

request for comment on the draft dredged material testing manual in the July 21, 1994, **Federal Register** [FRL-5017-5]. Copies of the draft Inland Testing Manual (ITM) were sent to federal and state agencies, port authorities, environmental organizations, and other interested parties. Public meetings were also held in 1994 to discuss the document in Boston, MA, Arlington, VA, Atlanta, GA, San Jose, CA, Seattle, WA, Chicago, IL, St. Louis, MO, and Houston, TX. Comments received through the public review process, including those from EPA's Science Advisory Board, were used to shape the final document. Individual comments were grouped into "general" and "specific" categories, and reviewed by the EPA/CE Workgroup that prepared the draft ITM. A copy of the comments, and EPA's response, is available for review at EPA's Water Docket under docket number w-98-04. Docket materials may be reviewed from 9 to 4 p.m., Monday through Friday, excluding legal holidays. For access to docket materials, please call 202/260-3027 to schedule an appointment.

**Tudor T. Davies,**

*Director, Office of Science and Technology.*

[FR Doc. 98-5318 Filed 2-27-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5972-3]

### Underground Injection Control Program; Hazardous Waste Land Disposal Restrictions

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of intent to grant a case-by-case extension of land disposal restrictions effective date.

**SUMMARY:** EPA is proposing to grant the request from DuPont Sabine River Works Facility (DuPont or Facility) for a one year extension of the April 8, 1998, effective date of the RCRA land disposal restrictions (LDR) treatment standards applicable to wastewaters with the hazardous waste code D018 (Benzene). This action responds to a case-by-case extension request submitted by DuPont under 40 CFR 148.4 according to procedures set out in 40 CFR 268.5, which allow an owner or operator of a Class I hazardous waste injection well to request that the Administrator grant, on a case-by-case basis, an extension of the applicable effective date. To be granted such a request, the applicant must demonstrate, among other things, that

there is insufficient capacity to manage its waste and that they have entered into a binding contractual commitment to construct or otherwise provide such capacity, but due to circumstances beyond their control, such capacity could not reasonably be made available by the effective date. If this proposed action is finalized, DuPont can continue to inject wastewaters that contain D018 into the Class I hazardous waste injection wells located at the Sabine River Works, Orange, Texas facility until April 8, 1999. If warranted, EPA may grant a renewal of this extension, for up to one additional year, which, if requested and granted, would extend the effective date of the LDR for D018 (Benzene) to April 8, 2000.

**DATES:** Comments on this notice must be received on or before April 6, 1998.

**ADDRESSES:** The public must send their comments to Environmental Protection Agency, Region 6, Water Quality Protection Division, Source Water Protection Branch, Ground Water/UIC Section (6WQ-SG), 1445 Ross Avenue, Dallas, Texas 75202-2733. The docket for this action is located at EPA Region 6 at the address listed above, which is open during normal business hours, 8:00 a.m. through 4:00 p.m., Monday through Friday. The public can review all docket materials by visiting the EPA Region 6 Office.

**FOR FURTHER INFORMATION CONTACT:** Philip Dellinger, Chief, Ground Water/UIC Section, Source Water Protection Branch, EPA Region 6, 1445 Ross Avenue, Dallas, Texas, 75202-2733 or telephone (214) 665-7165.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. Congressional Mandate

Congress enacted the Hazardous and Solid Waste Amendments (HSWA) of 1984 to amend the Resource Conservation and Recovery Act (RCRA), to impose additional responsibilities on persons managing hazardous wastes. Among other things, HSWA required EPA to develop regulations that would impose restrictions on the land disposal of hazardous wastes. In particular, Sections 3004 (d) through (g) prohibit the land disposal of certain hazardous wastes by specified dates in order to protect human health and the environment except that wastes that meet treatment standards established by EPA are not prohibited and may be land disposed. Section 3004(m) requires EPA to set "levels or methods of treatment, if any, which substantially diminish the toxicity of the waste or substantially reduce the likelihood of migration of

hazardous constituents from the waste so that short-term and long-term threats to human health and the environment are minimized."

In developing such a broad program, Congress recognized that adequate alternative treatment, recovery, or disposal capacity which is protective of human health and the environment, may not be available by the applicable statutory effective dates. Section 3004(h)(2) authorizes EPA to grant a variance (based on the earliest dates that such capacity will be available, but not to exceed two years) from the effective date which would otherwise apply to specific hazardous wastes. In addition, under Section 3004(h)(3), EPA is authorized to grant an additional capacity extension of the applicable deadline on a case-by-case basis for up to one year. Such an extension is renewable once for up to one additional year.

On November 7, 1986, EPA published a final rule (51 FR 40572) establishing the regulatory framework to implement the land disposal restrictions program, including the procedures for submitting case-by-case extension applications.

On April 8, 1996, EPA published a final rule (61 FR 15566), establishing treatment standards under the land disposal restrictions (LDR) program for certain listed hazardous wastes, including D018 (Benzene). Because of a determination that available treatment, recovery, or disposal (TRD) capacity did not exist at that time for D018 wastewaters that are underground injected, EPA granted a two-year national capacity variance for these wastes. The variance will expire April 8, 1998.

EPA has completed the review of DuPont's October 1997 petition reissuance request that would allow the underground injection of the two wastestreams with the hazardous waste code D018 (Benzene). This petition reissuance request has been found to be technically sound. Recently one of the wells at the DuPont facility developed a mechanical integrity problem and is in the process of being repaired. Once the mechanical integrity of this well has been reestablished and EPA has confirmed that the well has mechanical integrity, then EPA can propose approval of DuPont's reissuance request. Unfortunately the time required to do the repair work and to proceed through the administrative process of the reissuance will extend past the land disposal restriction effective date of April 8, 1998.

### *B. Applicant's Demonstrations Under 40 CFR 268.5 for Case-by-Case Extension*

When it became apparent that DuPont's reissuance request could not be processed by the land disposal restriction effective date, they submitted a case-by-case extension request. This request, which was submitted on February 16, 1998, documented their need for the extension and included their justification for a case-by-case extension approval. DuPont's request letter is part of the docket.

Case-by-case extension applications must satisfy the requirements outlined in 40 CFR 268.5. The following is a discussion of each of the seven demonstrations of 40 CFR 268.5(a)(1)-(7) made by DuPont:

Section 268.5(a)(1) requires the applicant to make a good-faith effort to locate and contract with treatment, recovery, or disposal facilities nationwide to manage its waste in accordance with the effective date of the applicable restriction.

DuPont has demonstrated that it has made a good-faith effort to provide protective disposal capacity. EPA approved DuPont's no migration demonstration for injection wells on September 10, 1991. This exemption approval expires on December 31, 2000. In addition, there is limited other capacity to handle the two wastestreams subject to this request. Currently there is not sufficient backup well capacity available to handle the affected wastestreams due to one backup well being shut-in due to loss of mechanical integrity and the other backup well not having sufficient injectivity. In addition the high volume of the affected wastestreams makes trucking the waste off-site logistically problematic.

Section 268.5(a)(2) requires the applicant to enter into a binding contractual commitment to construct or otherwise provide alternative treatment, recovery, or disposal capacity that meets the treatment standards specified in 40 CFR Part 268 subpart D or, where treatment standards have not been specified, such treatment, recovery, or disposal capacity is protective of human health and the environment.

By retaining consultants and experts in geology, engineering, seismicity and other areas to prepare and file its reissuance request, which EPA has found to be technically adequate, EPA believes that DuPont has satisfied the requirement to obtain a binding commitment to provide disposal capacity that is protective of human health and the environment. The injection wells covered by the petition already exist and will be sufficient to manage the full volume of waste if the facility's reissuance request is approved.

Section 268.5(a)(3) requires the applicant to demonstrate that due to circumstances beyond the applicant's control, such alternative capacity cannot reasonably be made available by the applicable effective date. This demonstration may include a showing that the technical and practical difficulties associated with providing the alternative capacity will result in the capacity not being available by the applicable effective date.

The inability to obtain alternative capacity by April 8, 1998, is beyond DuPont's control. Since the time DuPont requested approval of the changes to its petition demonstration in October 1997, DuPont and EPA Region 6 have worked together through technical issues, and DuPont has responded to all of the Agency's comments and requests for additional information or demonstrations. The Agency has completed its review of DuPont's reissuance request and will propose its approval once DuPont has demonstrated to EPA that the well that is shut-in due to mechanical integrity problems has been repaired. Currently the mechanical integrity of the shut-in well is being reestablished. When EPA publishes its notice of intent to approve the reissuance request there will be a 45-day comment period and if there is sufficient public interest a public hearing will be held. After this public participation process is completed, the Agency will evaluate all comments received, prepare a responsiveness summary and determine whether it is appropriate to finalize the approval of the reissuance or if additional information is needed.

Section 268.5(a)(4) requires the applicant to demonstrate that the capacity being constructed or otherwise provided by the applicant will be sufficient to manage the entire quantity of waste that is the subject of the application.

If DuPont's reissuance request is approved, the facility's injection well operations will continue to provide adequate capacity for the entire volume of the Plant's waste.

Section 268.5(a)(5) requires the applicant to provide a detailed schedule for obtaining operating and construction permits or an outline of how and when alternative capacity will be available.

All injection wells at the DuPont facility have approved Class I injection well permits and the wells have been constructed. See the information provided for Section 268.5(a)(3) for the processing schedule of DuPont's no migration petition reissuance request.

Section 268.5(a)(6) requires the applicant to arrange for adequate capacity to manage its waste during an extension, and has

documented the location of all sites at which the waste will be managed.

During the proposed one year case-by-case extension period, DuPont will have adequate capacity at the facility to manage the facility's waste.

Section 268.5(a)(7) requires that the applicant demonstrate that any waste managed in a surface impoundment or landfill during the extension period will meet the requirements of 40 CFR 268.5(h)(2).

There are no surface impoundments or landfills managing hazardous waste at the DuPont facility.

## **II. EPA's Proposed Action**

For the reasons discussed above, the Agency believes that DuPont has satisfied all the requirements for a case-by-case extension to the April 8, 1998, effective date of the RCRA land disposal restrictions (LDR) treatment standards applicable to wastewaters with the hazardous waste code D018 (Benzene). Therefore, EPA is proposing to grant DuPont's requested case-by-case extension for a one year period. If during this time frame a final decision on DuPont's petition reissuance request is made, then this case-by-case extension will expire.

Dated: February 23, 1998.

**William B. Hathaway,**

*Director, Water Quality Protection Division (6WQ), EPA Region 6.*

[FR Doc. 98-5312 Filed 2-27-98; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-42191C; FRL-5776-4]

### **Endocrine Disruptors; Notice of Public Meeting**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of public meeting.

**SUMMARY:** EPA is announcing the eighth meeting of the Endocrine Disruptors Screening and Testing Advisory Committee (EDSTAC), a committee established under the provisions of the Federal Advisory Committee Act (FACA) to advise EPA on a strategy for screening chemicals and pesticides for their potential to disrupt endocrine function in humans and wildlife.

**DATES:** The EDSTAC Plenary meeting will begin on Tuesday, March 17, 1998, at 9 a.m. and end at 4 p.m. The meeting on Wednesday, March 18, 1998, will start at 8:30 a.m. and end at 4 p.m.

**ADDRESSES:** The meeting will be held at The Sheraton International - BWI (Baltimore Washington International