

obtained as a result of the testing required by EPA's notification may provide a basis for further regulatory action.

V. Economic Impact

Although the total cost for the testing requirements is significant, the cost is being shared among many F/FA manufacturers. Therefore, the actual cost to an individual F/FA manufacturer is expected to be modest. The F/FA regulations at 40 CFR 79.58(d) contain special provisions for those fuel or fuel additive manufacturers whose total annual sales are less than \$50 million, exempting these parties from the requirements discussed in this document.

List of Subjects in 40 CFR Part 79

Environmental protection, Air pollution control, Gasoline, Conventional gasoline, Oxygenates, Methyl tertiary butyl ether, Motor vehicle pollution.

Dated: November 17, 1998.

Robert Perciasepe,

Assistant Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6199-6]

Proposed Settlement; Polymers and Resins I and IV Emission Standard Litigation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Proposed Partial Settlement; Request for Public Comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act ("Act"), notice is hereby given of a proposed partial settlement of *Wellman, Inc. et al. v. EPA*, No. 96-1419 (D.C. Cir.) and *Union Carbide Corporation, et al. v. EPA*, No. 96-1413 (D.C. Cir.). For a period of thirty days following the date of publication of this notice, the Agency will receive written comments relating to the settlement from persons who were not named as parties to the litigation in question. EPA or the Department of Justice is authorized under section 113(g) to withdraw its consent to the Settlement Agreement if appropriate in light of the public comments.

The cases involve challenges to the National Emission Standards for Hazardous Air Pollutant Emissions:

Group I Polymers and Resins, published in the **Federal Register** at 61 FR 46906 on September 5, 1996, and National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins published in the **Federal Register** at 61 FR 48208 on September 12, 1996.

DATES: Written comments on the Settlement Agreement must be received by January 8, 1999.

ADDRESSES: Written comments should be sent to Mark Dyner, Office of General Counsel (2333), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (202) 260-5085. Copies of the Settlement Agreement are available from Phyllis Cochran, Air and Radiation Law Office (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (202) 260-7606.

SUPPLEMENTARY INFORMATION: There is a separate proposed partial settlement agreement ("agreement") for each case; however, the issues addressed in the agreements and the proposed resolution of those issues are in most relevant respects the same. The agreements are both between EPA and the petitioner, The Dow Chemical Company. For the convenience of interested parties, following is a brief summary of some of the key points of the agreements.

The agreements require EPA to conduct notice and comment rulemaking proposing (1) changes in the subject rules to resolve certain differences between the rules and the Hazardous Organic NESHAP ("HON"); (2) clarification of the applicability provisions regarding additions to plant sites; (3) revision of the applicability provisions that address primary product determinations to better address contract manufacturing practices; (4) simplification of the provisions applicable to batch process vents; and (5) revisions to certain reporting and recordkeeping requirements.

Section 113(g) of the Clean Air Act (42 U.S.C. 7413(g)) requires, with exceptions not pertinent here, that EPA publish notice of settlement agreements in the **Federal Register** and provide a reasonable opportunity for public comment. EPA or the Department of Justice may withhold consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, inadequate or inconsistent with the requirements of the Clean Air Act.

Dated: December 2, 1998.

Scott Fulton,

Acting General Counsel.

[FR Doc. 98-32568 Filed 12-8-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL 6199-5]

Proposed Settlement, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed consent decree and settlement agreement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree and settlement agreement in litigation instituted against the United States Environmental Protection Agency ("EPA") by the Coalition for Clean Air, Inc., National Resources Defense Council, Inc., and Communities for a Better Environment (collectively, "plaintiffs"). This lawsuit, originally filed in September 1997 and supplemented in October 1998, concerns EPA's January 8, 1997 approval under the Clean Air Act, 42 U.S.C. 7401 et seq., of the 1994 ozone California state implementation plan for the South Coast Air Basin ("1994 SIP") 62 FR 1150.

DATES: Written comments on the proposed consent decree and settlement agreement must be received by January 8, 1999.

ADDRESSES: Written comments should be sent to David Jesson, Air Division (AIR-2), U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105, (415) 744-1288. Copies of the proposed consent decree and settlement agreement are available from Mr. Jesson. Copies of the proposed consent decree and settlement agreement have been lodged with the Clerk of the United States District Court for the Central District of California.

SUPPLEMENTARY INFORMATION: In *Coalition for Clean Air, et al. v. EPA*, No. 97-6916 (C.D. CA), plaintiff allege, among other things, that EPA failed to adopt certain mobile source measures that the State of California attempted to "assign" to EPA in the 1994 SIP and failed to conduct certain activities with respect to the public consultative process provided for in EPA's approval of the 1994 SIP.