

provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1748.02 and OMB Control No. 2060-0337 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Policy, Planning, & Evaluation, Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460; and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: June 8, 1998.

**Joseph Retzer,**

*Director, Regulatory Information Division.*

[FR Doc. 98-15742 Filed 6-11-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6107-3]

### Proposed Determination of Attainment of the Air Quality in the Liberty Borough, Pennsylvania PM-10 Nonattainment Area

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

**ACTION:** Proposed finding of attainment and withdrawal of previously proposed finding.

**SUMMARY:** EPA is proposing to find that air quality in the Liberty Borough, Pennsylvania moderate nonattainment area has attained national ambient air quality standards (NAAQS) for particulate matter of nominal aerodynamic diameters smaller than 10 micrometers (PM-10). The Clean Air Act (the Act) establishes a December 31, 1994 attainment date for moderate PM-10 nonattainment areas, and requires EPA to determine the attainment status of such areas by June 30, 1995. For the reasons explained herein, this proposed finding is based on monitored air quality data for the area during the years 1995-1997. EPA is also withdrawing its previous September 19, 1995 proposal to find that the area did not attain the NAAQS. Elsewhere in the Proposed Rules section, EPA is also proposing to approve the Allegheny County Health Department's (ACHD's) attainment demonstration, submitted to EPA by the Commonwealth of Pennsylvania, that the state implementation plan (SIP) requirements for the Liberty Borough

area are sufficient to attain and maintain the NAAQS. In the same document EPA is also proposing to approve contingency measures for the area. In the Final Rules section of today's **Federal Register**, EPA is taking direct final action to approve a SIP revision requiring additional control measures at the USX Clairton coke works. On July 18, 1997, EPA revised the NAAQS for particulate matter. In this document, "NAAQS" and "PM-10 NAAQS" refer only to the previously existing NAAQS that were in effect at the time that the attainment plan was submitted.

**DATES:** Comments must be received on or before July 13, 1998.

**ADDRESSES:** Comments may be mailed to Makeba Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107 and the Allegheny County Health Department, Department of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201.

#### FOR FURTHER INFORMATION CONTACT:

Denis M. Lohman, (215) 566-2192, or by e-mail at

lohman.denny@epamail.epa.gov. While requests for information may be made via e-mail, comments for EPA's consideration regarding this proposal must be submitted in writing to the address indicated above.

#### SUPPLEMENTARY INFORMATION:

### I. Background

#### A. Clean Air Act Requirements

Upon enactment of Clean Air Act Amendments of 1990, PM-10 areas meeting the criteria of section 107(d)(4)(B) of the Act was designated nonattainment by operation of law. Once an area is designated nonattainment, section 188 of the Act outlines the process for classification of the area and establishes the area's attainment date. Pursuant to section 188(a), all PM-10 nonattainment areas were initially classified as moderate by operation of law upon designation as nonattainment, and the attainment date for these areas were December 31, 1994. These nonattainment designations and moderate area classifications were codified in 40 CFR part 81 on November 6, 1991 (56 FR 56694).

States containing areas which were designated as moderate nonattainment

by operation of law under section 107(d)(4)(B) were to develop and submit SIPs to provide for the attainment of the PM-10 NAAQS. Those SIPs were to include the adoption and implementation of PM-10 reduction requirements which constitute reasonably available control measures, (RACM), including reasonably available control technology (RACT). Pursuant to section 189(a)(2) of the Act, those SIP revisions were to be submitted to EPA by November 15, 1991. Section 188(c)(1) sets December 31, 1994 as the attainment date, and section 188(b)(2) requires that EPA determine the attainment status of the area by June 30, 1995. EPA is guided in these determinations by 40 CFR 50.6 and 40 CFR part 50, appendix K.

#### B. Regulatory Activity to Date

On January 6, 1994, the Pennsylvania Department of Environmental Protection (PADEP) submitted an attainment plan to EPA, produced by the Allegheny County Health Department (ACHD), for the Liberty Borough PM-10 nonattainment area.<sup>1</sup> The purpose of this revision to the Pennsylvania SIP is to fulfill the requirements under section 189 of the Act for a regulatory plan to attain the PM-10 NAAQS and to submit a demonstration (including air quality modeling) that the plan is sufficient to attain this goal. These "Part D" requirements are described in more detail in the technical support document (TSD) to this rulemaking. On April 11, 1995, EPA proposed to fully approve the January 1994 attainment plan submittal, as well as two SIP revisions that the County had submitted previously (see 60 FR 18385). After EPA proposed to approve the County's demonstration, the County reported that the PM-10 NAAQS had been exceeded twice in March of 1995. These exceedances brought the adequacy of the County's attainment plan into doubt, and, though EPA took final action to approve the regulatory portion of the attainment plan (61 FR 29664), EPA took no action on the modeled attainment demonstration at that time.

Pursuant to its obligations under section 188(b)(2), on September 19, 1995, EPA proposed to find that the Liberty Borough moderate nonattainment area did not attain the NAAQS (60 FR 48439). This proposal was based on the available air quality data at the time, which showed that the number of expected exceedances of the

<sup>1</sup> The Liberty Borough PM-10 nonattainment area is comprised of the City of Clairton and the Boroughs of Glassport, Liberty, Lincoln, and Port Vue.

daily NAAQS (i.e., the number of exceedances per years expected when missing data and/or trends are taken into account) exceeded the NAAQS criterion of 1.0 expected exceedances per year. EPA based its attainment determination on air quality data monitored in the nonattainment area from 1992 to 1994, the three most recent calendar years of data available at the time of proposal. In addition, two exceedances already monitored in 1995 reflected full implementation of the attainment SIP.

### C. The GASP Lawsuit

On February 21, 1996, the Group Against Smog and Pollution (GASP), a citizen environmental advocacy group, sued EPA in order to compel EPA action on a number of planning activities regarding the Liberty Borough area. The Settlement Agreement reached on this suit requires, among other things, that EPA determine the attainment status of the Liberty Borough area by March 31, 1998, in light of air quality data collected from 1995 through 1997. The TSD prepared for this rulemaking provides a more detailed summary of the Settlement Agreement's provisions. Copies of the TSD are available upon request from the EPA Regional Office listed in the ADDRESSES section of this document.

### D. Revisions to the PM NAAQS

On July 18, 1997, EPA revised the NAAQS for particulate matter.<sup>2</sup> Currently, both the pre-existing and revised NAAQS are in effect in the Liberty Borough area. In this document, "NAAQS" and "PM-10 NAAQS" refer to the previously existing NAAQS that were in effect at the time and for which the Liberty Borough area was classified as moderate nonattainment on November 6, 1991.

## II. Rationale for Today's Proposed Action

Air quality has improved in the Liberty Borough nonattainment area since 1995, when EPA proposed to find that the area did not attain the PM-10 NAAQS by the December 31, 1994 attainment date. (See Table 1, below) Pursuant to the Settlement Agreement, EPA has waited until three years of air quality data which reflect full implementation of the County's attainment SIP were available. The data, which were collected by a monitoring network that meets the requirements of 40 CFR part 58, show that the air quality of the area has attained the NAAQS. The number of expected exceedances per

year are 0.67, which is less than the 1.0 allowed by the NAAQS. Although one monitoring station was out of service during part of the first quarter of 1995, ACHD has credibly determined that it is unlikely that any exceedances of the NAAQS were missed. More detail is provided in the TSD, referenced above.

TABLE 1.—EXCEEDANCES OF THE 24-HOUR PM-10 NAAQS MEASURED IN LIBERTY BOROUGH PM-10 NON-ATTAINMENT AREA 1992-1997 ( $\mu\text{g}/\text{m}^3$ )

Date	Lincoln Hi-Vol	Lincoln TEOM	Liberty
<b>1992-1994</b>			
1/28/92 .....	.....	.....	175
12/15/92 .....	186	.....	.....
5/10/93 .....	167	.....	.....
11/23/93 .....	223	195	.....
2/19/94 .....	163	.....	.....
3/7/94 .....	157	.....	.....
<b>1995-1997</b>			
3/12/95 .....	193	.....	188
3/13/95 .....	209	193	.....
1996 .....	No exceedances.		.....
1997 .....	Do.		.....

The 24-hour PM-10 National Ambient Air Quality Standard is  $150 \mu\text{g}/\text{m}^3$ .

The NAAQS is attained at any location when the expected number of exceedances per year is  $\leq 1.0$ .

The Lincoln station reported incomplete data for the first quarter of 1995.

The Lincoln Hi-Vol was discontinued during the second quarter of 1996.

## III. Proposed Action

EPA is proposing to find, pursuant to section 188(b)(2), that the Liberty Borough moderate nonattainment area has attained the NAAQS for PM-10. EPA is withdrawing its September 1995 proposal to find that the area did not attain the NAAQS.

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

## IV. Administrative Requirements

### A. Executive Order 12866

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

### B. Executive Order 13045

The proposed rule is not subject to E.O. 13045, entitled "Protection of Children from Environmental Health

Risks and Safety Risks," because it is not an "economically significant" action under E.O. 12866.

### C. 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.

Determinations of attainment under the Clean Air Act do not impose any new requirements on small entities. Therefore, EPA certifies that this determination does not have a significant impact on a substantial number of small entities.

### D. 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 being 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 requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

The Regional Administrator's final decision to find that the Liberty Borough area attained or did not attain the NAAQS will be based on sections 179(c) and 188(b)(2) of the Clean Air Act, as amended, and EPA regulations in 40 CFR part 50.

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

<sup>2</sup> See 62 FR 38652.

Dated: May 28, 1998.

**W. Michael McCabe,**

*Regional Administrator, Region III.*

[FR Doc. 98-15583 Filed 6-11-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5492-5]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or (202) 564-7153. Weekly receipt of Environmental Impact Statements Filed June 1, 1998 Through June 5, 1998 Pursuant to 40 CFR 1506.9.

EIS No. 980208, Draft EIS, AFS, AK, Sea Level Harvest Timber Sale, Implementation, Tongass National Forest, Ketchikan Ranger District, U.S. Coast Guard Permit, NPDES Permit and COE Section 10 and 404 Permit, Revillagigedo (Revilla) Island/Cleveland Peninsula, AK, Due: August 7, 1998, Contact: Peter Griffin (907) 228-4131.

EIS No. 980209, Final EIS, FHW, CA, I-805 Nobel Drive Interchange and Extension Project, Improvements, between Nobel Drive and Miramar Road/LaJolla Village Drive and the extension of Nobel Drive from Shoreline Drive to Miramar Road, in the City of San Diego, San Diego County, CA, Due: July 13, 1998, Contact: G. Glenn Clinton (916) 498-5037.

EIS No. 980210, Final EIS, JUS, CA, Service Processing Center (SPC) for Detainees, Construction and Operation, Possible Sites, Stockton and Tracy Sites, San Joaquin Counties, CA, Due: July 13, 1998, Contact: William A. Kopitz (202) 307-1877.

EIS No. 980211, Final EIS, AFS, CA, Payen, Pass Creek and English Range Allotments, Grazing Land Management Plan, Implementation, Tahoe National Forest, Sierraville Ranger District, Sierra and Nevada Counties, CA, Due: July 13, 1998, Contact: Fred Kent (530) 994-3401.

EIS No. 980212, Final Supplement, AFS, OR, Summit Fire Recovery Forest Restoration Project, Implementation, Malheur National Forest, Long Creek Ranger District, Grant County, OR, Due: July 13, 1998, Contact: Michael Hutchins (541) 575-3000.

EIS No. 980213, Final EIS, BOP, DC, District of Columbia, Department of Corrections (DCDC), Felony Inmate

Population, Implementation, Contracting Private Correctional Facilities for Housing of Inmate Population, United States Capitol, City of Washington, D.C., Due: July 13, 1990, Contact: David D. Dorworth (202) 514-6470.

EIS No. 980214, Final EIS, FHW, PA, US 222 Corridor Design Location Study, Improvements from Breingsville to the I-78 Interchange, Funding, Lower and Upper Macungie Township, Lehigh County, PA, Due: July 13, 1998, Contact: Ronald W. Carmichael (717) 221-3461.

EIS No. 980215, Draft EIS, USA, AZ, Fort Huachuca Real Property Master Planning, Approval of Land Use and Real Estate Investment Strategies, Cochise County, AZ, Due: July 27, 1998, Contact: Gregory Brewer (703) 693-4583.

EIS No. 980216, Final EIS, COE, CA, Yuba River Basin Investigation Study, Flood Protection, Also Portions of the Feather River Basin below Oroville Dam, City of Maryville Yuba County, CA, Due: July 13, 1998, Contact: Jack Rinck (916) 557-6715.

EIS No. 980217, Draft EIS, DOC, PR, VI, Corals and Reef Associated Plants and Invertebrates, Fishery Management Plan, Amendment I Marine Conservation District (MCD), Exclusive Economic Zone (EEZ), Puerto Islands and U.S. Virgin Islands, PR and VI, Due: July 27, 1998, Contact: Andrew J. Kemmerer (813) 570-5305.

EIS No. 980218, Draft EIS, COE, AK, Beaufort Sea Oil and Gas Development Northstar Project, Implementation, NPDES Permit, Sea Island, Alaskan Beaufort Sea, Offshore Marine Environment and Onshore Northslope of Alaskan Coastal Plain, AK, Due: July 27, 1998, Contact: Ms. Terry Carpenter (907) 753-2712.

EIS No. 980219, Final EIS, AFS, MT, Bighorn Sheep Range and China Basin Salvage Project, Wildlife Habitat Enhancement Activities and Watershed Restoration Activities, Kootenai National Forest, Libby Ranger District, Lincoln County, MT, Due: July 13, 1998, Contact: Kirsten Kaiser (406) 293-7773.

EIS No. 980220, Legislative Draft EIS, USN, NV, Fallon Naval Air Station, Renewal of the B-20 Land Withdrawal, City of Fallon, Churchill County, NV, Due: August 3, 1998, Contact: Sam Dennis (650) 244-3007.

EIS No. 980221, Draft EIS, USA, IN, Newport Chemical Depot, Construction and Operation, Pilot Testing of Neutralization/ Supercritical Water Oxidation of VX Agent, Vermillion County, IN, Due:

July 27, 1998, Contact: Matt Hurlburt (410) 612-7207.

EIS No. 980222, Draft EIS, GSA, NY, Governors Island Disposition of Surplus Federal Real Property, Implementation, Upper New York Bay, NY, Due: July 27, 1998, Contact: Peter A. Sneed (212) 264-3581.

EIS No. 980223, Draft EIS, NPS, MT, Interagency Bison Management Plan for State of Montana and Yellowstone National Park, Implementation, Maintain a wild, Free Ranging Population, Address the risk of Brucellosis Transmission, Park and Gallatin Counties, MT, Due: October 1, 1998, Contact: Sarah Bransom (303) 969-2310.

EIS No. 980224, Final EIS, COE, GA, Brunswick Harbor Deepening Federal Navigation Project, Improvements, Brunswick, Glynn County, GA, Due: July 13, 1998, Contact: William G. Bailey (912) 652-5781.

Dated: June 9, 1998.

**Ken Mittelholtz,**

*Environmental Specialist, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 98-15758 Filed 6-11-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5492-6]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared May 25, 1998 Through May 29, 1998 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1998 (63 FR 17856).

### Draft EISs

ERP No. D-MMS-G02007-TX Rating LO, Western Planning Area, Proposed Western Gulf of Mexico 1997-2002 (5-Year Program) Outer Continental Shelf Oil and Gas Sales 171, 174, 177 and 180, Lease Offering, Offshore Marine Environmental and Coastal Counties/ Parishes of Texas and Louisiana.

*Summary:* EPA had no objections to the selection of the preferred alternative. EPA encourages MMS to continue the practice of applying those stipulations