



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

This document has been electronically  
approved and signed.

**DATE:** January 24, 2018

**BALLOT VOTE SHEET:**

**TO:** The Commission  
Alberta E. Mills, Acting Secretary

**THROUGH:** Patricia M. Hanz, General Counsel  
Patricia H. Adkins, Executive Director

**FROM:** Patricia M. Pollitzer, Assistant General Counsel  
Meridith L. Kelsch, Attorney

**SUBJECT:** Amendments to Fireworks Regulations; Notice of Opportunity for Oral  
Presentation of Comments

**BALLOT VOTE DUE:** Tuesday, January 30, 2018

The Office of the General Counsel is providing for Commission consideration the attached draft *Federal Register* notice announcing a meeting for interested parties to present oral comments on the notice of proposed rulemaking (NPR) regarding amendments to the fireworks regulations that the Commission issued on February 2, 2017. The Commission issued the NPR under the Federal Hazardous Substances Act (FHSA; 15 U.S.C. §§ 1261-1278). The FHSA does not require that the Commission provide an opportunity for oral presentation of comments.

Please indicate your vote on the following options:

- I. Approve publication of the attached document in the *Federal Register*, as drafted.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

- II. Approve publication of the attached document in the *Federal Register*, with changes.  
(Please specify.)

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(Signature)

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(Date)

- III. Do not approve publication of the attached document in the *Federal Register*.

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(Signature)

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(Date)

- IV. Take other action. (Please specify.)

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(Signature)

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(Date)

Attachment: Draft *Federal Register* Notice: Amendments to Fireworks Regulations; Notice of Opportunity for Oral Presentation of Comments.

**Billing Code 6355-01-P**

**CONSUMER PRODUCT SAFETY COMMISSION**

**16 CFR Parts 1500 and 1507**

**[Docket No. CPSC-2006-0034]**

**Amendments to Fireworks Regulations; Notice of Opportunity for Oral Presentation of Comments**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of proposed rulemaking; opportunity for oral presentation of comments.

**SUMMARY:** The Consumer Product Safety Commission (Commission or CPSC) will be holding a meeting to provide interested parties with an opportunity to present oral comments on the notice of proposed rulemaking (NPR) the Commission issued regarding amendments to the fireworks regulations. Any oral comments will be part of the rulemaking record.

**DATES:** The meeting will begin at [INSERT TIME] on March 7, 2018. The Office of the Secretary must receive requests to make oral presentations, along with the written text of the oral presentations, no later than 5 p.m. Eastern Standard Time (EST) on February 28, 2018.

**ADDRESSES:** The meeting will be in the Hearing Room, on the 4<sup>th</sup> Floor of the Bethesda Towers Building, 4330 East West Highway, Bethesda, MD 20814. Submit requests to make oral presentations and the written text of oral presentations to the Office of the Secretary, with the caption, "Fireworks NPR; Oral Presentation," by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov), or by mail to the Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814.

**FOR FURTHER INFORMATION CONTACT:** For information about the subject matter of this meeting, contact Rodney Valliere, Project Manager, Directorate for Laboratory Sciences,

Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: (301) 987-2526. For information about the procedure to make an oral presentation, contact Rockelle Hammond, Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: (301) 504-7923.

## **SUPPLEMENTARY INFORMATION:**

### **I. Background**

On February 2, 2017, the Commission published an NPR in the *Federal Register*, proposing to amend its fireworks regulations under the Federal Hazardous Substances Act (FHSA; 15 U.S.C. 1261-1278), and seeking written comments. 82 FR 9012. The NPR proposed amendments that would create new requirements for fireworks devices, as well as modify or clarify existing requirements. On April 14, 2017, the Commission published a notice extending the comment period for the NPR to July 17, 2017. 82 FR 17947. The NPR is available at: <https://www.gpo.gov/fdsys/pkg/FR-2017-02-02/pdf/2017-02014.pdf> and Commission staff's briefing package for the NPR is available at: <https://www.cpsc.gov/s3fs-public/ProposedRuleAmendmentstoFireworksRegulations.pdf>.

In the **Request for Comments** section of the NPR (82 FR 9029), the Commission sought information on specific topics, in addition to requesting comments on all aspects of the proposed rule. Comments on the topics listed in the NPR would be helpful at the public hearing. In particular, the Commission would find information and data on the following topics useful:

- the public safety need for the proposed chemical composition and pyrotechnic weight limits for ground devices;
- the public safety need for prohibiting hexachlorobenzene and lead tetroxide and other lead compounds in fireworks devices;

- the public safety need for the proposed test method to evaluate side ignition and the appropriateness of the proposed ignition-resistance period;
- the public safety need for the proposed ban of fireworks devices that project fragments when functioning; and
- the appropriate trace contamination allowance levels for prohibited chemicals.

## **II. The Public Meeting**

Under the FHSA and the Administrative Procedure Act (5 U.S.C. 551-562), the Commission must provide interested parties with an opportunity to submit “written data, views, or arguments” regarding a proposed rule. 5 U.S.C. 553(c). Neither statute requires the Commission to provide an opportunity for oral comments about a rulemaking, but the Commission is providing this forum to give interested parties an additional opportunity to comment on the NPR.

To request the opportunity to make an oral presentation, see the information under the **DATES** and **ADDRESSES** sections of this notice. Participants should limit their presentations to approximately 10 minutes, excluding time for questioning by the Commissioners or CPSC staff. To avoid duplicate presentations, groups should designate a spokesperson, and the Commission reserves the right to limit presentation times or impose further restrictions, as necessary.

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**Alberta E. Mills,**  
*Acting Secretary,*  
*Consumer Product Safety Commission.*