

mutual interests of all the major stakeholders in the air toxics program.

For many source categories for which MACT standards are required, State and local agency personnel have the expertise, information and desire to provide technical assistance for the development of MACT standards. Industry personnel are also invaluable sources of technical expertise and data needed to develop MACT standards. In addition, environmental groups have a thorough understanding of the interests of the public and can assist in the development of as many MACT standards as practical.

III. Streamlined MACT Development Approach

The MACT Partnerships program, as currently envisioned, involves two phases for each MACT standard. The first phase involves development of a "presumptive MACT". A "presumptive MACT" is not an emission standard; but it serves as a statement of current knowledge of maximum available control technologies and a basis for a decision on how to develop the emission standard for the source category involved. The second phase is the formal standard development process, which results in a promulgated MACT standard for the source category.

In the first phase of the MACT Partnerships program, the development of a "presumptive MACT", begins with two main steps: (1) A meeting between EPA and State and local agencies, known as the presumptive MACT meeting and (2) consultations with industry, environmental and other interest groups. In the presumptive-MACT meeting, EPA, and States review available information to estimate what MACT would be if only this information were used in the determination. This draft presumptive MACT then goes through a consultation stage where industry and environmental groups are invited to comment on the selected presumptive MACT. After this consultation, EPA and the State/local agencies determine a final presumptive MACT and how best to complete the development of a standard, with the normal opportunities for public comment. This determination of a presumptive MACT and a decision on how to complete development of a standard are the two products of the first phase.

For the second phase of MACT Partnerships, EPA envisions the use of one of three basic regulatory development paths: Adopt-a-MACT, share-a-MACT, or a streamlined-traditional approach. In all cases, EPA would eventually propose and then

promulgate the MACT standard. The "Adopt-a-MACT" path allows EPA to enter into an agreement with a State wherein the State would accept primary responsibility for data collection and analysis. Alternatively, a "share-a-MACT" path allows states, industry or both to share with EPA the responsibility for developing the underlying data and analysis from which EPA would determine the MACT emission limitation. When no suitable partners can be found, a "streamlined-traditional" path is the last alternative. In the "streamlined-traditional" path, EPA would go through a streamlined process of the traditional rule development, with a presumptive MACT specification as an intermediate stage. No matter what path is chosen, almost all standards would go through phase one, namely, the presumptive MACT meeting and the second consultative stage.

The EPA has successfully worked with States and industry in the development of presumptive MACT in two pilot projects. One project concerned the MACT standard primary aluminum manufacturing. The States of Washington and New York worked with EPA in the development of a presumptive MACT. In addition, the Aluminum Manufacturers Association and its member companies participated. For the second project, EPA worked with the States of Wisconsin and Maryland to develop a presumptive MACT for bakers yeast manufacturing. Both EPA and State partners have worked with the industry to move from the presumptive MACT to develop a MACT standard that is scheduled to be proposed in the fall of 1995.

Currently, EPA is beginning more than 25 projects within the MACT Partnerships program. Presumptive MACT meetings are scheduled over the next several months. For the information of the public, EPA has developed a table of these projects and has added it to the Technology Transfer Network bulletin board system (TTN BBS) See ADDRESSES section above for information on how to access the TTN BBS. The list can be found under the Clean Air Act (Rules/Guidance/Policy) section, Title III: Hazardous Air Pollutants subsection and then the Status of Rules/Projects portion of the TTN BBS.

In summary, the MACT Partnerships program is one way to pursue new, assertive ways to develop MACT standards. MACT Partnerships is characterized by EPA and State/localities working together with industry and environmentalists to fulfill the mandate to set MACT standards for

sources of hazardous air pollutants. Given the mutual interest of all the stakeholders and EPA's current "budgetary" situation within the air toxics program, EPA has begun redefining its role in selected areas of MACT standard development for many MACT standards as a coordinator and facilitator.

IV. Request for Comments

With this notice the EPA is requesting comments on:

- (1) The concept of MACT Partnerships as an approach for streamlining the development of MACT standards,
- (2) How to improve the MACT Partnership approach,
- (3) Alternative ways to streamline the MACT development process, and
- (4) Using presumptive MACT as a starting point for case-by-case MACT determinations.

V. Administrative Requirement

A. Paperwork Reduction Act

The request for comments detailed in this notice seeks voluntary responses and does not affect information collection burdens.

B. Executive Order 12866 Review

This notice is a request for comments and, therefore, was not reviewed by the Office of Management and Budget under Executive Order 12866. It was not considered significant.

Dated: March 14, 1995.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

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National Emission Standards for Hazardous Air Pollutant Emissions From the Production of Acrylonitrile Butadiene Styrene (ABS) Resin, Styrene Acrylonitrile (SAN) Resin, Methyl Methacrylate Acrylonitrile Butadiene Styrene (MABS) Resin, Methyl Methacrylate Butadiene Styrene (MBS) Resin, Polystyrene Resin, Poly (Ethylene Terephthalate) (PET) Resin, and Nitrile Resin (Group IV Polymers and Resins)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule and notice of public hearing.