

requirements and impose any new federal requirements.

Under section 179(a)(2), if the EPA Administrator takes final disapproval action on a submission under section 110(k) for an area designated nonattainment based on the submission's failure to meet one or more of the elements required by the Act, the Administrator must apply one of the sanctions set forth in section 179(b) of the Act (unless the deficiency has been corrected within 18 months of such disapproval). Section 179(b) provides two sanctions available to the Administrator: revocation of highway funding and the imposition of emission offset requirements. The 18-month period referred to in section 179(a) will begin on the effective date established in the final disapproval action. If the deficiency is not corrected within 6 months of the imposition of the first sanction, the second sanction will apply. This sanctions process is set forth in 40 CFR 52.31. Today's action serves only to propose disapproval of the Commonwealth's SIP revision, and does not constitute final agency action. Thus, the sanctions process described above does not commence with today's action.

Also, 40 CFR 51.448(b) of the federal transportation conformity rules (40 CFR 51.448(b)) state that if the EPA disapproves a submitted control strategy implementation plan revision which initiates the sanction process under Act section 179, the conformity status of the transportation plan and transportation improvement plan shall lapse 120 days after the EPA's disapproval.

Under section 801(a)(1)(A) of the Administrative Procedures Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

This disapproval action for the Pennsylvania 15% plan for Philadelphia has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

The Regional Administrator's decision to approve or disapprove the

SIP revision will be based on whether it meets the requirements of section 110(a)(2)(A)-(K) and part D of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51.

List of Subjects in 40 CFR Parts 52 and 81

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental regulations, Reporting and recordkeeping, Ozone, Volatile organic compounds.

Dated: July 1, 1996.

W. T. Wisniewski,

Acting Regional Administrator.

[FR Doc. 96-17546 Filed 7-9-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 61

[FRL 5536-2]

National Emission Standards for Hazardous Air Pollutants: National Emission Standard for Radon Emissions From Phosphogypsum Stacks

AGENCY: Environmental Protection Agency.

ACTION: Notice of extension of Public Comment Period.

SUMMARY: The Environmental Protection Agency (EPA) is extending the comment period for the rulemaking to reconsider 40 CFR 61.205 and 40 CFR 61.207 which appeared in the Federal Register on May 8, 1996 (61 FR 20775). The extension of the comment period is provided in response to a request by a trade association representing the affected industry. The public comment period for this proposed rule was to end on July 8, 1996. The comment period is extended to July 26, 1996.

DATES: EPA will continue to accept public comments on this proposed rule until July 26, 1996. In addition, pursuant to Section 307(d)(5) of the Clean Air Act, the public may submit rebuttal and supplemental information to the docket for thirty (30) days after the August 1, 1996 public hearing. For more information on the public hearing, see 61 FR 33053 (June 26, 1996).

ADDRESSES: Comments must be submitted, in duplicate, to: Central Docket Section (6101), Environmental Protection Agency, ATTN: Air Docket No. 94-57, Washington, D.C. 20460. The docket is available for public inspection between the hours of 8:00 am and 5:30 pm, Monday through Friday, in Room M1500 of Waterside Mall, 401 M Street, SW, Washington, DC 20460. A reasonable fee may be charged for

copying. The FAX number is (202) 260-4400.

FOR FURTHER INFORMATION CONTACT:

Eleanor Thornton, or for technical information, Rita Cestarc, at: Office of Radiation and Indoor Air (6602J), Environmental Protection Agency, Washington, DC 20460, (202) 233-9677. The proposed rule and supplementary information are located in Air Docket No. 94-57.

SUPPLEMENTARY INFORMATION: On March 24, 1994, EPA announced its decision concerning a petition by The Fertilizer Institute (TFI) seeking reconsideration of a June 3, 1992 final rule revising the National Emission Standard for Radon Emissions from Phosphogypsum Stacks, 40 CFR Part 61, Subpart R. EPA partially granted and partially denied the TFI petition. Pursuant to that decision, EPA convened a rulemaking to reconsider 40 CFR 61.205, the provision of the final rule which governs distribution and use of phosphogypsum for research and development, and the methodology used under 40 CFR 61.207 to establish the average radium-226 concentration for phosphogypsum to be removed from the phosphogypsum stack. See 61 FR 20775 (May 8, 1996) for a more detailed description of the proposed rule.

Reopening of comment period: The Comment Period for this proposed rule was scheduled to end on July 8, 1996. EPA received a request to extend the period to submit comments from TFI. After considering this request, EPA has decided to extend the comment period for this rulemaking to July 26, 1996.

Dated: July 5, 1996.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 96-17578 Filed 7-8-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 63

[AD-FRL-5531-2]

Approval of State Programs and Delegation of Federal Authorities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This action revises the "Approval of State Programs and Delegation of Federal Authorities" (subpart E). These amendments are being made to improve the clarity of subpart E. Because the amendments clarify regulatory text and serve to minimize administrative burden and provide more flexibility to States using this rulemaking, the Agency does not

anticipate receiving adverse comments. Consequently the amendments are also being issued as a direct final rule. If no significant, timely adverse comments are received, no further activity is contemplated in relation to this proposed rule and the direct final rule in the final rules section of this Federal Register will automatically go into effect on the date specified in this rule. If significant timely comments are received on any amendment, that amendment of the direct final rule will be withdrawn and all public comments received on that amendment will be addressed in a subsequent final rule based on the relevant portions of this proposed rule. Because the Agency will not institute a second comment period on this proposed rule, any parties interested in commenting should do so during this comment period.

DATES: Comments. Comments must be received on or before August 9, 1996, unless a public hearing is requested by July 22, 1996. If a hearing is requested, written comments must be received by August 26, 1996.

Public hearing. Anyone requesting a public hearing must contact the EPA no later than July 22, 1996. If a hearing is held, it will take place on July 25, 1996, beginning at 10 a.m.

ADDRESSES: Comments. Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-96-09 (see docket section below), Room M-1500, U.S. EPA, 401 M Street, SW., Washington, DC 20460. The 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. Persons interested in attending the hearing or wishing to present oral testimony should notify Ms. Pamela J. Smith, U.S. EPA, Research Triangle Park, North Carolina, 27711, telephone (919) 541-5319.

Docket. Docket No. A-96-09, containing supporting information, 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, Waterside Mall, Room M-1500, First Floor, 401 M Street SW., Washington, DC 20460, or by calling (202) 260-7548 or 260-7549. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Gil Wood at (919) 541-5272 or Ms. Sheila Q. Milliken at (919) 541-2625

Integrated Implementation Group, Information Transfer and Program Integration Division (MD-12), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: For further supplemental information, the detailed rationale, and the rule amendments, see the information provided in the direct final rule in the final rules section of this Federal Register.

Paperwork Reduction Act

The information collection requirements of the previously promulgated rulemaking on subpart E were submitted to and approved by the Office of Management and Budget (OMB). A copy of this Information Collection Request (ICR) document (with an OMB approval control number 2060-0264) may be obtained from the Regulatory Information Division (Code 2136), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 or by calling (202) 260-2740.

Today's changes to the rulemaking will have no significant impact on the information collection burden estimates made previously. Actually, the burden will be reduced slightly. Consequently, the Information Collection Request has not been revised.

Executive Order 12866 Review

The subpart E rulemaking, promulgated on December 26, 1993 was considered a "significant regulatory action" under Executive Order 12866 [58 FR 5173, dated October 4, 1993] and submitted to the OMB for review. According to the executive order, a "significant regulatory action is one that is likely to result in a rule 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, of 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.

This action is not considered a "significant regulatory action" within the meaning of this Executive Order. The amendments issued today clarify

the rule and add administrative requirements which increase the flexibility to States in terms of gaining approval of their respective State programs. The EPA concludes these amendments would have no adverse impact and therefore, do not need to undergo OMB review.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The Act specifically requires the completion of a regulatory flexibility analysis in those instances where small business impacts are possible. Because this rulemaking imposes no adverse economic impacts, a regulatory flexibility analysis has not been prepared.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 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 one year. Today's rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, or tribal governments or the private sector. The UMRA generally excludes from the definition of "Federal intergovernmental mandate" duties that arise from participation in a voluntary Federal program. The EPA has also determined that this rule does not contain a Federal mandate that may result in expenditures of \$100 million or more for State, local, and tribal governments, in the aggregate, or the private sector in any one year. Thus, today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: June 26, 1996.
 Carol M. Browner,
Administrator.
 [FR Doc. 96-17324 Filed 7-9-96; 8:45 am]
 BILLING CODE 6560-50-P

40 CFR Part 136

[FRL-5535-4]

A Public Meeting on Method Flexibility and Streamlining Approval of Analytical Methods at 40 CFR Part 136

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: The Office of Science and Technology within EPA's Office of Water is conducting a public meeting on approaches to method flexibility and streamlining the proposal and promulgation of analytical methods at 40 CFR Part 136 under Section 304(h) of the Clean Water Act and at 40 CFR Part 141 under Sections 1401 and 1445 of the Safe Drinking Water Act. This public meeting on streamlining EPA's water methods approval programs will be held in conjunction with the Trace Metals Workshop announced concurrently in the Federal Register.

This public meeting follows a series of three public meetings on streamlining held in Seattle, Washington on September 28, 1995, in Boston, Massachusetts on January 25, 1996, and in Chicago, Illinois on February 14, 1996. The Seattle meeting was announced in an FR notice titled, "A Public Meeting and Availability of Documents on Streamlining Approval of Analytical Methods at 40 CFR Part 136 and flexibility in Existing Test Methods" [FRL-5294-6] published in the Federal Register on September 12, 1995 at 60 FR 47325. This FR notice provided extensive supplementary information regarding the 304(h) streamlining effort and made available several supporting documents. The supporting documents and summaries of the Seattle, Boston, and Chicago public meetings can be obtained through the contact identified in this notice.

DATES: EPA will conduct the public meeting on 304(h) streamlining on Wednesday, July 24, 1996, in Denver, Colorado. Registration for the meeting will begin at 8 a.m. The meeting will be held from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will be held in the USGS Lecture Hall, Building 25, Denver Federal Center, 6th & Kipling, Denver, Colorado.

FOR FURTHER INFORMATION CONTACT:

Questions concerning this notice can be directed to Marion Thompson by phone at (202) 260-7117 or by facsimile at (202) 260-7185.

SUPPLEMENTARY INFORMATION: Meeting arrangements are being coordinated by DynCorp, Inc. For information on registration, contact Cindy Simbanin, 300 N. Lee Street, Suite 500, Alexandria, VA 22314. Phone: (703) 519-1386. Facsimile number: (703) 684-0610. Space is limited and reservations are being taken on a first come, first served basis. No fees will be charged to attend.

Hotel reservations may be made by contacting the Comfort Suites in Lakewood, Colorado at (303) 231-9929. The hotel address is 11909 W. 6th Avenue, Lakewood, Colorado 80033. Single occupancy guest rates are \$83.55, including tax. When making reservations, you must specify that you are affiliated with the EPA Meeting to qualify for the quoted rate.

Accommodations are limited, so please make your reservations early. The Comfort Suites does not provide transportation to/from the airport or to the Federal Center. Guests should take the Airport shuttle to/from the airport and use taxi service to the Federal Center. The Federal Center is within walking distance of the Comfort Suites, but it is not an easy walk due to the location of the main gate into the Federal Center.

Title: A Public Meeting on Method Flexibility and Streamlining Approval of Analytical Methods at 40 CFR Part 136

Abstract

Under Section 304(h) of the Clean Water Act, EPA is responsible for promulgating analytical methods at 40 CFR Part 136 for use in monitoring pollutant discharges. EPA uses these methods to support development of effluent guidelines promulgated at 40 CFR Parts 400-499, and both EPA and the regulated community use the methods for establishing compliance with National Pollutant Discharge Elimination System (NPDES) permits and other monitoring purposes. The methods approved for use at 40 CFR Part 136 have been developed by EPA, by industrial associations such as the American Society for Testing Materials, and by other governmental agencies such as the U.S. Geological Survey. In the past, the methods proposal and promulgation process has been cumbersome, and has not provided the flexibility to take advantage of new analytical technologies in a timely manner. In response to the Administration's Environmental

Technology Initiative, EPA is proposing a comprehensive Section 304(h) streamlining initiative to increase method flexibility to allow use of emerging technologies and to expedite the method approval process, to encourage development of new methods and technologies by organizations outside of EPA.

The Office of Ground Water and Drinking Water within EPA's Office of Water is also developing approaches to increasing method flexibility and streamlining the approval of analytical methods at 40 CFR Part 141 under Sections 1401 and 1445 of the Safe Drinking Water Act. EPA is coordinating these efforts with the CWA Section 304(h) streamlining effort in an overall initiative to streamline its water methods approval programs.

EPA has held three public meetings to outline plans for method flexibility and for streamlining proposal and promulgation of new methods, and to elicit stakeholder views regarding these plans. EPA had compiled and evaluated stakeholder input received at the public meetings and has revised its approach to streamlining accordingly.

Agenda Topics

The purpose of the public meetings on 304(h) streamlining is to outline plans for method flexibility and for streamlining proposal and promulgation of new methods at 40 CFR Part 136 under Section 304(h) of the Clean Water Act, and to elicit stakeholder views regarding these plans. The following topics will be addressed at the public meetings:

- Increasing method flexibility to allow use of new technologies and to identify modifications that are acceptable within the scope of existing methods and do not require proposal of an alternate method
- Interpretation of flexibility in existing 40 CFR Part 136 methods
- Advantages and disadvantages of method flexibility (no flexibility, limited flexibility, and unlimited flexibility)
- Proposal to allow nearly unlimited "front-end" method modifications as long as the determinative technique is not changed and method performance is demonstrated to be equivalent
- Establishing standardized quality control (QC) and QC acceptance criteria to support determination of method equivalency
- Streamlining the method proposal process to take advantage of emerging analytical technologies in a timely manner
- Standardized format for preparing new methods