

Regulatory Flexibility Act

It is hereby certified that these proposed regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. This regulation provides due process protections for persons assessed a civil penalty for misusing Department of the Treasury names, symbols, titles, abbreviations, initials, seals, or badges. Furthermore, the imposition of any civil penalty on small businesses flows directly from the underlying statute.

Public Participation

The Department of the Treasury requests comments from all interested persons. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

The Department of the Treasury will not recognize any material in comments as confidential. Comments will be available to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure.

Drafting Information

The principal author of this document is Abigail Roth, Attorney-Advisor, Office of the Assistant General Counsel (Enforcement). However, other personnel in the Departmental Offices contributed to this document both as to substance and style.

Dated: July 18, 1997.

Raymond W. Kelly,

Under Secretary for Enforcement.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[WA61-7136, WA64-7139b; FRL-5869-9]

Approval and Promulgation of State Implementation Plans: Washington

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Environmental Protection Agency (EPA) approves in part several

minor revisions to the state of Washington Implementation Plan (SIP). Pursuant to section 110 (a) of the Clean Air Act (CAA), the Director of the Washington Department of Ecology (WDOE) submitted two requests to EPA dated November 25, 1996 and April 7, 1997 to revise certain regulations of a local air pollution control agency, namely, the Puget Sound Air Pollution Control Agency (PSAPCA). In the final rules Section of this **Federal Register**, the EPA is approving the State's SIP 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.

DATES: Comments on this proposed rule must be received in writing by September 5, 1997.

ADDRESSES: Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (OAQ-107), Office of Air Quality, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule 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 10, Office of Air Quality, 1200 6th Avenue, Seattle, WA 98101. The State of Washington Department of Ecology, P.O. Box 47600, Olympia, Washington 98504.

FOR FURTHER INFORMATION CONTACT: Lisa Jacobsen, Office of Air Quality (OAQ-107), EPA, 1200 6th Avenue, Seattle, WA 98101, (206) 553-6917.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the rules section of this **Federal Register**.

Dated: July 17, 1997.

Chuck Findley,

Acting Regional Administrator.

[FR Doc. 97-20665 Filed 8-5-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 141 and 142**

[FRL-5870-9]

RIN 2040 AA 94

Withdrawal of the Proposed National Primary Drinking Water Regulation for Radon-222

AGENCY: Environmental Protection Agency.

ACTION: Notice of withdrawal of proposed rule.

SUMMARY: This document announces the Environmental Protection Agency's (EPA) withdrawal of drinking water regulations proposed for radon-222 (56 FR 33050, July 18, 1991). EPA is withdrawing the proposed Maximum Contaminant Level Goal (MCLG), Maximum Contaminant Level (MCL), monitoring, reporting, and public notification requirements for radon-222 as required by section 1412(b)(13)(A) of Safe Drinking Water Act (SDWA), as amended. No other provision of the July 18, 1991 proposal is affected by today's action.

FOR FURTHER INFORMATION CONTACT: Sylvia Malm, (202) 260-0417. For information on radon in drinking water and other EPA activities under the Safe Drinking Water Act, please contact the Safe Drinking Water Hotline at 1-800-426-4791. For information on radon in indoor air, please contact the National Safety Council's National Radon Hotline at 1-800-SOS-RADON.

SUPPLEMENTARY INFORMATION: On July 18, 1991 (56 FR 33050), EPA proposed a maximum contaminant level goal (MCLG), a maximum contaminant level (MCL), monitoring, reporting, and public notification requirements for radon and a number of other radionuclides in public water supplies (systems serving over 25 individuals or with greater than 15 connections). EPA proposed to regulate radon at 300 pCi/L.

On August 6, 1996, Congress passed amendments to the SDWA. Section 1412(b)(13)(A) of the SDWA, as amended, directs EPA to withdraw the proposed national primary drinking water regulation for radon. With this **Federal Register** document, EPA withdraws the proposed MCLG, MCL, monitoring, reporting, and public notification requirements for radon-222. No other provision of the July 18, 1991 proposal is affected by this action.

Congress has directed EPA to propose an MCLG and National Primary Drinking Water Regulation (NPDWR) for

radon-222 by August, 1999 and promulgate a final regulation by August, 2000 [section 1412 (b)(13)(D-E)]. EPA has committed to take final action on the other radionuclides included in the July 18, 1991 proposal by December, 2000. On a related matter, EPA published on March 5, 1997 (62 FR 10168) a final rule on the analytical methods for gross alpha, gross beta, tritium, uranium, radium-226, radium-228, gamma emitters, and radioactive cesium, iodine and strontium.

Dated: July 30, 1997.

Carol Browner,
Administrator.

[FR Doc. 97-20666 Filed 8-5-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 281

[FRL-5866-6]

Commonwealth of Puerto Rico; Approval of State Underground Storage Tank Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of tentative determination on application of the Commonwealth of Puerto Rico for final approval, public hearing and public comment period.

SUMMARY: The Commonwealth of Puerto Rico has applied for final approval of its Underground Storage Tank program for petroleum and hazardous substances under Subtitle I of the Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act ("RCRA"). The United States Environmental Protection Agency has reviewed the Commonwealth of Puerto Rico's application and has made a tentative determination that the Commonwealth of Puerto Rico's Underground Storage Tank ("UST") program for petroleum and hazardous substances satisfies all of the requirements necessary to qualify for final approval. This Notice of tentative determination affords the public a thirty-day period after this Notice to comment on the Commonwealth of Puerto Rico's application and USEPA's tentative determination. The application is available for inspection by the public during the comment period. Two public hearings will be held to solicit comments on the application.

DATES: Written comments on the Commonwealth of Puerto Rico's

application for final approval must be received by USEPA, at the address noted below, by close of business on September 12, 1997. Two public hearings are scheduled for September 8 and September 9, 1997. USEPA and the Commonwealth of Puerto Rico will be present at the public hearings to provide information and answer questions. The hearings will begin at 9:00 A.M. and will continue until the end of the testimony or 4:00 P.M., whichever comes first. Evening sessions will be from 6:00 P.M. to 10:00 P.M. Requests to present oral testimony must be mailed to USEPA, at the address noted below, by the close of business on August 26, 1997, and should include the requester's name, address and telephone number. USEPA reserves the right to cancel the hearings should there be no significant public interest. Those informing EPA of their intention to testify will be notified of any cancellation.

ADDRESSES: Comments and requests to testify should be mailed to Mr. John Kushwara, Chief, Ground Water Compliance Section (DECA-WCB), USEPA, Region II, 290 Broadway, 20th Floor, New York, NY 10007-1866 or Mr. Victor Trinidad, Caribbean Environmental Protection Division, Centro Europa Building, Suite 417, 1492 Ponce De Leon Avenue, Stop 22, Santurce, Puerto Rico 00907-4127.

Copies of the Commonwealth of Puerto Rico's application for program approval are available for review 9:00 A.M.—4:00 P.M., Monday through Friday, at the following locations: Commonwealth of Puerto Rico, Environmental Quality Board, 431 Ponce De Leon Avenue, Nacional Plaza, Lobby Area, Hato Rey, PR 00917, Phone: (787) 767-7712; Commonwealth of Puerto Rico, Environmental Quality Board, Mayaguez Regional Office, Road #2, Km 159, Mayaguez, PR 00680; Phone: (787) 833-1198 or (787) 833-1188; United States Environmental Protection Agency, Region 2, Caribbean Environmental Protection Division, Centro Europa Building, 1492 Ponce De Leon Avenue, Suite 417, Santurce, PR 00907-4127, Phone: (787) 729-6951; United States Environmental Protection Agency, Region II Library, 290 Broadway, 16 Floor, New York, NY 10007-1866, Phone: (212) 637-3185. The public hearings will be held on September 8, 1997, in the Public Hearing Room of the Environmental Quality Board, 6th Floor, 431 Ponce De Leon Avenue, Nacional Plaza, Hato Rey, PR 00917 and on September 9, 1997 in the Public Hearing Room of the Environmental Quality Board,

Mayaguez Regional Office, Road #2, Km 159, Mayaguez, PR 00680. The hearings will begin at 9:00 A.M. and 6:00 P.M. and will continue until the end of testimony or 4:00 and 10:00 P.M., whichever comes first.

FOR FURTHER INFORMATION CONTACT: Madho Ramnarine Singh, Water Compliance Branch (DECA-WCB), USEPA, Region 2, 290 Broadway, New York, NY 10007-1866, Phone: (212) 637-4237 or Mr. Victor Trinidad, Caribbean Environmental Protection Division, Centro Europa Building, Suite 417, 1492 Ponce De Leon Avenue, Stop 22, Santurce, Puerto Rico 00907-4127, Phone: (787) 729-6951.

SUPPLEMENTARY INFORMATION:

A. Background

Section 9004 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6991c, authorizes USEPA to approve State Underground Storage Tank programs to operate in lieu of the Federal Underground Storage Tank ("UST") program. Program approval may be granted by USEPA pursuant to RCRA Section 9004(b), if the Agency finds that the State program is "no less stringent" than the Federal program for the seven elements set forth at RCRA Section 9004(a)(1) through (7); includes the notification requirements of RCRA Section 9004(a)(8); and provides for adequate enforcement of compliance with UST standards of RCRA Section 9004(a).

B. Commonwealth of Puerto Rico

On November 7, 1990, the Environmental Quality Board of the Commonwealth of Puerto Rico issued Underground Storage Tank Control Regulations which became effective on December 14, 1990. In accordance with the requirements of 40 CFR Section 281.50(b), the Commonwealth of Puerto Rico had previously provided an opportunity for public comment on the aforesaid regulations on September 21, 1989. A public hearing was held on October 20, 1990. The Environmental Quality Board received comments concerning their annual notification requirements, and minor editorial and syntax changes. These changes were incorporated into the regulations which are currently in effect.

On January 17, 1996, USEPA received the Commonwealth of Puerto Rico's formal application for approval of its Underground Storage Tank program and in 1997 received supplemental information as part of the Commonwealth's application. USEPA has reviewed the Commonwealth of Puerto Rico's application and has