

9, 1996, EPA Region 10 advised that any analysis of whether the monitor was properly sited would need to be conducted in the context of 40 CFR part 58, Appendix E, which provides specific criteria for the placement of CO monitors, including consideration of the placement of such monitors vis-a-vis street canyons and traffic corridors. In addition, the State of Washington Department of Ecology provided EPA with copies of four audit reports from 1995 which indicate that that CO monitor met the Part 58 siting criteria and that the monitor was reporting accurately with the acceptance criteria. This information was provided to the City of Spokane in a letter dated May 28, 1996.

EPA believes that the 1995 exceedances are valid for use in determining the attainment status of the Spokane area. EPA is therefore proposing to find, based on the 1995 CO violations discussed above, that the area did not attain the CO NAAQS by December 31, 1995.

III. Executive Order (EO) 12866

Under E.O. 12866, 58 FR 51735 (October 4, 1993), EPA is required to determine whether regulatory actions are significant and therefore should be subject to OMB review, economic analysis, and the requirements of the Executive Order. The Executive Order defines a "significant regulatory action" as one that is likely to result in a rule that may meet at least one of the four criteria identified in section 3(f), including, under paragraph (1), that the rule may "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." The Agency has determined that the finding of failure to attain proposed today would result in none of the effects identified in section 3(f). Under section 186(b)(2) of the CAA, findings of failure to attain and reclassification of nonattainment areas are based upon air quality considerations and must occur by operation of law in light of certain air quality conditions. They do not, in and of themselves, impose any new requirements on any sectors of the economy. In addition, because the statutory requirements are clearly defined with respect to the differently classified areas, and because those requirements are automatically triggered by classifications that, in turn, are triggered by air quality values, findings of failure to attain and reclassification

cannot be said to impose a materially adverse impact on State, local, or tribal governments or communities.

IV. Regulatory Flexibility

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. As discussed in section III of this notice, findings of failure to attain and reclassification of nonattainment areas under section 186(b)(2) of the CAA do not in and of themselves create any new requirements. Therefore, I certify that today's proposed action does not have a significant impact on small entities.

V. Unfunded Mandates

Under sections 202, 203 and 205 of the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995, EPA must assess whether various actions undertaken in association with proposed or final regulations include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local or tribal governments in the aggregate. EPA believes, as discussed above, that the proposed finding of failure to attain and reclassification of the Spokane nonattainment area are factual determinations based upon air quality considerations and must occur by operation of law and, hence, do not impose any Federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act.

List of Subjects in 40 CFR Part 81

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

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

Dated: June 17, 1996.

Chuck Clarke,

Regional Administrator.

[FR Doc. 96-16670 Filed 6-28-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Parts 260, 261, 262, 264, 268, 269 and 271

[FRL-5528-9]

Requirements for Management of Hazardous Contaminated Media (HWIR-media); Proposed Rule—Notice of Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule: notice of extension of comment period.

SUMMARY: Since publication of the proposed rule for Requirements for Management of Hazardous Contaminated Media (HWIR-media) (61 FR 18780 (April 29, 1996)), EPA has received several requests to extend the comment period. Today, the Agency is extending the comment period 30 days to August 28, 1996.

DATES: The comment period on the proposed rule for Requirements for Management of Hazardous Contaminated Media (61 FR 18780) is extended from July 29, 1996 to August 28, 1996.

ADDRESSES: Commenters on the HWIR-media proposal must send an original and two copies of their comments referencing Docket Number F-96-MHWP-FFFFF to: (1) If using regular US Postal Service mail: RCRA Docket Information Center, Office of Solid Waste (5305W), U.S. Environmental Protection Agency Headquarters (EPA, HQ), 401 M Street, SW., Washington, DC 20460, or (2) if using special delivery, such as overnight express service: RCRA Docket Information Center (RIC), Crystal Gateway One, 1235 Jefferson Davis Highway, First Floor, Arlington, VA 22202. For other information regarding submitting comments electronically or viewing the comments received and supporting information, please refer to the proposed rule (61 FR 17870 (April 29, 1996)). The RCRA Information Center is located at Crystal Gateway One, 1235 Jefferson Davis Highway, First Floor, Arlington Virginia and is open for public inspection and copying of supporting information for RCRA rules from 9 am to 4 pm Monday through Friday, except for Federal holidays. The public must make an appointment to view docket materials by calling (703) 603-9230. The public may copy a maximum of 100 pages from any regulatory document at no cost. Additional copies cost \$0.15 per page.

FOR FURTHER INFORMATION CONTACT: For general information, call the RCRA Hotline at 1-800-424-9346 or TDD 1-800-553-7672 (hearing impaired).

Callers within the Washington Metropolitan Area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). The RCRA Hotline is open Monday-Friday, 9 a.m. to 6 p.m., Eastern Standard Time. For more detailed information on specific aspects of the HWIR-media rulemaking, contact Carolyn L. Hoskinson, Office of Solid Waste (5303W), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, phone (703) 308-8626.

SUPPLEMENTARY INFORMATION: On April 29, 1996, EPA proposed Requirements for Management of Hazardous Contaminated Media (HWIR-media). See 61 FR 17870. The Agency established a 90-day comment period and indicated that comments on the proposal would be accepted until July 29, 1996.

EPA has received written requests to extend the comment period for HWIR-media from the Commonwealth of Massachusetts, WMX Technologies, Inc., American Petroleum Institute, and the American Industrial Health Council. The additional time requested was for 60 days.

As justification for a time extension, stakeholders noted: (1) the significant impact on state superfund and hazardous waste programs, (2) the need to coordinate comments with other organizations, (3) the complexity of the rulemaking, (4) the overlap of this comment period with the comment period for the Advanced Notice of Proposed Rulemaking (ANPR) for Corrective Action for releases from Solid Waste Management Units at Hazardous Waste Management Facilities (61 FR 19432 (May 1, 1996)) which ends July 30, 1996, and (5) the need to gather and evaluate data.

The Agency has decided to grant an additional 30 days beyond the proposed 90-day comment period to allow stakeholders enough time to review the provisions of the rulemaking and to formulate comments and recommendations for the Agency's consideration in developing the final rule. The Agency believes that 120 days allows for sufficient time for commenters to evaluate the proposal, coordinate comments with others, and gather and evaluate data. This 30 day extension will stagger the comment deadlines for this proposed rule and the corrective action ANPR (61 FR 19432) mentioned above.

The Agency does not believe that the 60 day extension requested is necessary. The Agency has extensively involved stakeholders during the preparation of the proposed rulemaking, beginning in January 1993. EPA announced public

meetings of the HWIR Federal Advisory Committee in the Federal Register and the public was invited to attend and participate in the discussions between January 1993 and September 1994. Stakeholders were aware of the types of issues that would be discussed in the proposed rule, and therefore have had adequate time to prepare to present comments and data to the Agency on the general issues. As for the specific requirements proposed in the April 29, 1996 proposal, 120 days provides sufficient time to respond. There is broad agreement that reform of the RCRA Subtitle C management requirements for remediation wastes is needed. The Agency wishes to move forward with this important reform, and believes that the requested 60 day extension would cause unnecessary delay. Accordingly, the Agency is extending the comment period 30 days to August 28, 1996 to provide for a 120-day comment period.

The Agency also received requests to extend the comment period for 60 additional days for the RCRA corrective action Advance Notice of Proposed Rulemaking ("ANPR") (61 FR 19432) from American Petroleum Institute and the American Industrial Health Council. As justification for a time extension, stakeholders noted: (1) The need for adequate time for public review, and (2) limited expert resources to comment on both the HWIR-media (61 FR 18780) proposal and the corrective action ANPR (61 FR 19432) at the same time. The Agency has decided to retain the current 90 day comment period for the ANPR; comments on the ANPR are due by July 30, 1996. Although the ANPR requests comment on a range of corrective action issues, it does not propose any specific changes to the program, and is primarily soliciting views of interested parties rather than detailed technical analysis. Therefore, the Agency believes that a 90 day public comment period is adequate time. The Agency intends to move expeditiously forward with its plans to identify and implement improvements to the corrective action program. Any newly proposed or repropoed corrective action regulations which follow the ANPR will undergo appropriate public involvement and review as part of the rulemaking process. In addition, the Agency is providing relief from commenting on HWIR-media and the corrective action ANPR at the same time by extending the comment period for the HWIR-media proposal.

One of the requests for an extension asked that the Agency specifically identify those portions of the 1990 corrective action proposal (55 FR 30798

(July 27, 1990)) which EPA plans to promulgate as final. EPA has not determined what, if any, portions of the 1990 proposal are appropriate for finalizing, but rather solicited comment on this issue. EPA provided opportunity for notice and comment on the 1990 proposal at the time of that proposal. Comments submitted during the 1990 comment period, as well as comments on this ANPR, will be considered before the Agency takes final action on any part of the 1990 proposal. In the May 1, 1996 ANPR (61 FR 19432) EPA requests that commenters identify specific elements of the 1990 proposal which could be promulgated without additional public review and the advantages and disadvantages of immediately promulgating such provisions. Please see the May 1, 1996 ANPR (61 FR 19432, 19456) for additional discussion of this issue.

Dated: June 20, 1996.

Elliott Laws,

Assistant Administrator for the Office of Solid Waste and Emergency Response.

[FR Doc. 96-16669 Filed 6-28-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-7184]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each