

(29) Installation of devices to protect human or animal life, (e.g., raptor electrocution prevention devices, fencing to restrict wildlife movement onto airfields, and fencing and grating to prevent accidental entry to hazardous areas);

(30) Reintroduction of endemic or native species (other than endangered or threatened species) into their historic habitat when no substantial site preparation is involved;

(31) Temporary closure of public access to DON property in order to protect human or animal life;

(32) Actions similar in type, intensity and setting (including physical location and, where pertinent, time of year) to other actions for which it has been determined, in a DON EA or EIS, that there were no significant environmental impacts;

(33) Actions which require the concurrence or approval of another federal agency where the action is a categorical exclusion of the other federal agency.

§ 775.7 Responsibilities.

(a) The Assistant Secretary of the Navy (Installations and Environment) (ASN(I&E)) shall:

(1) Act as principal liaison with the Office of the Secretary of Defense, the Council on Environmental Quality, the Environmental Protection Agency, other federal agencies, Congress, state governments, and the public with respect to significant environmental planning matters.

(2) Direct the preparation of appropriate environmental documents and, with respect to those matters governed by SECNAV Instruction 5000.2B of December 16, 1996, advise the Assistant Secretary of the Navy (Research Development and Acquisition (ASN(RD&A))) concerning environmental issues and concerning the appropriate level of environmental planning document needed in any particular circumstance.

(3) Except for proposed acquisition-related actions addressed in paragraph (b)(2) of this section, review, sign, and approve for publication, as appropriate, documents prepared under NEPA.

(4) Establish and publish a list of categorical exclusions for the DON.

(b) The Assistant Secretary of the Navy (Research, Development and Acquisition (ASN(RD&A))) shall, in accordance with SECNAV Instruction 5000.2B of December 16, 1996:

(1) Ensure that DON acquisition programs and procurements comply with environmental laws, Executive Orders, regulations, and applicable

Department of Defense (DOD) and DON environmental planning policies.

(2) Review, sign, and approve for publication, as appropriate, environmental documents prepared under NEPA for proposed acquisition-related actions.

(c) The General Counsel of the Navy and the Judge Advocate General of the Navy shall:

(1) Ensure that legal advice for compliance with environmental planning requirements is available to all decision-makers.

(2) Advise the Secretary of the Navy, the Chief of Naval Operations, and the Commandant of the Marine Corps as to the legal requirements that must be met, and the conduct and disposition of all legal matters arising in the context of environmental planning.

(d) The Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) shall:

(1) Implement effective environmental planning throughout their respective Services.

(2) Prepare and issue instructions or orders to implement environmental planning policies of the DON. Forward proposed CNO/CMC environmental planning instructions or orders to ASN(I&E) and, when appropriate, ASN(RD&A), for review and comment prior to issuance.

(3) Ensure that subordinate commands establish procedures for implementing mitigation measures described in environmental planning documents.

(4) Provide coordination as required for the preparation of environmental documents for actions initiated by non-DON/DOD entities, state or local agencies and/or private individuals for which Service involvement may be reasonably foreseen.

(5) Bring environmental planning matters that involve controversial issues or which may affect environmental planning policies or their implementation to the attention of ASN(I&E), and where appropriate ASN(RD&A), for coordination and determination.

§ 775.8 Delegations of authority.

(a) The ASN(I&E) may delegate his/her responsibilities under this instruction for review, approval and/or signature of EISs and RODs to appropriate Executive Schedule/Senior Executive Service civilians or flag/general officers. ASN(I&E), CNO and CMC may delegate all other responsibilities assigned in this instruction as deemed appropriate.

(b) The ASN(RD&A) delegation of authority for approval and signature of

documents under NEPA is contained in reference (g).

(c) Previously authorized delegations of authority are continued until revised or withdrawn.

§ 775.9 Completed documents.

This part does not invalidate, alter, or amend any NEPA documents already completed. Where only draft NEPA documents have been completed under previous guidance, final documents shall be completed in accordance with this part.

Dated: February 17, 1999.

Ralph W. Corey,

Commander, U.S. Navy, Judge Advocate General's Corps, Alternate Federal Register Liaison Officer.

[FR Doc. 99-4705 Filed 2-24-99; 8:45 am]

BILLING CODE 3810-FF-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DC017-2013b; FRL-6234-5]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology for Oxides of Nitrogen

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to conditionally approve a State Implementation Plan (SIP) revision submitted by the District of Columbia. This revision requires major sources of nitrogen oxides (NOx) in the District to implement reasonably available control technology (RACT).

In the "Rules and Regulations" section of this **Federal Register**, EPA is conditionally approving the District's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by March 29, 1999.

ADDRESSES: Written comments should be addressed to David L. Arnold, Chief, Ozone and Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 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 Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103 and the District of Columbia Department of Public Health, Air Quality Division, 2100 Martin Luther King Ave, S.E., Washington, DC 20020.

FOR FURTHER INFORMATION CONTACT: Kristeen Gaffney, (215) 814-2092 at the EPA Region III address above, or by e-mail at gaffney.kristeen@epamail.epa.gov. While information may be requested via e-mail, any comments must be submitted in writing to the EPA Region III address above.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final action of the same name which is located in the Rules and Regulations section of this **Federal Register**.

Dated: February 12, 1999.

Thomas C. Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 99-4435 Filed 2-24-99; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[LA-50-1-7401; FRL-6235-2]

Approval and Promulgation of Air Quality Implementation Plans; Louisiana: Revision to the State Implementation Plan (SIP) for the Ozone Maintenance Plan for St. James Parish

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: We are reopening our proposal to approve a revision to the Louisiana SIP for the St. James Parish ozone maintenance area, submitted by Louisiana on April 23, 1998. The revision includes an adjustment to the volatile organic compound emission inventory for the 1990 base year of the approved maintenance plan, and changes to the approved contingency

plan's triggers and control measures. We have received a request to extend the comment period an additional two weeks. The requesters need the additional time to review the initial simulation results of the Urban Airshed Modeling demonstration submitted with this SIP revision. In order to ensure that all interested parties have sufficient opportunity to submit comments, we will re-open the comment period for the St. James Parish SIP revision. Please review our reasons for proposing approval of the St. James Parish SIP revision, as published in the **Federal Register** on January 14, 1999 (64 FR 2455).

DATES: Comments received on or before March 29, 1999, including those received between the close of the comment period on February 16, 1999, and the publication of this document, will be entered into the public record and considered by the EPA before taking final action.

ADDRESSES: Written comments on this action should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section, at the EPA Regional Office listed below. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations. Persons interested in examining these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733. Louisiana Department of Environmental Quality, Office of Air Quality and Radiation Protection, H. B. Garlock Building, 7290 Bluebonnet Blvd., Baton Rouge, Louisiana, 70810.

FOR FURTHER INFORMATION CONTACT: Lt. Mick Cote, Air Planning Section (6PD-L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-7219.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: February 16, 1999.

Jerry Clifford,

Acting Regional Administrator, Region 6.

[FR Doc. 99-4579 Filed 2-24-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 82

[FRL-6304-7]

Protection of Stratospheric Ozone: Incorporation of Montreal Protocol Adjustment for a 1999 Interim Reduction in Class I, Group VI Controlled Substances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: With this action, EPA is proposing a revision to the accelerated phaseout regulations that govern the production, import, export, transformation and destruction of substances that deplete the ozone layer under the authority of Title VI of the Clean Air Act Amendments of 1990 (CAA or the Act). Today's proposed amendment reflects changes in U.S. obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol) due to recent adjustments by signatory countries to this international agreement. Specifically, today's proposed amendment incorporates the Protocol's 25 percent interim reduction in the production and consumption of class I, Group VI controlled substances (methyl bromide) for the 1999 control period and subsequent control periods.

In taking today's action, EPA recognizes the expressed intent of Congress in recent changes to the Clean Air Act that direct EPA to conform the U.S. phasedown schedule to the Montreal Protocol's schedule for developed nations, including required interim reductions and specific exemptions. EPA intends to follow this proposed rule with other actions to complete the process of conforming the U.S. methyl bromide phaseout schedule and specific exemptions with obligations under the Montreal Protocol and with the recent changes to the Clean Air Act. Through subsequent actions to today's proposed amendment, EPA plans to reflect, through notice and comment rulemaking, the additional steps in the phaseout schedule for the production and consumption of methyl bromide, as follows: beginning January 1, 2001, a 50 percent reduction in baseline levels; beginning January 1, 2003, a 70 percent reduction in baseline levels; beginning January 1, 2005, a complete phaseout of the production and consumption with emergency and critical use exemptions permitted under the Montreal Protocol. Even sooner, EPA plans to publish a proposal that