

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 62**

[KY 111-9914b; FRL-6325-9]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Kentucky**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: EPA proposes to approve the Section 111(d) Plan submitted by the Kentucky Division for Air Quality (DAQ) for the Commonwealth of Kentucky on December 3, 1998, for implementing and enforcing the Emissions Guidelines applicable to existing Municipal Solid Waste Landfills. The Plan was submitted by the Kentucky DAQ to satisfy certain Federal Clean Air Act requirements. In the Final Rules Section of this **Federal Register**, EPA is approving the Kentucky State 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. If no significant, material, and adverse comments are received in response to this 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 If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule.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 May 20, 1999.

ADDRESSES: Written comments should be addressed to Karla McCorkle 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 30303-8960.

Division for Air Quality, Department for Environmental Protection, Natural Resources and Environmental Protection Cabinet, 803 Schenkel Lane, Frankfort, Kentucky 40601.

FOR FURTHER INFORMATION CONTACT: Karla McCorkle at (404) 562-9043 or Scott Davis at (404) 562-9127.

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

Dated: March 24, 1999.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 99-9596 Filed 4-19-99; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17**

RIN 1018-AF59

Endangered and Threatened Wildlife and Plants; Proposed Rule To List the Sierra Nevada Distinct Population Segment of California Bighorn Sheep as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to make permanent the provisions of the emergency rule listing the Sierra Nevada distinct population segment of California bighorn sheep (*Ovis canadensis californiana*) as an endangered species pursuant to the Endangered Species Act of 1973, as amended (Act). The emergency rule listing the population is published concurrently in this issue of the **Federal Register**. The population historically occurred only in the Sierra Nevada in California from Sonora Pass, Mono County south to Walker Pass, Kern County. Currently, the Sierra Nevada bighorn sheep is known from five disjunct subpopulations along the eastern escarpment of the Sierra Nevada in Mono and Inyo counties, California. A total of about 100 animals are known to exist. All five subpopulations are imminently threatened by mountain lion predation and disease. We solicit additional data and information that may assist us in making a final decision on this proposed action.

DATES: Comments from all interested parties must be received by June 21, 1999. Public hearing requests must be received by June 4, 1999.

ADDRESSES: Submit comments and materials concerning this proposal to the Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Rd., Suite

B, Ventura, California 93003. Comments and materials received will be available for public inspection by appointment during normal business hours at the address listed above.

FOR FURTHER INFORMATION CONTACT: Carl Benz, Assistant Field Supervisor, Ventura Fish and Wildlife Office, at the address listed above (telephone 805/644-1766; facsimile 805/644-3958).

SUPPLEMENTARY INFORMATION:

Background

For a discussion of biological background information, previous Federal action, factors affecting the species, critical habitat, and conservation measures available to listed and proposed species, consult the emergency rule for the Sierra Nevada distinct population segment of California bighorn sheep published concurrently in this issue of the **Federal Register**.

Public Comments Solicited

We intend that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, we solicit comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule. We particularly seek comments concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to this species;

(2) The location of any additional populations of this species and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of this species; and

(4) Current or planned activities in the subject area and their possible impacts on this species.

In making any final decision on this proposal we will take into consideration the comments and any additional information we receive, and such communications may lead to a final regulation that differs from this proposal.

The Act requires that a public hearing be held if requested within 45 days of the date of publication of a proposed rule.

National Environmental Policy Act

We have determined that an Environmental Assessment or Environmental Impact State, as defined under the authority of the National Environmental Policy Act of 1969, need

not be prepared in connection with regulations adopted pursuant to section (4)(a) of the Endangered Species Act. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

Paperwork Reduction Act

This rule does not contain any new collections of information other than those already approved under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and assigned Office of Management and Budget clearance number 1018-0094. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number. For additional information concerning

permit and associated requirements for endangered species, see 50 CFR 17.21 and 17.22.

Author

The primary author of this proposed rule is Carl Benz of the Ventura Fish and Wildlife Office (see ADDRESSES section).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Proposed Regulation Promulgation

For the reasons given in the preamble to the emergency rule listing the Sierra Nevada distinct population segment of California bighorn sheep as endangered,

published concurrently in the issue of the **Federal Register**, we propose to amend 50 CFR part 17 as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. In § 17.11(h) add the following to the List of Endangered and Threatened Wildlife in alphabetical order under MAMMALS:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

| Species | | Historic range | Vertebrate population where endangered or threatened | Status | When listed | Critical habitat | Special rules |
|-------------------------------|---------------------------------------|---|--|--------|-------------|------------------|---------------|
| Common name | Scientific name | | | | | | |
| Mammals: | | | | | | | |
| * | * | * | * | * | * | | * |
| Sheep, Sierra Nevada bighorn. | <i>Ovis canadensis californiana</i> . | U.S.A. (western conterminous states), Canada (southwest), Mexico (north). | U.S.A. (CA—Sierra Nevada). | E | | NA | NA |
| * | * | * | * | * | * | | * |

Dated: April 14, 1999.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

[FR Doc. 99-9936 Filed 4-19-99; 8:45 am]

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