

**DATES:** Comments on this proposed rule must be received in writing by June 5, 1995.

**ADDRESSES:** Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (AT-082), Air Programs Section, 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 visiting day.  
U.S. Environmental Protection Agency, Region 10, Air Programs Section, 1200 6th Avenue, Seattle, WA 98101.  
The Washington State Department of Ecology, P.O. Box 47600, Olympia, Washington, 98504-7600.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Cooper, Air Programs Branch (AT-082), EPA, 1200 6th Avenue, Seattle, WA 98101, (206) 553-6917.

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

Dated: April 7, 1995.

**Chuck Clarke,**

*Regional Administrator.*

[FR Doc. 95-11049 Filed 5-4-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 52

[MS-19-1-6758b; FRL-5195-2]

#### Clean Air Act Approval and Promulgation of Revisions to Prevention of Significant Deterioration of Air Quality Regulations

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP) submitted by the State of Mississippi to include modifications of the state prevention of significant deterioration of air quality regulation to update the adoption by reference in Regulation APC-S-5, of the amendments and revisions to the federal regulations promulgated in 40 CFR 52.21 and 51.166 as of the date of State adoption of this revision. 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

description of the revision and a more detailed rationale for the approval is set forth in the direct final rule, and the public should refer to that notice for more information. If no adverse comments are received in response to that 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.

**DATES:** To be considered, comments must be received by June 5, 1995.

**ADDRESSES:** Written comments should be addressed to: Kimberly Bingham, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street NE, Atlanta, Georgia 30365.

Copies of the material submitted by the State of Mississippi may be examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE., Atlanta, Georgia 30365.

Mississippi Department of Environmental Quality, P.O. Box 10385, Jackson, Mississippi 39289-0385.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Bingham, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365. The telephone number is 404 347-3555 ext. 4195.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: April 12, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 95-11047 Filed 5-4-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 52 and 81

[OH54-1-6164b, FRL-5201-3]

#### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: State of Ohio

**AGENCY:** United States Environmental Protection Agency (USEPA).

**ACTION:** Proposed rule.

**SUMMARY:** The USEPA proposes to approve the redesignation request and maintenance plan for the Dayton-Springfield, Ohio area as a revision to Ohio's State Implementation Plan (SIP) for ozone. In the final rules section of this **Federal Register**, the USEPA is approving the State's redesignation request and maintenance plan as a direct final rule without prior proposal because USEPA views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If USEPA receives comments adverse to or critical of the approval, USEPA will withdraw the approval before its effective date by publishing a subsequent **Federal Register** document which withdraws the direct final rule. All public comments received will then be addressed in a subsequent final rule based on this proposed rule. USEPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this action must be received by June 5, 1995.

**ADDRESSES:** Written comments should be mailed to: William MacDowell, Chief, Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Copies of the State submittal and USEPA's analysis of it are available for inspection at: Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

**FOR FURTHER INFORMATION CONTACT:** Angela Lee, Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the Final Rules section of this **Federal Register**.

Dated: March 14, 1995.

**Valdas V. Adamkus,**  
*Regional Administrator.*

[FR Doc. 95-10973 Filed 5-4-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 52 and 81

[OH78-1-6969; FRL-5202-9]

### Approval and Promulgation of Implementation plans and Designation of Areas for Air Quality Planning Purposes; Ohio

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

**ACTION:** Proposed rule.

**SUMMARY:** The Ohio U.S. Environmental Protection Agency (USEPA) has requested the redesignation of the Cincinnati area (Hamilton, Clermont, Butler, and Warren Counties) from moderate nonattainment to attainment for ozone; and Clinton County from transitional nonattainment to attainment. The requests were received on November 15, 1994. Before the Cincinnati request can be approved through final rulemaking, several State Implementation Plan (SIP) revisions must be approved. The USEPA is separately rulemaking on Ohio SIP revisions involving volatile organic compounds (VOC) Reasonable Available Control Technology (RACT) rules, the 1990 Base-year Inventory, the section 182(f) nitrogen oxides (NO<sub>x</sub>) RACT waiver request, the 182(b)(1) reasonable further progress plan, and the 182(b)(4) inspection and maintenance plan. Upon final approval of these plans, the Cincinnati nonattainment area will have met all of the requirements for redesignation specified under section 107(d)(3)(E). The approval of the Clinton County request is not contingent upon separate rulemaking action by USEPA. The USEPA is proposing approval of the redesignation request and maintenance plan for Butler, Hamilton, Warren, Clermont, and Clinton Counties in Ohio.

**DATES:** Comments on this redesignation and on the proposed USEPA action must be received by June 5, 1995.

**ADDRESSES:** Written comments should be addressed to: William L. MacDowell, Chief, Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State's submittal and other information are available for inspection during normal business hours at the following location: Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

#### FOR FURTHER INFORMATION CONTACT:

Randy Robinson, Air Enforcement Branch, Regulation Development Section (AE-17J), United States Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 353-6713.

#### SUPPLEMENTARY INFORMATION:

##### I. Summary of State Submittal

The Ohio Environmental Protection Agency (OEPA) has requested the redesignation of the Ohio portion of the Cincinnati Area (including the counties of Hamilton, Clermont, Butler, and Warren) from nonattainment to attainment for ozone. The Cincinnati moderate nonattainment area also includes the Kentucky counties of Boone, Campbell, and Kenton. These counties are being addressed in separate rulemaking. The OEPA is also requesting the redesignation of Clinton county from transitional nonattainment to attainment. The USEPA received both requests for redesignation to attainment on November 15, 1994. Public hearing and response to comment information was received on February 24, 1995.

Under Section 107(d) of the 1977 amended Clean Air Act, the USEPA promulgated the ozone attainment status for each geographic area of the country. All counties in the Cincinnati area were designated as an ozone nonattainment area in March 1978 (43 FR 8962). On November 15, 1990, the Clean Air Act Amendments of 1990 (CAAA) were enacted. Pursuant to Section 107(d)(4)(A), Butler, Clermont, Hamilton, and Warren Counties were designated as moderate nonattainment areas, as a result of monitored violations of the ozone National Ambient Air Quality Standards (NAAQS) during the summer of 1988 (56 FR 56694, November 6, 1991). Clinton County did not experience a violation during the three year period from January 1, 1987 through December 31, 1989, and therefore, pursuant to section 185(A) of the CAAA, was designated as a transitional nonattainment area. A review of the Cincinnati area redesignation request is presented below, followed by a review of the Clinton County request.

##### II. Redesignation Review Criteria

The CAAA provides the requirements for redesignating a nonattainment area to attainment. Specifically, Section 107(d)(3)(E) provides for redesignation if: (i) The Administrator determines that the area has attained the National Ambient Air Quality Standard (NAAQS); (ii) The Administrator has fully approved the applicable implementation plan for the area under Section 110(k); (iii) The Administrator determines that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable Federal air pollutant control regulations and other permanent and enforceable reductions; (iv) The Administrator has fully approved a maintenance plan for the area as meeting the requirements of Section 175(A); and (v) The State containing such area has met all requirements applicable to the area under Section 110 and Part D.

The USEPA provided guidance on redesignation in the General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990, 57 FR 13498 (April 16, 1992), supplemented at 57 FR 18070 (April 28, 1992). Three key memoranda provide further guidance with respect to section 107(d)(3)(E) of the amended Act. The first, dated September 4, 1992, was issued by John Calcagni, Director, Air Quality Management Division, Subject: Procedures for Processing Requests to Redesignate Areas to Attainment (Calcagni Memorandum). The second, dated September 17, 1993, was issued by Michael Shapiro, Acting Assistant Administrator for Air and Radiation, Subject: State Implementation Plan (SIP) Requirements for Area Submitting Requests for Redesignation to Attainment of the Ozone and Carbon Monoxide (CO) NAAQS on or after November 15, 1992 (Shapiro Memorandum). The third, dated October 14, 1994, was issued by Mary Nichols, Assistant Administrator for Air and Radiation, Subject: Part D New Source Review Requirements for Areas Requesting Redesignation to Attainment (Nichols Memorandum).

##### *Analysis of Cincinnati Area Redesignation Request*

A. The Area Must Have Attained the Ozone National Ambient Air Quality Standard (NAAQS)

For ozone, an area may be considered attaining the NAAQS if there are no violations, as determined in accordance with 40 CFR 50.9, based on three