

carrier of that vessel has been in water contaminated or infested with injurious non-indigenous aquatic nuisance species, except as provided in paragraphs (m)(1) and (m)(2).

(1) Vessels, trailers or other carriers of vessels entering NPS waters from contaminated waters will be cleaned using the technique specific to the aquatic nuisance species.

(2) The superintendent may allow for limited or restricted access to park waters under a permit system in accordance with the criteria and procedures of § 3.3 of this chapter.

(i) Violating a term or condition of a permit issued in accordance with § 3.3 is prohibited.

(ii) Violating a term or condition of a permit issued pursuant to § 3.3 of this chapter may also result in the suspension or revocation of the permit by the superintendent.

(3) For this section, an injurious non-indigenous aquatic nuisance species means a species that threatens the diversity or abundance of native species or the stability of an aquatic ecosystem, or that threatens the commercial, agricultural, aquacultural or recreational development dependent on such an ecosystem, and includes only those organisms that pose a substantial risk to native species and the development and infrastructure dependent upon such aquatic resources. Species include those listed by Federal, State or local agencies as injurious non-indigenous aquatic nuisance species.

(4) For this section, contaminated or infested waters means any waters supporting viable or reproducing populations of injurious non-indigenous aquatic nuisance species as identified by any Federal, State, or local agency.

(5) For paragraph (m) of this section, vessel means every type or description of craft, including seaplanes on the water, used or capable of being used as a means of transportation on water, including a buoyant device permitting or capable of free flotation.

(n) Transporting in any way, an injurious non-indigenous aquatic nuisance species on park waters or roads.

(o) Placing or dumping into park waters, or attempting to place or dump, bait containers, live wells or other water-holding devices that are or were filled with waters holding or contaminated by injurious non-indigenous aquatic nuisance species.

3. Section 3.23 is amended by adding paragraph (c) to read as follows:

§ 3.23 SCUBA and snorkeling.

* * * * *

(c) Using a wet suit or associated water use and diving equipment used in waters infested with injurious non-indigenous aquatic nuisance species prior to decontamination by a process appropriate to the nuisance species.

Dated: March 15, 1996.

George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-15973 Filed 6-21-96; 8:45 am]

BILLING CODE 4310-70-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NM-23-1-7101b; FRL-5500-8]

Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Supplement to the New Mexico State Implementation Plan To Control Air Pollution in Areas of Bernalillo County Designated Nonattainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve a revision to the New Mexico State Implementation Plan addressing nonattainment areas in Bernalillo County. The purpose of proposing to approve this revision is to update the narrative portion of the "April 14, 1993, Supplement to the New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment" (see the Federal Register published on December 21, 1993) to reflect EPA's approval for lifting the construction ban in Bernalillo County. In the final rules section of this Federal Register, EPA is approving the State's State Implementation Plan revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the 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. 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: Comments on this proposed rule must be postmarked by July 24, 1996.

ADDRESSES: Comments should be mailed to Jole C. Luehrs, Chief, Air Permits Section (6PD-R), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. EPA, Region 6, Air Permits Section (6PD-R), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733.

Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW, Washington, DC 20460.
City of Albuquerque, Environmental Health Department, One Civic Plaza, Albuquerque, New Mexico 87103.

Anyone wishing to review this petition at the Region 6 EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Samuel R. Mitz, Air Permits Section (6PD-R), EPA Region 6, telephone (214) 665-8370.

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

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon Monoxide, Nonattainment areas.

Dated: April 11, 1996.

Lynda F. Carroll,

Acting Regional Administrator.

[FR Doc. 96-16024 Filed 6-21-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[CA 19-2-725-b; FRL-5511-5]

Approval and Promulgation of Implementation Plans; California—Mammoth Lakes Nonattainment Area; PM₁₀

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Proposed Rulemaking.

SUMMARY: EPA is proposing to approve the State Implementation Plan (SIP) submitted by the State of California for the purpose of bringing about attainment in the Mammoth Lakes Planning Area (MLPA) of the national ambient air quality standards (NAAQS) for particulate matter with an

aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀). The "moderate" area SIP was submitted by the State to satisfy certain Federal requirements in the Clean Air Act (CAA) for an approvable nonattainment area PM₁₀ plan for the MLPA.

The intended effect of proposing approval of this plan is to regulate emissions of PM₁₀ in accordance with the requirements of the CAA, as amended in 1990.

DATES: Comments on this proposed rule must be received in writing by July 24, 1996.

ADDRESSES: Comments should be submitted to Stephanie Valentine (A-2-2) at U. S. Environmental Protection Agency, Region 9, Air and Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105.

Copies of the State's submittal and other information are contained in the docket for this rulemaking. The docket is available for inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105.

California Air Resources Board, 2020 L Street, P.O. Box 2815, Sacramento, CA 95814.

Great Basin Unified Air Pollution Control District, 157 Short Street, Suite 6, Bishop, CA 93514.

FOR FURTHER INFORMATION CONTACT: Stephanie G. Valentine (A-2-2), U.S. Environmental Protection Agency, Region 9, Air and Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105, (415) 744-1178.

SUPPLEMENTARY INFORMATION: This document concerns the PM₁₀ Plan for the Mammoth Lakes Planning Area, submitted to EPA on September 11, 1991 by the California Air Resources Board. For further information, please see the information provided in the Direct Final action which is located in the Rules Section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: March 31, 1996.

Felicia Marcus,

Regional Administrator.

[FR Doc. 96-15906 Filed 6-21-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Parts 52 and 81

[TN-152-1-9636; FRL-5525-1]

Proposed Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Tennessee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On November 14, 1994, the State of Tennessee, through the Tennessee Department of Environment and Conservation (TDEC), submitted a maintenance plan and a request to redesignate the Middle Tennessee area from moderate nonattainment to attainment for ozone (O₃). Subsequently on August 9, 1995, and January 19, 1996, the State submitted supplementary information which included revised contingency measures and emission projections. The Middle Tennessee O₃ nonattainment area consists of Davidson, Rutherford, Sumner, Williamson, and Wilson Counties. Under the Clean Air Act, designations can be changed if sufficient data are available to warrant such changes. In this action, EPA is proposing to approve the State of Tennessee's submittal because it will meet the maintenance plan and redesignation requirements. The approved maintenance plan will become a federally enforceable part of Tennessee's State Implementation Plan (SIP) for the moderate nonattainment area. In this action, EPA is also proposing to approve the State of Tennessee's 1990 baseline emissions inventory because it meets EPA's requirements regarding the approval on baseline emission inventories. EPA has analyzed the Tennessee SIP and determined which requirements have been met and for which requirements further action is required. In the instances where further action is required, SIP revisions meeting those requirements must be fully approved in order for EPA to find that all the applicable requirements of the Clean Air Act as amended in 1990 (CAA) have been met. Thus, final approval of this redesignation is contingent upon the final approval of the additional SIP submittals described in Part 2. of the Supplementary Information.

DATES: To be considered, comments must be received by July 24, 1996.

ADDRESSES: Written comments on this action should be addressed to Steven M. Scofield, at the EPA Regional Office listed below.

Copies of the documents relative to this action 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 visiting day.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365.

Tennessee Department of Environment and Conservation, 9th Floor, L & C Annex, 401 Church Street, Nashville, Tennessee, 37243-1531.

Bureau of Environmental Health Services, Metropolitan Health Department, 311-23rd Avenue, North, Nashville, Tennessee, 37203.

FOR FURTHER INFORMATION CONTACT:

Steven M. Scofield, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 extension 4189. Reference file TN-152-1-9636.

SUPPLEMENTARY INFORMATION: On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. (Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q). Under section 107(d)(1)(C), EPA designated the Middle Tennessee area as nonattainment by operation of law with respect to O₃ because the area was designated nonattainment immediately before November 15, 1990. The area was classified as moderate.

The moderate nonattainment area more recently has ambient monitoring data that show no violations of the O₃ NAAQS, during the period from 1992 through 1994. Therefore, in an effort to comply with the CAA and to ensure continued attainment of the NAAQS, on November 14, 1994, the State of Tennessee submitted an O₃ maintenance plan and requested redesignation of the area to attainment with respect to the O₃ NAAQS. On March 13, 1995, Region 4 determined that the information received from the State constituted a complete redesignation request under the general completeness criteria of 40 CFR part 51, appendix V, sections 2.1 and 2.2. Subsequently, on August 9, 1995, and January 19, 1996, the State submitted supplementary information which included revised contingency measures and emission projections.

The Tennessee redesignation request for the Middle Tennessee moderate O₃ nonattainment area meets the five requirements of section 107(d)(3)(E) for