Dated: June 8, 1999.

Nora L. McGee,

Acting Regional Administrator, Region IX.

[FR Doc. 99–16375 Filed 6–29–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[MI73–7281b; FRL–6366–4]

Approval and Promulgation of State Implementation Plans; Michigan

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the State's request to redesignate the Detroit area, which includes portions of Wayne, Oakland, and Macomb Counties, to attainment for carbon monoxide (CO). The EPA is also proposing to approve the corresponding 175A maintenance plan associated with the redesignation request as a revision to the Michigan State Implementation Plan (SIP) for attaining and maintaining the National Ambient Air Quality Standard for CO.

In the final rules section of the **Federal Register**, EPA is approving the State's submittal as a direct final rule without prior proposal because EPA views this action as a noncontroversial action and anticipates no relevant adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this rule, no further activity is contemplated, and the direct final rule will become effective. If EPA receives relevant adverse comments, the direct final rule will be withdrawn, and all public comments received during the 30-day comment period set forth below will be addressed in a subsequent final rule based on this proposed rule. The 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: EPA must receive written comments by July 30, 1999.

ADDRESSES: Send written comments to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: John Mooney at (312) 886–6043.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule published in the rules section of this **Federal Register**. Copies of the documents relevant to this action are available for public inspection during normal business hours at the above address. (Please telephone John Mooney at (312) 886-6043 before visiting the Region 5 Office.)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Particulate matter, Volatile organic compound.

40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, Carbon Monoxide.

Authority: 42 U.S.C. 7401–7671q.

Dated: June 7, 1999.

Francis X. Lyons,

Regional Administrator, Region 5.

[FR Doc. 99–16373 Filed 6–29–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD–FRL–6369–8]

RIN 2060–AH47

National Emission Standards for Hazardous Air Pollutants: Group I Polymers and Resins and Group IV Polymers and Resins

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing an indefinite stay of the compliance dates for portions of the national emission standards for hazardous air pollutants (NESHAP) for Group I Polymers and Resins and Group IV Polymers and Resins. This proposal would stay, indefinitely, the compliance dates for existing affected sources and new affected sources with an initial start-up date on or after March 9, 1999, which are subject to the Group I Polymers and Resins and Group IV Polymers and Resins NESHAP requirements for all emission points except equipment leaks. This proposed stay will remain in effect until the date that the amendments to these rules (which were proposed on March 9, 1999) are promulgated, at which point the EPA will publish new compliance dates for these affected sources. We are proposing this stay of the compliance date for existing affected sources and new affected sources with an initial start up date on or after March 9, 1999, because of the significant amendments to these NESHAP that were proposed on March 9, 1999. It is unlikely that those amendments will be promulgated before the compliance dates for existing sources subject to Group I and Group IV Polymers and Resins regulations (September 5, 1999, and September 12, 1999, respectively).

In the ''Rules and Regulations'' section of today's **Federal Register**, we are publishing this rule without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comment. We have explained our reasons for this action in the corresponding direct final rule, located in the final rules section of today's **Federal Register**. If we receive a significant adverse comment on an amendment, paragraph, or section of this rule and that provision may be addressed separately from the remainder of the rule, we may adopt as final those provisions of the rule that are not subject to a significant adverse comment and withdraw those provisions that did receive adverse comment. For any provisions that are withdrawn, we will address all public comments in a subsequent final rule based on the proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

DATES: *Comments:* Written comments must be received by July 30, 1999, unless a hearing is requested by July 12, 1999. If a hearing is requested, written comments must be received by August 16, 1999.

Public Hearing. Anyone requesting a public hearing must contact the EPA by July 12, 1999. If requested, a public hearing will be held in Research Triangle Park, North Carolina, beginning at 10 a.m. on July 14, 1999.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A–92–44 (Group I Polymers and Resins) and/or Docket Number A–92–45 (Group IV Polymers and Resins), Room M–1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460. The EPA requests that a separate copy also be sent to the contact person listed below (see **FOR FURTHER INFORMATION CONTACT**). Comments may also be submitted electronically by following the instructions provided in **SUPPLEMENTARY INFORMATION.**

Public Hearing. If a public hearing is held, it will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina. Persons interested in attending the hearing to present oral testimony should contact Ms. Marguerite Thweatt, Organic Chemicals Group (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541–5673 by July 12, 1999.

Docket. Docket numbers A–92–44 and A–92–45, containing information relevant to this proposed rulemaking, are available for public inspection between 8:00 a.m. and 5:30 p.m., Monday through Friday (except for Federal holidays) at the following address: U.S. Environmental Protection Agency, Air and Radiation Docket and Information Center (MC–6102), 401 M Street, SW, Washington, DC 20460, telephone: (202) 260–7548. The docket is located at the above address in Room M–1500, Waterside Mall (ground floor). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Robert E. Rosensteel, Organic Chemicals Group, Emission Standards Division (MD–13), Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, North Carolina 27711, telephone number (919) 541–5608, electronic mail address rosensteel.bob@epa.gov.

SUPPLEMENTARY INFORMATION:

Regulated Entities

The regulated category and entities affected by this action include:

Category	Examples of regulated entities
Industry	Butyl Rubber, Halobutyl Rubber, Epichlorohydrin Elastomer, Ethylene Propylene Rubber, Hypalon™, Neoprene, Nitrile Butadiene Rubber, Nitrile Butadiene Latex, Polybutadiene Rubber, Styrene-Butadiene Rubber or Latex, Acrylonitrile Butadiene Styrene Resin, Styrene Acrylonitrile Resin, Methyl Methacrylate Acrylonitrile Butadiene Styrene Resin, Methyl Methacrylate Butadiene Styrene Resin, Poly(ethylene terephthalate) Resin, Polystyrene Resin, and Nitrile Resin producers.

This table is not intended to be exhaustive but, rather, provides a guide for readers likely to be interested in the proposed revisions to the regulations affected by this action. To determine whether your facility is affected by this action, you should carefully examine all of the applicability criteria in the promulgated versions of subparts U and JJJ (61 FR 46906 and 61 FR 48208, respectively), as well as in the proposed amendments to the applicability sections (40 CFR 63.480 and 63.1310). If you have any questions regarding the applicability of this proposal to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Electronic Access and Filing Addresses

This proposal, its accompanying direct final rule, the promulgated NESHAP (40 CFR part 63, subparts U and JJJ), and other background information are available in Docket Numbers A–92–44 and A–92–45 or by request from the EPA's Air and Radiation Docket and Information Center (see **ADDRESSES**). These documents can also be accessed through the EPA web site at: http://www.epa.gov/ttn/oarpg. For further information and general questions regarding the Technology Transfer Network (TTN), call Mr. Hersch Rorex (919) 541–5637 or Mr. Phil Dickerson (919) 541–4814.

Electronic comments and data may be submitted by sending electronic mail (e-mail) to: a-and-r-docket@epamail.epa.gov. Submit comments as an ASCII file, avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on diskette in Word Perfect 5.1 or 6.1 or ACSII file format. Identify all comments and data in electronic form by the docket numbers A–92–44 and/or A–92–45. No Confidential Business Information (CBI) should be submitted through electronic mail. Electronic comments may be filed online at many Federal Depository Libraries.

What Are the Administrative Requirements for this Proposal?

I. Docket

The dockets are organized and complete files of all the information submitted to or otherwise considered by EPA in the development of the final standards. The principal purposes of the docket are to allow interested parties to readily identify and locate documents so that they can intelligently and effectively participate in the rulemaking process; and to serve as the record in case of judicial review (except for interagency review materials (section 307(d)(7)(A)).

II. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), EPA must determine whether the regulatory action is ''significant'' and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Executive Order defines ''significant regulatory action'' as one that is likely to result in standards that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The EPA has determined that this proposal does not meet any of the criteria enumerated above and therefore, does not constitute a ''significant regulatory action'' under the terms of Executive Order 12866.

III. Executive Order 13045

Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), applies to any rule that is determined to be ''economically significant'' as defined under Executive Order 12866, and concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to

influence the regulation. This proposal is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

IV. Paperwork Reduction Act

For both the Group I and Group IV Polymers and Resins NESHAP, the information collection requirements (ICRs) were submitted to OMB under the Paperwork Reduction Act. At promulgation, OMB had already approved the ICR for the Group IV Polymers and Resins NESHAP and assigned OMB control number 2060–0351. Subsequently, OMB approved the ICR for the Group I Polymers and Resins NESHAP, and on July 15, 1997 (62 FR 37720) assigned OMB control number 2060–0356.

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 EPA has amended 40 CFR 9.1 to indicate the ICRs contained in the Group I and IV Polymers and Resins NESHAP.

The amendments to the NESHAP contained in this proposal should have no impact on the information collection burden estimates made previously. Therefore, the ICRs have not been revised.

V. Regulatory Flexibility Act

The EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this proposal. The EPA has also determined that this proposal will not have a significant adverse economic impact on a substantial number of small businesses, as it only stays the compliance dates for certain sources and imposes no additional regulatory requirements on owners or operators of affected sources. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities.

VI. Unfunded Mandates

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any 1 year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The EPA has determined that this proposal does not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and tribal governments, in aggregate, or the private sector in any 1 year, nor does this proposal significantly or uniquely impact small governments, because it contains no requirements that apply to such governments or impose obligations upon them. Thus, the requirements of the UMRA do not apply to this proposal.

VII. Executive Order 12875

Under Executive Order 12875, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local, or tribal governments, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 12875 requires EPA to provide to OMB a description of the extent of EPA's prior consultation with representatives of affected State, local, and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local, and tribal governments ''to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates.''

Today's proposal does not create a mandate on State, local, or tribal governments. This proposal does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to these proposed amendments.

VIII. Executive Order 13084

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's proposal notice does not significantly or uniquely affect the communities of Indian tribal governments. Further, this proposal notice, provided herein, does not significantly alter the control standards imposed by subpart U or subpart JJJ for any source, including any that may affect communities of the Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this proposal notice.

IX. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA) directs all Federal agencies to use voluntary consensus

standards instead of government-unique standards in their regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., material specifications, test methods, sampling and analytical procedures, business practices, etc.) that are developed or adopted by one or more voluntary consensus standards bodies. Examples of organizations generally regarded as voluntary consensus standards bodies include the American Society for Testing and Materials (ASTM), the National Fire Protection Association (NFPA), and the Society of Automotive Engineers (SAE). The NTTAA requires Federal agencies like EPA to provide Congress, through OMB, with explanations when an agency decides not to use available and applicable voluntary consensus standards.

This action does not involve the proposal of any new technical standards. Therefore, NTTAA requirements are not applicable to today's proposal.

List of Subjects in 40 CFR Part 63

Environmental protection, air pollution control, hazardous substances, reporting and recordkeeping requirements.

Dated: June 24, 1999.

Carol M. Browner,

Administrator.

[FR Doc. 99–16636 Filed 6–29–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD–FRL–6369–7]

RIN 2060–AD06

Hazardous Air Pollutants: Regulations Governing Constructed or Reconstructed Major Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule, amendments.

SUMMARY: On December 27, 1996, the Agency published a rule in the **Federal Register** implementing certain provisions in section 112(g) of the Clean Air Act (Act). After the effective date of that rule, all owners or operators of major sources of hazardous air pollutants (HAP) that are constructed or reconstructed are required to install maximum achievable control technology (MACT) (unless specifically exempted), provided they are located in a State with an approved title V permit program. When no applicable Federal emission limitation has been promulgated under section 112(d) of the Act, the Act requires the permitting authority (generally a State or local agency responsible for the program) to determine a MACT emission limitation on a case-by-case basis. If the permitting authority has not yet established procedures for requiring MACT on constructed or reconstructed major sources by the required date, the rule provides that the EPA Regional Administrator will determine MACT emission limitations on a case-by-case basis for a period of up to one year. This action proposes to amend the rule governing constructed or reconstructed major sources—by providing a longer time period (up to 30 months) during which the EPA Regional Administrator may determine MACT emission limitations on a case-by-case basis—if the permitting authority has not yet established procedures for requiring MACT on constructed or reconstructed major sources. This action is needed in order to ensure that major sources can obtain MACT determinations required for construction or reconstruction in those jurisdictions where permitting authorities require extra time to establish procedures to implement the section 112(g) rule. Because the ability of major sources to obtain permits after June 29, 1999 depends upon the timely issuance of this rule, this amendment is being issued as a direct final rule in the final rules section of this **Federal Register**.

DATES: *Comments.* EPA will accept comments regarding this proposal on or before July 10, 1999. Additionally, a public hearing regarding this proposal will be held if anyone requesting to speak at a public hearing contacts the EPA by July 7, 1999. If a hearing is requested, the hearing will be held on July 14, 1999 beginning at 10:00 a.m.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket No. A–91–64 (see docket section below), Room M–1500, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. EPA requests that a separate copy also be sent to the contact person listed below.

Public Hearing. If a public hearing is held, it will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina on July 14, 1999 beginning at 10 a.m. Persons requesting to speak at or interested in attending a public hearing concerning this proposal should contact Ms. Kathy Kaufman, Information Transfer and Program Integration Division (MD–12), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541–0102.

Docket. Docket No. A–91–64, containing the supporting information for the original Regulations Governing Equivalent Emission Limitations by Permit rule is available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center (6102), 401 M Street, S.W., Washington, D.C. 20460, or by calling (202) 260–7548. A reasonable fee may be charged for copying. An electronic version of this rule is available for download through the EPA web site at: http://www.epa.gov/ttn/oarpg. For further information and general questions regarding the Technology Transfer Network (TTNWEB), call Mr. Hersch Rorex (919) 541–5637 or Mr. Phil Dickerson (919) 541–4814.

FOR FURTHER INFORMATION CONTACT: Ms. Kathy Kaufman, Information Transfer and Program Integration Division (MD–12), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541–0102.

SUPPLEMENTARY INFORMATION: If EPA does not receive timely adverse comments or a timely hearing request concerning this proposed rule, no further action will be taken concerning this proposal, and the direct final rule in the final rules section of this **Federal Register** will automatically go into effect on the date specified in that rule. If EPA receives timely adverse comment or a timely hearing request, we will publish a withdrawal in the **Federal Register** informing the public that the direct final rule will not take effect. In that event, we will address all public comments in a subsequent final rule based on this proposal. The EPA will not provide further opportunity for public comment on this action. All parties interested in commenting on this amendment must do so at this time. Electronic comments and data may be submitted by sending electronic mail (e-mail) to: a-and-r-docket@epamail.epa.gov. Submit comments as an ASCII file, avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on diskette in Word Perfect 5.1 or 6.1 or ACSII file format. Identify all comments and data in electronic form by the docket numbers A–91–64. No Confidential Business Information (CBI) should be submitted