

final limited disapproval action will not prevent the EDCAPCD, the YSAQMD, or EPA from enforcing these rules.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any State implementation plan. Each request for revision to the State implementation plan shall be considered separately in light of specific technical, economic and environmental factors and in relation to relevant statutory and regulatory requirements.

V. Administrative Requirements

A. Executive Orders 12866 and 13045

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

The proposed rules are not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks," because they are not "economically significant" actions under E.O. 12866.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under sections 110 and 301, and subchapter I, part D of the CAA do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its action concerning SIPs on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to

accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and record keeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401-7671q.

Dated: July 31, 1998.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 98-22200 Filed 8-17-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA181-0081b; FRL-6141-9]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mohave Desert Air Quality Management District & South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from wood product coating operations.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no relevant adverse comments are received, no further activity is contemplated in relation to this rule. If EPA receives relevant adverse comments, the direct final rule will not take effect and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on the rule. Any parties interested in commenting on the rule should do so at this time.

DATES: Comments must be received in writing by September 17, 1998.

ADDRESSES: Written comments should be addressed to: Andrew Steckel, Rulemaking Office, AIR-4, Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

Mojave Desert Air Quality Management District, 15428 Civic Drive, Suite 200, Victorville, CA 92392

South Coast Air Quality Management District, 218 East Copley Drive, Diamond Bar, CA 91765

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812.

FOR FURTHER INFORMATION CONTACT:

Jerald S. Wamsley, Rulemaking Office, AIR-4, Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1226

SUPPLEMENTARY INFORMATION: This document concerns Mohave Desert Air Quality Management District Rule 1114—Wood Product Coating Operations and South Coast Air Quality Management District, Rule 1136—Wood Product Coatings submitted to EPA by the California Air Resources Board to EPA on March 3, 1997 and August 28, 1996, respectively. For further information, please see the information provided in the Direct Final action that

is located in the Rules Section of this **Federal Register**.

(Authority: 42 U.S.C. 7401 *et seq.*)

Date signed: July 29, 1998.

Nora L. McGee,

Acting Regional Administrator, Region 9.

[FR Doc. 98-21897 Filed 8-17-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[KY-99-1-9820b; FRL-6142-8]

Designation of Areas for Air Quality Planning Purposes Kentucky: Redesignation of the Muhlenberg County Sulfur Dioxide Secondary Nonattainment Area to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On November 21, 1997, the Commonwealth of Kentucky submitted, through the Natural Resources and Environmental Protection Cabinet (the Cabinet), a request for redesignation of Muhlenberg County, Kentucky, to attainment for the secondary sulfur dioxide (SO₂) National Ambient Air Quality Standard (NAAQS). The secondary nonattainment designation for SO₂ was based on the fact that the Tennessee Valley Authority (TVA) Paradise Steam Plant was out of compliance with its allowable emission limit. The Cabinet submitted air dispersion modeling which demonstrates that the secondary (NAAQS) for SO₂ are now being maintained. The EPA is approving the request for redesignation.

In the Final Rules section of this **Federal Register**, EPA is approving the Kentucky State Implementation Plan submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates that it will not receive any significant, material, and adverse comments. A detailed rationale for the approval is set forth in the direct final rule and incorporated by reference herein. If no significant, material, and adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will

not institute a second comment period on this action.

DATES: Comments must be received in writing by September 17, 1998.

ADDRESSES: Written comments should be addressed to Scott Martin at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the day of the visit.

Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104.

Mr. John E. Hornback, Director, Division of Air Quality, Department for Environmental Protection, Natural Resources and Environmental Protection Cabinet, 803 Schenkel Lane, Frankfort, Kentucky 40601

FOR FURTHER INFORMATION CONTACT: Scott Martin at (404) 562-9036.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: August 3, 1998.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 98-22055 Filed 8-17-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 141

[FRL-6146-7]

RIN-2040-AC27

Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule with request for comments.

SUMMARY: The Environmental Protection Agency (EPA) is soliciting public comment on an additional regulatory option the Agency is considering in conjunction with minor revisions to the National Primary Drinking Water Regulations for Lead and Copper. The option would modify the way in which compliance with optimal corrosion control requirements is determined for water systems subject to the rule's water quality parameter monitoring

requirements and would give systems greater flexibility and remove disincentives for water systems to implement good process control procedures. The intended effect is to avoid putting systems that monitor water quality parameters more frequently than required under the lead and copper regulations at greater risk of non-compliance than those systems that only conduct the minimum required monitoring. This option would not increase, and may decrease, the burden associated with compliance with the lead and copper rule.

DATES: Written comments should be postmarked or delivered by hand by September 17, 1998.

ADDRESSES: Send written comments to the Lead and Copper Rule Comment Clerk, Water Docket (MC-4101), Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Please submit an original and three copies of your comments and enclosures (including references). If you wish to hand-deliver your comments, please call the Docket at (202) 260-3027 between 9 a.m. and 4 p.m., Monday through Friday, excluding Federal holidays, to obtain directions to Room EB57. Please see Supplementary Information under the heading "Additional Information for Commenters" for detailed filing instructions, including electronic submissions.

The record for this rulemaking has been established under docket name National Primary Drinking Water Regulations for Lead and Copper. The record includes supporting documentation as well as printed, paper versions of electronic comments. The record is available for inspection from 9 a.m. to 4 p.m., Monday through Friday, excluding legal holidays at the Water Docket, Room EB57, 401 M Street, SW, Washington, DC 20460. For access to the Docket materials, please call (202) 260-3027 to schedule an appointment.

FOR FURTHER INFORMATION CONTACT: The Safe Drinking Water Hotline, toll free 1-800-426-4791. The Safe Drinking Water Hotline is open Monday through Friday, excluding Federal holidays, from 9:00 a.m. to 5:30 p.m. Eastern Time. For technical inquiries, contact Judy Lebowich, Standards and Risk Management Division, Office of Ground Water and Drinking Water, EPA (MC-4607), 401 M Street SW, Washington, DC 20460; telephone (202) 260-7595.

SUPPLEMENTARY INFORMATION:

Regulated Entities

Entities potentially regulated by this regulatory option include all community water systems (CWSs) and