

As part of an interagency "streamlining" initiative, EPA is experimenting with submission of public comments on selected rulemaking actions electronically through the Internet in addition to accepting comments in traditional written form. This interim final rule is one of the rulemaking actions selected by EPA for this experiment. From the experiment, EPA will learn how electronic commenting works, and any problems that arise can be addressed before EPA adopts electronic commenting more broadly in its rulemaking activities. Electronic commenting through posting to the EPA Bulletin Board or through the Internet using the ListServe function raises some novel issues that are discussed below in this Section.

To submit electronic comments, persons can either "subscribe" to the Internet ListServe application or "post" comments to the EPA Bulletin Board. To "Subscribe" to the Internet ListServe application for this interim final rule, send an e-mail message to: listserv@unixmail.rtpnc.epa.gov that says "Subscribe RIN-2060-AF03 <first name> <last name>." Once you are subscribed to the ListServe, comments should be sent to: RIN-2060-AF03@unixmail.rtpnc.epa.gov.

For online viewing of submissions and posting of comments, the public-access EPA Bulletin Board is also available by dialing 202-488-3671, enter selection "DMAIL," user name "BB—USER" or 919-541-4642, enter selection "MAIL," user name "BB—USER." When dialing the EPA Bulletin Board type <Return> at the opening message. When the "Notes—" prompt appears, type "open RIN-2060-AF03" to access the posted messages for this document. To get a listing of all files, type "dir/all" at the prompt line. Electronic comments can also be sent directly to EPA at:

Docket-OPPTS@epamail.epa.gov.

Electronic comments must be submitted as an ASCII file avoiding the use of special control characters and any form of encryption.

To obtain further information on the electronic comment process, or on submitting comments on this interim final rule electronically through the EPA Bulletin Board or the Internet ListServe, please contact John A. Richards (Telephone: 202-260-2253; FAX: 202-260-3884; Internet: richards.john@epamail.epa.gov).

Persons who comment, and those who view comments electronically, should be aware that this experimental electronic commenting is administered

on a completely public system. Therefore, any personal information included in comments and the electronic mail addresses of those who make comments electronically are automatically available to anyone else who views the comments.

Commenters and others outside EPA may choose to comment on the comments submitted by others using the RIN-2060-AF03 ListServe or the EPA Bulletin Board. If they do so, those comments as well will become part of EPA's record and included in the public docket for this rulemaking. Persons outside EPA wishing to discuss comments with commenters or otherwise communicate with commenters but not have those discussions or communications sent to EPA and included in the EPA rulemaking record and public docket should conduct those discussions and communications outside the RIN-2060-AF03 ListServe or the EPA Bulletin Board.

EPA will transfer all comments received electronically in the RIN-2060-AF03 ListServe or the EPA Bulletin Board, in accordance with the instructions for electronic submission, into printed, paper form as they are received and will place the paper copies in the official rulemaking docket which will also include all comments submitted directly in writing. All the electronic comments will be available to everyone who obtains access to the RIN-2060-AF03 ListServe or the EPA Bulletin Board; however, the official rulemaking docket is the paper docket maintained at the address in "ADDRESSES" at the beginning of this document. (Comments submitted only in written form will not be transferred into electronic form and thus may be accessed only by reviewing them in the EPA Docket as described above.)

Because the electronic comment process is still experimental, EPA cannot guarantee that all electronic comments will be accurately converted to printed, paper form. If EPA becomes aware, in transferring an electronic comment to printed, paper form, of a problem or error that results in an obviously garbled comment, EPA will attempt to contact the commenter and advise the commenter to resubmit the comment either in electronic or written form. Some commenters may choose to submit identical comments in both electronic and written form to ensure accuracy. In that case, EPA requests that commenters clearly note in both the electronic and written submissions that the comments are duplicated in the other medium. This will assist EPA in

processing and filing the comments in the rulemaking docket.

As with ordinary written comments, at the time of receipt, EPA will not attempt to verify the identities of electronic commenters nor to review the accuracy of electronic comments. Electronic and written comments will be placed in the rulemaking docket without any editing or change by EPA except to the extent changes occur in the process of converting electronic comments to printed, paper form.

EPA will address significant electronic comments either in a notice in the **Federal Register** or in a response to comments document placed in the rulemaking docket for this Interim Final Rule. EPA will not respond to commenters electronically other than to seek clarification of electronic comments that may be garbled in transmission or conversion to printed paper form as discussed above. Any communications from EPA employees to electronic commenters, other than those described in this paragraph, either through Internet or otherwise are not official responses from EPA.

V. Regulatory Assessment Requirements

A. Executive Order 12866

Under Executive Order 12866, [58 FR 51735, October 4, 1993] the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The order defines "significant regulatory action" as one that is likely to result in a rule that may: (1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order. It has been determined that this rule is a not a significant regulatory action under the terms of Executive Order 12866 and is therefore not subject to formal OMB review.

B. Regulatory Flexibility Act

EPA did not develop a Regulatory Flexibility Analysis for this grant-