

expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before December 16, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Sandy Farmer at EPA by phone at (202) 260-2740, by email at farmer.sandy@epa.gov, or download a copy of the ICR off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 0318.08.

**SUPPLEMENTARY INFORMATION:**

**Title:** Clean Water Needs Survey (OMB) Control No. 2040-0050; EPA ICR No. 318.08; expiring 1/31/2000. This is an extension of a currently approved collection.

**Abstract:** The Needs Survey is required by sections 205(a) and 516(b)(1) of the Clean Water Act (CWA). It is a biennial inventory of publicly owned wastewater treatment works (POTWs) in the United States as well as an estimate of how many POTWs are needed to be built. The Survey is a joint effort of the States, EPA Headquarters (Office of Wastewater Management (OWM)) and EPA Regions. The Survey records costs associated with a broad range of water quality and public health problems eligible for funding from the State Revolving Fund program under Title VI of the CWA. This includes the collection and treatment of municipal wastewater, the control of combined sewer overflows, storm water management, and control of non point source runoff. The States provide this information to EPA. EPA achieves national consistency in the final results through the application of uniform guidelines and validation techniques. No confidential information is used, nor is sensitive information protected from release under the Public Information Act used.

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 OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on 7/8/99 (64 FR 36866); two comments were received.

**Burden Statement:** The annual reporting burden for this collection of information is estimated to average 1.47 hours per response. Burden means the total time, effort, or financial resources expended by person to generate, maintain, retain, or disclose or provide information to or for a Federal agency.

This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** States, District of Columbia, Puerto Rico, Virgin Islands, and Pacific Territories.

**Estimated Number of Respondents:** 56.

**Frequency of Response:** Biennial.

**Estimated Total Annual Hour Burden:** 21,000 hours.

**Estimated Total Annualized Non-Labor Cost Burden:** \$6,000.

Send comments on the Agency's need for this information, the accuracy of the 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. 0318.08 and OMB Control No. 2040-0050 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Policy, 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: November 9, 1999.

**Richard T. Westlund,**

*Acting Director, Regulatory Information Division.*

[FR Doc. 99-29895 Filed 11-15-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6476-4]

### Acid Rain Program: Draft Acid Rain Compliance Plan

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

**ACTION:** Notice of a draft nitrogen oxides compliance plan.

**SUMMARY:** The U.S. Environmental Protection Agency is issuing a draft

nitrogen oxides (NO<sub>x</sub>) compliance plan in accordance with the Acid Rain Program regulations (40 CFR parts 72 and 76). Because the Agency does not anticipate receiving adverse comments, the draft NO<sub>x</sub> compliance plan is also being issued as a direct final action in the notice of a final NO<sub>x</sub> compliance plan published elsewhere in today's **Federal Register**.

**DATES:** Comments on the draft NO<sub>x</sub> compliance plan proposed by this action must be received on or before December 16, 1999.

**ADDRESSES: Administrative Records.**

The administrative record for the NO<sub>x</sub> compliance plan, except information protected as confidential, may be viewed during normal operating hours at U.S. EPA Region 9, 75 Hawthorne St., San Francisco, CA 94105.

**Comments.** Send comments, requests for public hearings, and requests to receive notice of future actions concerning NO<sub>x</sub> compliance plans permit to David Howekamp, Director, Air and Toxics Division (A-5-2) (address above).

Submit all comments in duplicate, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the owners and operators of all units covered by the draft NO<sub>x</sub> compliance plan. All timely comments will be considered, except those pertaining to standard provisions under 40 CFR 72.9 and issues not relevant to the draft NO<sub>x</sub> compliance plan.

**Hearings.** To request a public hearing on the draft NO<sub>x</sub> compliance plan, submit a written request stating the issues proposed to be raised in the hearing and explaining how a hearing will contribute to the decision-making process. EPA may schedule a hearing if EPA finds that it will contribute to the decision-making process by clarifying significant issues affecting the draft NO<sub>x</sub> compliance plan.

**FOR FURTHER INFORMATION CONTACT:**

Steve Branoff, U.S. EPA Region 9, (415) 744-1290.

**SUPPLEMENTARY INFORMATION:** If no significant, adverse comments are timely received, no further activity is contemplated in relation to the draft NO<sub>x</sub> compliance plan and the NO<sub>x</sub> compliance plan issued as a direct final action in the notice of a final NO<sub>x</sub> compliance plan published elsewhere in today's **Federal Register** will automatically become final on the date specified in that notice. If significant, adverse comments are timely received on the draft NO<sub>x</sub> compliance plan, the NO<sub>x</sub> compliance plan in the notice of a final NO<sub>x</sub> compliance plan will be

withdrawn. Because the Agency will not institute a second comment period on this notice of a draft NO<sub>x</sub> compliance plan, any parties interested in commenting should do so during this comment period.

For further information and a detailed description of the NO<sub>x</sub> compliance plan, see the information provided in the notice of a final NO<sub>x</sub> compliance plan elsewhere in today's **Federal Register**.

Dated: October 22, 1999.

**Brian J. McLean,**

*Director, Clean Air Markets Division, Office of Atmospheric Programs, Office of Air and Radiation.*

[FR Doc. 99-29897 Filed 11-15-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6476-3]

### Acid Rain Program: Acid Rain Compliance Plan

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

**ACTION:** Notice of a final nitrogen oxides compliance plan.

**SUMMARY:** The U.S. Environmental Protection Agency is issuing, as a direct final action, a nitrogen oxides (NO<sub>x</sub>) compliance plan in accordance with the Acid Rain Program regulations (40 CFR parts 72 and 76). Because the Agency does not anticipate receiving adverse comments, the compliance plan is being issued as a direct final action.

**DATES:** The NO<sub>x</sub> compliance plan issued in this direct final action will be final on December 27, 1999 unless significant, adverse comments are received by December 16, 1999. If significant, adverse comments are timely received on the NO<sub>x</sub> compliance plan in this direct final action, the NO<sub>x</sub> compliance plan will be withdrawn through a notice in the **Federal Register**.

**ADDRESSES:** Administrative Records. The administrative record for the NO<sub>x</sub> compliance plan, except information protected as confidential, may be viewed during normal operating hours at U.S. EPA Region 9, 75 Hawthorne St., San Francisco, CA 94105.

**FOR FURTHER INFORMATION CONTACT:** Steve Branoff, U.S. EPA Region 9, (415) 744-1290.

**SUPPLEMENTARY INFORMATION:** Significant, adverse public comments received on the NO<sub>x</sub> compliance plan in this direct final action that are timely received will be addressed in a subsequent approval or denial of a NO<sub>x</sub> compliance plan. Such approval or

denial will be based on the draft NO<sub>x</sub> compliance plan in the notice of a draft NO<sub>x</sub> compliance plan that is published elsewhere in today's **Federal Register** and that is identical to this direct final action.

U.S. EPA is issuing, under 40 CFR 76.11, a NO<sub>x</sub> averaging plan with which units 1, 2, 3, 4, and 5 at the Four Corners utility plant in New Mexico will comply for years 2000-2004. For each year under the plan, the actual annual average rate for NO<sub>x</sub> shall not exceed the alternative contemporaneous annual emission limitation of 0.79 lb/mmBtu for unit 1, and 0.57 lb/mmBtu each for units 2, 3, 4 and 5. The actual annual heat input for units 1, 2, and 3 shall not be greater than 17,000,000 mmBtu, 17,000,000 mmBtu, and 21,000,000 mmBtu respectively, and not less than, for units 4 and 5, 45,000,000 mmBtu each. Under the plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for units 1-5 shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for units 1-5 had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. The Designated Representative is John R. Denman.

Dated: October 22, 1999.

**Brian J. McLean,**

*Director, Clean Air Markets Division, Office of Atmospheric Programs, Office of Air and Radiation*

[FR Doc. 99-29898 Filed 11-15-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[Region II Docket No. NY 36-201; FRL-6474-4]

### Adequacy Status of the Submitted 2002 and 2005 Rate of Progress Plans and 2007 Attainment Demonstration for the Ozone National Ambient Air Quality Standards for Transportation Conformity Purposes for the New York State Portion of the New York-New Jersey-Connecticut Severe Ozone Nonattainment Area

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

**ACTION:** Notice of adequacy and inadequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets for volatile organic compounds and nitrogen oxides in the submitted 2002 and 2005 rate of progress plans for the New York State portion of the New York-New Jersey-Connecticut severe

nonattainment area for ozone to be adequate for conformity purposes. We are also notifying the public that we have found the motor vehicle emissions budgets for volatile organic compounds and nitrogen oxides in the submitted 2007 attainment demonstration for the New York State portion of the New York-New Jersey-Connecticut severe nonattainment area for ozone to be inadequate for conformity purposes. On March 2, 1999, the DC Circuit Court ruled that submitted state implementation plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, the New York State portion of the New York-New Jersey-Connecticut severe nonattainment area for ozone can use the motor vehicle emissions budgets for volatile organic compounds and nitrogen oxides from the submitted 2002 and 2005 rate of progress plans for ozone for future conformity determinations. These budgets are effective December 1, 1999. As a result of our finding on the submitted 2007 attainment demonstration budgets for volatile organic compounds and nitrogen oxides, this area cannot use these motor vehicle emissions budgets for future conformity determinations.

#### FOR FURTHER INFORMATION CONTACT:

Rudolph K. Kapichak, Mobile Source Team Leader, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10007-1866, (212) 637-3804, e-mail address:

Kapichak.Rudolph@epa.gov.

The finding and the response to comments will be available at EPA's conformity website: <http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

#### SUPPLEMENTARY INFORMATION:

##### Background

Today's document is simply an announcement of a finding that we have already made. EPA Region 2 sent a letter to the New York State Department of Environmental Conservation on November 1, 1999 stating that the motor vehicle emissions budgets in the submitted 2002 and 2005 rate of progress plans for the New York State portion of the New York-New Jersey-Connecticut severe nonattainment area for ozone are adequate for conformity purposes and that the motor vehicle emissions budgets for volatile organic compounds and nitrogen oxides in the submitted 2007 attainment