

US EPA ARCHIVE DOCUMENT

2. May 13, 1999, Doubletree Hotel, 201 Marquette NW, Albuquerque, New Mexico, 87102, Tel. No. 505-247-3344.

3. May 25, 1999, Holiday Inn Select, St. Louis Downtown Convention Center, 811 North Ninth St., St. Louis, Missouri 63101, Tel. No. 314-421-4000.

4. May 27, 1999, Hyatt Regency Knoxville, 500 Hill Avenue, SE, Knoxville, Tennessee 37915, Tel. No. 423-637-1234.

FOR FURTHER INFORMATION CONTACT:

Carol J. Jones, Acting Director; Office of Standards, Regulations, and Variances, MSHA, 4015 Wilson Boulevard, Arlington, VA 22203-1984. She can be reached at cjones@msha.gov (Internet E-mail), 703-235-1910 (Voice), or 703-235-5551 (Fax).

SUPPLEMENTARY INFORMATION:

I. Background

On October 29, 1998, (63 FR 58104), MSHA published a proposed rule that would establish new health standards for underground metal and nonmetal mines that use equipment powered by diesel engines.

The proposed rule is designed to reduce the risks to underground metal and nonmetal miners of serious health hazards that are associated with exposure to high concentrations of diesel particulate matter (dpm). DPM is a very small particle in diesel exhaust. Underground miners are exposed to far higher concentrations of this fine particulate than any other group of workers. The best available evidence indicates that such high exposures put these miners at excess risk of a variety of adverse health effects, including lung cancer.

The proposed rule for underground metal and nonmetal mines would establish a concentration limit for dpm, and require mine operators to use engineering and work practice controls to reduce dpm to that limit. Underground metal and nonmetal mine operators would also be required to implement certain "best practice" work controls similar to those already required of underground coal mine operators under MSHA's 1996 diesel equipment rule. Additionally, operators would be required to train miners about the hazards of dpm exposure.

The comment period on the proposed rule was scheduled to close on February 26, 1999. However, in response to requests from the public for additional time to prepare their comments, and with additional data added to the rulemaking record by MSHA, the Agency extended the public comment period until April 30, 1999 (64 FR 7144).

The Agency welcomes your comments on the significance of the material already in the record, and any information that can supplement the record. For example, we welcome comments on: Additional information on existing and projected exposures to dpm and to other fine particulates in various mining environments; the health risks associated with exposure to dpm; on the costs to miners, their families and their employers of the various health problems linked to dpm exposure; or additional benefits to be expected from reducing dpm exposure.

The rulemaking record will remain open until July 26, 1999.

II. Public Hearings

MSHA will hold public hearings to receive additional public comments on the proposed rule addressing diesel particulate matter exposure of underground metal and nonmetal miners.

The hearings will be conducted in an informal manner by a panel of MSHA officials. Although formal rules of evidence or cross examination will not apply, the presiding official may exercise discretion to ensure the orderly progress of the hearings and may exclude irrelevant or unduly repetitious material and questions.

Each session will begin with an opening statement from MSHA, followed by an opportunity for members of the public to make oral presentations. The hearing panel may ask questions of speakers. At the discretion of the presiding official, the time allocated to speakers for their presentations may be limited. In the interest of conducting productive hearings, MSHA will schedule speakers in a manner that allows all points of view to be heard as effectively as possible.

Verbatim transcripts of the proceedings will be prepared and made a part of the rulemaking record. MSHA will make available copies of the hearing transcripts for public review.

MSHA will accept additional written comments and other appropriate data for the record from any interested party, including those not presenting oral statements. Written comments and data submitted to MSHA will be included in the rulemaking record.

III. Rulemaking Record

To allow for the submission of post-hearing comments, the rulemaking record will remain open until July 26, 1999. This provides nine months from publication for the public to comment on this proposed rule.

Dated: March 8, 1999.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

[FR Doc. 99-7139 Filed 3-23-99; 8:45 am]

BILLING CODE 4510-43-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-6314-2]

Massachusetts: Final Authorization of State Hazardous Waste Management Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: The EPA is providing additional opportunity to the public to comment on the proposal to grant final authorization to the Commonwealth of Massachusetts for revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA) published in the **Federal Register** of February 24, 1999 (64 FR 9110). The notice proposes to approve Massachusetts for final authorization for provisions of the Universal Waste Rule (UWR) and the Toxicity Characteristics (TC) Rule except as they relate to cathode ray tubes (CRTs). The purpose of today's document is to extend the public comment period from March 26, 1999 to May 10, 1999. This extension is provided in response to a request from the Commonwealth of Massachusetts to extend the comment period by an additional 45 days. EPA does not anticipate granting any further extensions of this comment period.

DATES: Written comments must be received on or before May 10, 1999.

ADDRESSES: Copies of the Commonwealth of Massachusetts' revision application and the materials which EPA used in evaluating the revision (the "Administrative Record") are available for inspection and copying during normal business hours at the following addresses: Massachusetts Department of Environmental Protection Library, One Winter Street—2nd Floor, Boston, MA 02108, business hours: 9:00 a.m. to 5:00 p.m., Telephone: (617) 292-5802 and EPA Region I Library, One Congress Street—11th Floor, Boston, MA 02114-2023, business hours: 8:30 a.m. to 5:00 p.m., Telephone: (617) 918-1990. Send written comments to Robin Biscaia at the address below.

FOR FURTHER INFORMATION CONTACT:
Robin Biscaia, EPA Region I, One
Congress Street, Suite 1100 (CHW),
Boston, MA 02114-2023; Telephone:
(617) 918-1642.

Dated: March 16, 1999.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 99-7087 Filed 3-23-99; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1302

RIN 0970-AB98

Head Start Program

AGENCY: Administration on Children,
Youth and Families (ACYF),
Administration for Children and
Families (ACF), HHS.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Administration on Children, Youth and Families proposes to amend Head Start regulations governing policies and procedures on selection and funding of grantees. The amendment would remove the section on priority for previously selected Head Start agencies. We propose to remove this section because of increased confusion among existing Head Start grantees about the meaning of "priority" as ACYF acts to replace grantees who have been terminated or relinquish their grant. This proposed change will clarify that the "priority" provided under the Head Start Act ("Act") applies to annual refunding of existing grantees and not to competition to select a grantee to serve an unserved area or an area previously served by a grantee no longer with the program. Removal of this section will not affect the ongoing funding or operation of Head Start grantees.

DATES: In order to be considered comments on this proposed rule must be received on or before May 24, 1999.

ADDRESSES: Please address comments to the Associate Commissioner, Head Start Bureau, Administration on Children, Youth, and Families, P.O. Box 1182, Washington, DC 20013. Beginning 14 days after close of the comment period, comments will be available for public inspection on Room 2219, 330 C Street, SW, Washington, DC 20201, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT:
James Kolb, (202) 205-8580.

SUPPLEMENTARY INFORMATION:

I. Program Purpose

Head Start is authorized under the Head Start Act (42 U.S.C. 9801 *et seq.*). It is a national program providing comprehensive developmental services primarily to low-income preschool children, primarily age three to the age of compulsory school attendance, and their families. To help enrolled children achieve their full potential, Head Start programs provide comprehensive health, nutritional, educational, social and other services. Also, section 645A of the Head Start Act provides authority (authorized in 1994) to fund programs for families with infants and toddlers. Programs receiving funds under the authority of this section are referred to as Early Head Start programs.

Additionally, Head Start programs are required to provide for the direct participation of the parents of enrolled children in the development, conduct, and direction of local programs. Parents also receive training and education to foster their understanding of and involvement in the development of their children. In fiscal year 1998, Head Start served 823,000 children through a network of over 2,000 grantees and delegate agencies.

While Head Start is intended to serve primarily children whose families have incomes at or below the poverty line or who receive public assistance, Head Start policy permits up to 10 percent of the children in local programs to be from families who do not meet these low-income criteria. The Act also requires that a minimum of 10 percent of the enrollment opportunities in each program be made available to children with disabilities. Such children are expected to participate in the full range of Head Start services and activities with their non-disabled peers and to receive needed special education and related services.

II. Discussion of the Proposed Removal of 45 CFR 1302.12

The Administration for Children and Families (ACF) is proposing to delete section 1302.12 entitled "Priority for previously selected Head Start agencies." A number of grantees have been terminated or have relinquished their grant in the past several years because they have been unable to meet quality standards applicable to Head Start grantees. This section has caused confusion as ACF has acted to replace these grantees. Removing this section will reduce confusion and misunderstanding among existing Head Start grantees about the proper application of "priority."

[**Note:** The references to Section 641 of the Head Start Act in this Preamble reflect, where appropriate, the recent reauthorization changes made to the Head Start Act in the Coats Human Services Reauthorization Act of 1998, Public Law 105-285, enacted October 27, 1998. The Head Start statutory changes in the Reauthorization Act do not affect the proposed removal of 45 CFR 1302.12.]

Since the Head Start, Economic Opportunity, and Community Partnership Act of 1974 (Pub. L. 93-644) was enacted, the Head Start Bureau has used the "priority" referred to in the current Section 641(c) of the Act as the basis for the noncompetitive refunding of existing Head Start grantees. This is effected by making grant awards with an indefinite project period. So long as a grantee meets the programmatic and fiscal requirements of the Act and regulations, it continues to receive priority for refunding. Pursuant to the intent of Congress, this provision has assured continuity of services to children and families, without the disruption that a periodic and routine change of sponsoring agency would entail.

We are proposing to eliminate 45 CFR 1302.12 from the regulations governing the selection of grantees. This change is being proposed to make it clear that the application of the priority provided by section 641(c) of the Head Start Act does not apply to competitions to select a grantee to serve an unserved area or an area previously served by a grantee no longer with the program. The statute as now written provides in section 641(a) that in order to be designated as a Head Start grantee an organization must be within the community to be served. Under section 641(d), a competition for award of Head Start funding is only held where no entity in the community is eligible for a priority. "Community" is defined in section 641(b) as "a city, county, or multicounty or multicounty unit within a State, an Indian reservation (including Indians in any off reservation area designated by an appropriate tribal government in the consultation with the Secretary), or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to operate a Head Start program." As the result of the adoption of 45 CFR 1305.3, all grantees must specify in their annual applications for funding the "service area" that they plan to serve. They must define it by "county or sub-county area, such as a municipality, town or census tract or a federally recognized Indian reservation" and it must not overlap with the service areas where other grantees have been