

The proposed action provided a 30-day public comment period. In response to a request from California Council for Environmental and Economic Balance submitted by telephone and in writing on September 28, 2000, EPA is extending the comment period for an additional 30 days.

Dated: October 3, 2000.

**Felicia Marcus,**

*Regional Administrator, Region IX.*

[FR Doc. 00-26506 Filed 10-13-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[FRL-6886-7]

#### Supplemental Information to Support Proposed Approvals of One-Hour Ozone Attainment Demonstrations for Serious Ozone Nonattainment Areas

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

**ACTION:** Notice of availability and reopening of comment period.

**SUMMARY:** Notice is hereby given that EPA has performed an analysis to evaluate emission levels of oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOC) and their relationships to the application of current and anticipated control measures expected to be implemented in four serious one-hour ozone nonattainment areas. This analysis was done to determine if additional reasonably available control measures (RACM) are available after adoption of Clean Air Act (Act) required measures for the following serious ozone nonattainment areas: Greater Connecticut, New York-New Jersey-Connecticut; Springfield, Massachusetts; Washington, D.C.-Virginia-Maryland; and Atlanta, Georgia. The EPA performed this analysis in response to comments that were submitted on the proposals on these areas' one-hour ozone attainment demonstrations. The EPA took action to propose approval (and disapproval in the alternative) of these areas' State implementation plans (SIPs) on December 16, 1999 (Greater Connecticut (64 FR 70332); Springfield (64 FR 70319); Metropolitan Washington (64 FR 70460); and Atlanta (64 FR 70478)). This information supplements the December 16, 1999 proposals.

**DATES:** The EPA is establishing a comment period, ending on October 31, 2000. All comments should be sent to

the appropriate regional office as listed in the **ADDRESSES** section by that date.

**ADDRESSES:** Written comments on the Greater Connecticut and Springfield SIPs should be sent (in duplicate if possible) to: David B. Conroy, EPA Region I (New England) Office, One Congress Street, Suite 1100-CAQ, Boston, Massachusetts 02114-2023. Copies of the Connecticut and Massachusetts State submittals and EPA's technical support document are available for public inspection during normal business hours at the following address: U.S. Environmental Protection Agency, Region 1 (New England), One Congress St., 11th Floor, Boston, Massachusetts, telephone (617) 918-1664. Please telephone in advance before visiting.

Written comments on the Washington, D.C.-Virginia-Maryland submittals should be submitted (in duplicate if possible) to: David L. Arnold, Chief, Ozone and Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region 3, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following address: Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103, and the docket numbers are DC039-2019, VA090-5036 and MD073-3045.

Written comments on the Atlanta SIP should be submitted (in duplicate if possible) to: Scott M. Martin, EPA Region 4, Air Planning Branch, 61 Forsyth Street, S.W., Atlanta, Georgia 30303. Copies of the State submittal are available at the following address for inspection during normal business hours: Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, S.W., Atlanta, Georgia 30303-8960, and the docket number is GA-47-200002.

**FOR FURTHER INFORMATION CONTACT:** For general questions on the RACM analysis for mobile sources, contact Mr. Mark Simons at either 734-214-4420 or by e-mail [simons.mark@epa.gov](mailto:simons.mark@epa.gov). For general questions on the RACM analysis for stationary sources, contact Mr. John Silvasi at either (919) 541-5666 or by e-mail [silvasi.john@epa.gov](mailto:silvasi.john@epa.gov). For specific questions on the Greater Connecticut and Springfield SIPs, contact Mr. Richard Burkhardt at (617) 918-1664 or by e-mail [burkhardt.richard@epa.gov](mailto:burkhardt.richard@epa.gov). For specific questions on the Washington, D.C., SIP, contact Mr. David Arnold at (215) 814-2172 or by e-mail

[arnold.dave@epa.gov](mailto:arnold.dave@epa.gov). For specific questions on the Atlanta SIP, contact Mr. Scott Martin at (404) 562-9036 or by e-mail [martin.scott@epa.gov](mailto:martin.scott@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 172(c)(1) of the Act requires SIPs to contain reasonably available control measures (RACM) as necessary to provide for attainment as expeditiously as practicable. Several commenters have stated that there is no evidence in the four serious ozone attainment demonstrations that were proposed on December 16, 1999 that they have adopted all RACM, and a commenter further stated that the mobile source emission budgets in the SIPs are inadequate by definition because the SIPs do not demonstrate timely attainment or contain the emission reductions required for all RACM. In addition, some commenters stated that for all potential RACM measures not adopted into the SIP, the State must provide a justification for why they were determined not to be RACM.

The analysis EPA conducted demonstrates that a number of possible emission control measures have been evaluated for their emission reductions. It further demonstrates that the measures evaluated either (a) are likely to require an intensive and costly effort for numerous small area sources, or (b) do not advance the attainment dates for the four areas, and therefore would not be considered RACM under the Act.

EPA has previously provided guidance interpreting the RACM requirements of 172(c)(1). See 57 FR 13498, 13560. In that guidance, EPA indicated its interpretation that potentially available measures that would not advance the attainment date for an area would not be considered RACM. EPA concluded that a measure would not be reasonably available if it would not advance attainment. EPA also indicated in that guidance that States should consider all potentially available measures to determine whether they were reasonably available for implementation in the area, and whether they would advance the attainment date. Further, States should indicate in their SIP submittals whether measures considered were reasonably available or not, and if measures are reasonably available they must be adopted as RACM. Finally, EPA indicated that States could reject potential RACM measures either because they would not advance the attainment date, would cause substantial widespread and long-term adverse impacts, or for various reasons related to local conditions, such as economics or implementation concerns.

The EPA also issued a recent memorandum on this topic, "Guidance on the Reasonably Available Control Measures (RACM) Requirement and Attainment Demonstration Submissions for Ozone Nonattainment Areas." John S. Seitz, Director, Office of Air Quality Planning and Standards, dated November 30, 1999. A copy can be obtained from [www.epa.gov/ttn/oarpg/t1pgm.html](http://www.epa.gov/ttn/oarpg/t1pgm.html).

In response to public comments received on the proposed rulemakings in December, EPA has reviewed the SIP submittals for the four serious areas and determined that they did not include sufficient documentation concerning available RACM measures. Therefore, EPA has itself reviewed numerous potential RACM measures, as documented in the available analysis. Based on this analysis, EPA concluded that these measures would either (a) likely require an intensive and costly effort for numerous small area sources, or (b) not advance the attainment date in any of the four areas and, therefore, would not be considered RACM.

Although EPA encourages areas to implement available RACM measures as potentially cost effective methods to achieve emissions reductions in the short term, EPA does not believe that section 172(c)(1) requires implementation of potential RACM measures that either require costly implementation efforts or produce relatively small emissions reductions that will not be sufficient to allow any of the four areas to achieve attainment in advance of full implementation of all other required measures.

**Electronic Availability**—An electronic version of EPA's RACM analysis can be downloaded at [www.epa.gov/ttn/rto](http://www.epa.gov/ttn/rto) under "What's New."

For those persons without electronic capability, a copy of this analysis may be obtained from Ms. Linda Lassiter at (919) 541-5526.

The official record for these proposed actions have been established under individual dockets which are located at the Regional office address in the **ADDRESSES** section at the beginning of this document. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect file format or ASCII file format. All comments and data in electronic form must be identified by the docket number associated with the individual state proposal.

Dated: October 10, 2000.

**Henry C. Thomas,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. 00-26612 Filed 10-13-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[FRL-6885-4]

#### Utah: Final Authorization of State Hazardous Waste Management Program Revision

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to grant Final authorization to the hazardous waste program changes submitted by Utah. In the "Rules" section of this **Federal Register**, we are authorizing the State's program changes as an immediate final rule without a prior proposed rule because we believe this action is not controversial. Unless we get written comments opposing this authorization during the comment period, the immediate final rule will become effective and the Agency will not take further action on this proposal. If we receive comments that oppose this action, we will publish a document in the **Federal Register** withdrawing this rule before it takes effect. EPA will address public comments in a later final rule based on this proposal. EPA may not provide further opportunity for comment. Any parties interested in commenting on this action must do so at this time.

**DATES:** We must receive your comments by November 30, 2000.

**ADDRESSES:** Send written comments to Kris Shurr, 8P-HW, U.S. EPA, Region VIII, 999 18th St, Ste 500, Denver, Colorado 80202-2466, phone number: (303) 312-6139. You can view and copy Utah's application at the following addresses: Utah Department of Environmental Quality (UDEQ), from 8:00 AM to 5:00 PM, 288 North 1460 West, Salt Lake City, Utah 84114-4880, contact: Susan Toronto, phone number: (801) 538-6776. and EPA Region VIII, from 8:00 AM to 3:00 PM, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, contact: Kris Shurr, phone number: (303) 312-6139.

**FOR FURTHER INFORMATION CONTACT:** Kris Shurr, EPA Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, phone number: (303) 312-6139.

**SUPPLEMENTARY INFORMATION:** For additional information, please see the immediate final rule published in the "Rules" section of this **Federal Register**.

Dated: October 5, 2000.

**William P. Yellowtail,**

*Regional Administrator, Region VIII.*

[FR Doc. 00-26504 Filed 10-13-00; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 697

[Docket No. 000412106-0262-02; I.D. 032200A]

RIN 0648-AO02

#### Atlantic Coastal Fisheries Cooperative Management Act Provisions; Horseshoe Crab Fishery; Closed Area

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to prohibit fishing for horseshoe crabs and limit possession of them in an area in the exclusive economic zone (EEZ) encompassing a 30-nautical mile (nm) radius (in a shape roughly equivalent to a rectangle) seaward from the midpoint of the territorial sea line at the mouth of Delaware Bay. The intent of this proposed rule is to provide protection for the Atlantic coast stock of horseshoe crab, and to promote the effectiveness of the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fishery Management Plan (ISFMP) for horseshoe crab.

**DATES:** Written comments must be received on or before October 31, 2000.

**ADDRESSES:** Comments on the proposed rule should be sent to, and copies of an Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA), are available from, Richard H. Schaefer, Chief, Staff Office for Intergovernmental and Recreational Fisheries, National Marine Fisheries Service, 8484 Georgia Avenue, Suite 425, Silver Spring, MD 20910. Comments regarding the collection-of-information requirement contained in this proposed rule should be sent to Richard H. Schaefer and to the Office of Information and Regulatory Affairs attention: NOAA Desk Officer, Office of Management and Budget, Washington D.C. 20503.