

**FOR FURTHER INFORMATION CONTACT:** Mr. William G. Ewald, Office of Health and Environmental Assessment, Environmental Criteria and Assessment Office (MD-52), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone (919) 541-4164.

**SUPPLEMENTARY INFORMATION:** The draft Health Assessment Document for Diesel Emissions summarizes scientific issues and identifies research activities and assessments needed to improve the scientific understanding and quantitative estimation of the health risks attendant to the use of diesel fuels. In its initial form, the draft health assessment was first reviewed at an expert peer-review workshop in July 1990 (55 FR 28453), which was open to the public. The present draft incorporates revisions made in response to scientific input from the workshop and subsequent comments on targeted issues. After the public comment period and review by EPA's Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC), the current draft document will undergo further revision, and a final document will be issued. This document will support EPA's decision-making processes that pertain to the health effects of diesel emissions.

Dated: February 9, 1995.

**Joseph K. Alexander,**

*Acting Assistant Administrator for Research and Development.*

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### Public Water System Supervision Program Revision for the State of New York

**AGENCY:** United States Environmental Protection Agency (USEPA).

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the State of New York is revising its approved Public Water System Supervision Primary Program. The State of New York has adopted drinking water regulations that satisfy the National Primacy Drinking Water Regulations for the Lead and Copper Rule (LCR). USEPA regulations were promulgated on June 7, 1991 (56 FR 26460). The USEPA has determined that New York's Lead and Copper regulations are no less stringent than the corresponding Federal regulations and that New York continues to meet all requirements for primary enforcement responsibility as specified in 40 CFR 142.10. EPA's

determination to approve the State of New York's revision to its Public Water Supervision Program for compliance with EPA's Lead and Copper Rule is conditional upon New York's State making certain minor changes, no later than January 1, 1996, to the State Sanitary Code and Environmental Health Manual. The changes required, which New York State has agreed to make, include the following:

1. The State must either delete the word "economics" in Sections 5-1.46 and 5-1.47 of the State Sanitary Code or clarify, in the Code, that economics will only be considered in selecting corrosion control treatment when two methods are equally effective.

2. The State must change Section 5-1.43 of the code to read as follows:

(e) *Distribution Monitoring.* All large water systems shall monitor for water quality parameters in Section 5-1.45 (c) in each initial six month monitoring period they monitor for the first draw lead and copper tap samples. All small and medium water systems shall monitor for water quality parameters in Section 5-1.45 (c) during the six month monitoring period which the water system exceeds the copper or lead action level. *After a water system installs optimal corrosion control treatment the water system shall monitor for water quality parameters for two consecutive six month monitoring periods. After the State specifies water quality parameters samples for optimal corrosion control treatment, all water systems shall monitor for water quality parameters at the frequencies stated in 5-1.43 (a) for two consecutive six month monitoring periods.*

A new paragraph Subpart 5-1.43 (d) must be added as follows:

(d) *After State specification of minimum values or ranges for water quality parameters for optimal corrosion control treatment, water systems shall maintain water quality parameter values at or above specified minimum values or within ranges specified by the State. If the water quality parameters value of any sample is below the minimum value or outside the range specified by the State, the water system is out of compliance with the State Sanitary Code.*

The italic words are revisions to the Code.

3. The State must change their definition of "action level" in Section 5-1.41(a) of the State Sanitary Code to be consistent with the language of the Federal definition of "action level" in 40 CFR 141.2.

4. Section (G)(1) of PWS Item No. 51 of the New York State *Environmental Health Manual*, dated March 31, 1993,

which contains procedures for making corrosion control treatment determinations must be changed to ensure the State establishes a range of values for pH at entry points to the distribution system and "at taps throughout the distribution system".

5. Section (E)(5) of PWS Item No. 52 of the *Environmental Health Manual*, which contains procedures for making lead service line replacement decisions, must be amended by striking the phrase "less than 16 ug/L" and replacing it with the requirement in 40 CFR 141.84(c), which reads, "less than or equal to 0.015 mg/L."

6. Section 5-1.40 (a)(1) of the State Sanitary Code must be changed by replacing the phrase "3,300 people or less" with the phrase "50,000 people or less".

7. The State must adopt as part of the State Sanitary Code the analytical methods contained in 40 CFR 141.89 of the federal rule.

8. The State must amend the first paragraph in Section 5-1.47 of the State Sanitary Code to include the phrase "within 6 months of exceeding the lead or copper action level".

All interested parties, other than Federal Agencies, may request a public hearing. A request for a public hearing must be submitted to the USEPA Regional Administrator at the address shown below within thirty (30) days after the date of this **Federal Register** Notice. If a substantial request for a public hearing is made within the required thirty-day period, a public hearing will be held and a notice will be given in the **Federal Register** and a newspaper of general circulation. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. If no timely and appropriate request for a hearing is received and the Regional Administrator does not choose to hold a hearing on his/her motion, this determination shall become final and effective thirty (30) days after publication of this **Federal Register** Notice.

Any request for a public hearing shall include the following information:

(1) The name, address and telephone number of the individual organization or other entity requesting a hearing;

(2) A brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement on information that the requesting person intends to submit at such hearing;

(3) The signature of the individual making the requests or, if the request is made on behalf of an organization or other entity, the signature of a