart B - Chemical Information Rules; Manufacturers Reporting - Preliminary Assessment Information*

This part establishes procedures for chemical manufacturers and processors to report production, use, and exposure-related information on listed chemical substances. Subpart A establishes requirements that apply to all reporting under this part. Subpart B covers manufacturers' and processors' reporting. Section 712.28 requires manufacturers and importers subject to this subpart to submit a single EPA Form No. 7710-35, "Manufacturer's Report-Preliminary Assessment Information," for each plant site manufacturing or importing a chemical substance listed in § 712.30. The instructions and a facsimile of the form appear in § 712.28(d).

EPA is removing the instructions and facsimile of EPA Form No. 7710-35, entitled Manufacturer's Report-Preliminary Assessment Information from § 712.28(d). In addition, EPA is removing § 712.30(d)-(v) and each chemical listed in § 712.30(w) and (x) with a reporting date pre-1990. To accommodate these changes, EPA is also deleting the reference to subpart C which appears in the title for § 712.7; deleting the reference to subpart C in § 712.1(a) and § 712.7; is amending § 712.28(d) to delete and substitute language similar to § 704.216 with new mail code; and is redesignating § 712.30(w) and (x) as paragraphs (d) and (e), respectively.

*D. Part 762 - Fully Halogenated Chlorofluoroalkanes*

This part prohibits the manufacture, processing, and distribution in commerce of fully halogenated chlorofluoroalkanes for those aerosol propellant uses which are subject to TSCA, requires submission of annual reports, and lists the exemptions to the prohibitions. This prohibition has become obsolete because it has been superseded by a subsequent ban of CFC propellants under the Clean Air Act section 610 and implementing regulations at 40 CFR 82.64(c) and 82.66(d).

*E. Part 763, Subpart D - Asbestos; Reporting Commercial and Industrial Uses of Asbestos*

This rule required reporting by persons who manufacture, import, or process asbestos. Different reporting requirements were imposed depending on the person's activity. Manufacturers, importers and processors of commercial and industrial asbestos fiber were required to report quantity, use, and exposure information. Importers of mixtures and articles containing asbestos and processors of asbestos mixtures were required to report to EPA in two phases. They initially had to report limited information about processing or importation, and some were required to subsequently report additional information if they were selected as respondents in a sample survey.

This regulation includes a sunset provision at § 763.78, which specifies that all the requirements of this rule terminate 5 years after promulgation. Accordingly, this regulation sunsetted in 1987 and is now obsolete.

*F. Part 763, Subpart E - Asbestos; Asbestos-Containing Materials in Schools (AHERA Rule)*

At one of the OPPTS "Regulatory Review Stakeholders' Meeting" in April 1995, a commenter indicated that the OPPTS preliminary report missed two sections of the AHERA rule that have been superseded. Specifically, the commenter pointed out that 40 CFR 763.90(i)(4) gives the requirement for completion of a response action by TEM sampling. However, the rule allowed for a gradual phasing in of TEM and a phasing out of PCM in § 763.90(i)(6) and (7). As the commenter correctly noted, § 763.90(i)(6) and (7) have now expired, and are superseded by § 763.90(i)(4).

EPA is therefore removing § 763.90(i)(6) and (7), removing the citations to these sections which appear in § 763.90(i)(3), (4) and (8), and will redesignate § 763.90(i)(8) as § 763.90(i)(6).

*G. Part 763, Subpart F - Asbestos; Friable Asbestos-Containing Materials in Schools*

This rule requires local education agencies to identify friable asbestos-containing material in public and private schools by visually inspecting school buildings for friable materials, sampling such materials, and having samples analyzed by appropriate techniques referred to in the rule. In addition, the rule requires local education agencies to post a notice of the results of inspections and analyses.

The rule requires local education agencies to provide warnings on the health effects of asbestos and instructions on methods to avoid or reduce exposure to school employees of any school with friable asbestos-containing material and to notify parent-teacher associations of the results of inspections. The rule also includes recordkeeping requirements.

This regulation was superseded by the 1987 Asbestos in School Rule at 40 CFR part 763, subpart E, which implemented the Asbestos Hazard Emergency Response Act (AHERA), and is therefore no longer in effect. However, appendix A to subpart F, which provides EPA's regulatory method for analysis of building materials samples for the presence of asbestos, is cited by the AHERA rule as well as the Asbestos National Emission Standards Hazardous Air Pollutants (NESHAP) rule in 40 CFR part 61, subpart M. As such, although the subpart is no longer in effect and may be eliminated, appendix A is still in use and must be retained. To retain appendix A, EPA is moving appendix A of subpart F to subpart E (the AHERA Rule), as a new appendix E. Corresponding changes are also being made for the citations to appendix A in both the AHERA and NESHAP rules.

*H. Part 766 - Dibenzo-para-dioxins/ Dibenzofurans*

This part identifies requirements for testing under TSCA section 4 to ascertain whether certain specified chemical substances may be contaminated with halogenated dibenzodioxins (HDDs)/dibenzofurans (HDFs) as defined in § 766.3, and requirements for reporting results under TSCA section 8. This regulation is still in effect, and EPA continues to receive a few reports each year. EPA is deleting the Dioxin/Furan Reporting form (EPA 7710-51) from 40 CFR 766.35(d). The form is easily available from EPA.

*I. Parts 795 through 798 - TSCA Testing Guidelines*

TSCA Section 4(b)(1) specifies that test rules shall include standards for the development of test data. Certain test guidelines, which become test standards when promulgated in individual section 4 test rules, are currently published in parts 795-798 of the CFR. Codification of these test guidelines alone does not impose any regulatory obligation. This final rule deletes from the CFR those test guidelines that are not currently cited as test standards in any test rules.